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of Ontario  
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**Official Report  
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**Journal  
des débats  
(Hansard)**

**Wednesday 3 November 2010**

**Mercredi 3 novembre 2010**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

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ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mercredi 3 novembre 2010

*The House met at 0900.*

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

*Prayers.*

ORDERS OF THE DAY

TIME ALLOCATION

**Hon. Monique M. Smith:** I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 122, An Act to increase the financial accountability of organizations in the broader public sector, when Bill 122 is next called as a government order the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the Standing Committee on Social Policy; and

That the Standing Committee on Social Policy be authorized to meet on Monday, November 22, 2010, and Tuesday, November 23, 2010, during its regular meeting times for the purpose of public hearings and on Monday, November 29, 2010, for the purpose of clause-by-clause consideration of the bill; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be 12 noon on Friday, November 26, 2010. At 5 p.m. on Monday, November 29, 2010, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment for clause-by-clause consideration on November 29, 2010. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 129(a); and

That the committee shall report the bill to the House no later than Tuesday, November 30, 2010. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the Standing Committee on Social Policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading, which order may be called that same day; and

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

That the vote on third reading may be deferred pursuant to standing order 28(h); and

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

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

**Mrs. Joyce Savoline:** It's my pleasure today to join the debate on Bill 122, An Act to increase the financial accountability of organizations in the broader public sector.

This bill, if passed, would bring in new rules and higher accountability standards for hospitals, local health integration networks, more commonly known as LHINs, and the broader public sector around the use of lobbyists, consultants and expenses.

More specifically, this bill would expand the freedom-of-information legislation to cover hospitals, and that would be effective January 1, 2012.

It would also require hospitals and LHINs to post expenses of senior executives online, and it would require hospitals and LHINs to report annually on their use of consultants.

Although the intent of this bill sounds reasonably good, we must be honest, and the truth is that this bill is in response to eHealth 2.0. It follows in the pattern of knee-jerk reactions that has been the trademark of this government over the last seven years.

Bill 122 is nothing more than a feeble attempt to respond to the findings of yet another scathing Auditor General's report. A year after being indicted by the Auditor General for wasting \$1 billion on eHealth Ontario, the Auditor General has confirmed that this government has once again been caught wasting health care dollars on Liberal insiders and consultants. The auditor's report revealed that the same waste and the same scandal that plagued eHealth Ontario also plagues the Ministry of Health, the LHINs and some Ontario hospitals.

Despite the Premier's promises to put a stop to the waste and mismanagement after last year's report, he has failed to do so, and the waste and the mismanagement continue. This year's shocking report showed that this government did not keep to their word and they did not stop the waste and mismanagement, thereby allowing it to further spread to the hospitals and the LHINs.

The auditor's report did not review all 14 LHINs; it focused on only three, which probably drew a sigh of relief from this government, as there would likely be more waste to be found if the remaining 11 LHINs were to be reviewed.

Although after last year's report the Premier gave the impression that things would change, I would like to highlight that the 2009 and 2010 reports had much of the same language. I quote last year's report: "Sound and reasonable policies were in place ... but all too often the rules were not followed."

#### 0910

Let's move to the report this year: "We noted far too many instances at the hospitals we visited where sound public sector business practices were not followed." In last year's report, Ontarians were made aware of the favouritism taking place for Liberal-friendly consulting firms. The auditor said, "Allegations that the agency showed favouritism in awarding ... contracts are ... true." This year, again, it was much of the same. The auditor said that "The Ministry of Health ... found a way around the rules when it wanted to hire a favoured consultant ... we essentially felt the fix was in."

The auditor's language wasn't the only thing that was similar between last year and this year. The government's tone this year was just as apologetic as last year, but we mustn't forget that actions speak louder than words. I quote the Premier last year: "We didn't do enough to protect the interests of taxpayers." Well and good. And I quote the Minister of Health this year. She said, "I'm really sorry this has gone on. I don't think this is acceptable."

All this is fine and good, but the question remains: Why did this government allow these practices to continue? Why didn't they take it seriously last year or the year before or the year before? They waited until they were caught.

Their introduction of the Public Sector Expenses Review Act created new responsibilities for the Integrity Commissioner. She is now responsible for looking at the expenses of Ontario's 22 largest agencies. This new legislation is only applied to expenses incurred as of September 1, 2009; it wasn't retroactive. However, as we have seen with the scandals at eHealth Ontario and the Ontario Lottery Corp., the spending goes back much further, and what the Liberal government essentially did was give those 22 agencies a clean slate.

As I mentioned, the bill addresses 22 of the government's agencies, boards and commissions, but there are almost 630 of these agencies in total. The government chose to address 3.5% of these agencies and make them accountable, leaving the other 96.5% to continue to

spend, spend and spend without any oversight. So here we are today, then and after, yet another scathing auditor report, yet another apology from this government and yet another promise. And things are supposed to get better.

The truth is that these apologies and promises were empty. They weren't taken seriously because if they were, I wouldn't be standing here today and we wouldn't be debating Bill 122. This is a knee-jerk reaction.

If this government had taken last year's report findings seriously, they would have supported my colleague from Nepean-Carleton in her bill on May 6, 2010. It was Bill 39, the Truth in Government Act. A lot of problems that the auditor raised in his 2010 report would have been addressed had this government supported Bill 39.

Let me just remind the other side what Bill 39 set out to do. It would have expanded the Freedom of Information and Protection of Privacy Act to apply to all public bodies. It would have had full protective disclosure of contracts over \$10,000 in value to apply to all—I repeat—all public bodies. It would have had full protective disclosure of all travel and hospitality expenses, and that would also apply to all public bodies. And it would have had full protective disclosure of all position reclassifications to apply to all public bodies.

This government failed. They failed to show Ontarians that they were serious about changing these problems, and they failed to support Bill 39. They used their overwhelming majority to defeat Bill 39. Although this government failed to support this important bill, it was supported by many others on this side of the House. Once again, the government used its overwhelming majority to defeat an important bill.

Kevin Gaudet of the Canadian Taxpayers Federation said that Bill 39 would help shed light on government spending and that taxpayers should be able to know easily how their tax dollars are being spent by government. Well, that's what the taxpayers are asking for. That's what they expect.

Peter Coleman, president of the National Citizens Coalition, NCC, said: "The NCC has always stood for transparency and value for hard-working taxpayers. We fully support this bill"—Bill 39—"and hope that it becomes law and brings back honesty and stops the rampant waste and scandal that seem to be the norm under the McGuinty government."

Additionally, since 2004, Ontario's Information and Privacy Commissioner has repeatedly—repeatedly—called for the expansion of freedom-of-information access to all agencies, boards and commissions in our province. Even the Ontario Hospital Association—get this—has called on the McGuinty Liberals to extend FOI legislation to hospitals. Hospitals are asking for it themselves.

Ontario families will not be fooled again into believing this government's latest promise to fix this mess. They don't want to see scandal after scandal from this government. They want to see front-line health care at its best, and that it not continue to be wasted. Plain and simple, Ontario families can no longer afford the

McGuinty government and cannot tolerate its empty words any longer.

It is time for this government to open their eyes to the very serious flaws, such as the use of lobbyists by hospitals and other public sector bodies, which are occurring under their watch. People can't get to the Premier. People can't get to the minister. People can't get to the minister's staff. It is totally unacceptable to use provincially allocated money to pay lobbyists to speak to the Premier on behalf of hospitals. It truly is mind-boggling. Why couldn't the hospitals have simply picked up the phone and called the minister, called her staff, called the Premier? Why couldn't they have done that themselves? Obviously, there is some concern from hospitals and others that they are not effectively getting the Premier's attention, the minister's attention or her staff's attention—the government is untouchable—and they need to hire consultants to do this, and in a lot of cases, Liberal-friendly consultants.

I would also strongly encourage this government to get their LHINs under control. They were brought in to supposedly provide seamless health care. However, what we have seen is wait-lists growing and Ontarians paying more and getting less. Ontarians want to see this government take action, not react to more negative reports on their mistakes, not react when they get caught. I hope they will take the findings of this year's auditor's report very seriously and ensure that this practice of hiring their favourite consultants stops—it stops with this report—and that Ontario health care dollars go to front-line support where they belong and where they should be going.

Ontarians will not continue to tolerate these end runs on good and responsible processes, and they will send the message to the McGuinty government, loud and clear, on October 6, 2011, 336 days from now. Are you counting, folks?

0920

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

**Ms. Cheri DiNovo:** It's a pleasure to rise on behalf of Ontarians everywhere and express outrage at the government bringing in a closure motion.

The government, for those who are watching, is trying to shut down debate on a bill that shines a light on some pretty questionable practices in this province, I must say. They are shutting it down. They are going to allow only a couple of hours of hearings on a bill to look at the practice of using tax dollars to hire lobbyists to lobby their own government—Liberals to lobby Liberals. They're only going to allow a couple of hours of committee time for hearings, and then they're going to bring it back to the House for only an hour of debate at third reading.

The question, of course, that should be coming to the minds of all Ontarians: Why does the government want to put the lid on this already pretty anemic bill? I'm going to talk about how anemic this bill is in a minute.

Suffice to say that to bring in a closure motion—once might ask the Liberals across the aisle and some to the left of me here, why they are acting so illiberally on this?

This is shutting down debate in an area where the government actually is showing, I would profess, its true colours.

Its true colours are a government that is unresponsive, that will not answer the phone for hospitals or the MUSH sector generally and that forces hospitals and others to go to lobbyists, paying tax dollars so that they can get even a soupçon of, in this particular case more than any other, the Minister of Health's time. Now they want to shut down debate on it, and they want to limit hearing time.

I would think that a lot of private sector lobbyists would love to speak to the government about this. It might cost them their job, of course—not too soon, not for 15 months, not until after the next election. But still, a lot of Liberals are going to be out of work. I would think that they would have a large line around Queen's Park wanting to depute at the hearings about why their own team is putting them out of work all of a sudden—in 15 months—when the system has worked so seamlessly up until now. What better job if you lose your seat here or somewhere else, what better job if you're a party back-room boy or girl than to be a lobbyist speaking to your own folk on behalf of the MUSH sector?

The fact that the government professes such shock at this process is hilarious. It's hilarious. I mean, did not the Minister of Health know who was sitting across the desk from her with the shiny shoes and the briefcase? Did she not know this was a lobbyist? Do we not know, as MPPs, that lobbyists come and go in this place all the time? This is a shock to the government, that hospitals, LHINs and universities are forced to hire lobbyists just to get some of their time? This is a shock? Please. My goodness.

It's interesting that Bill 122 comes out the very same day as the auditor's report. It's as if they knew. It's as if they had maybe some advance warning. They table it the very same day.

What a bill it is that we are not allowed to debate here for more than a couple of hours and have only a couple of hours of hearings. "Get it out," the government says. "We don't want to talk about this issue anymore."

It's embarrassing to the government. Of course it is. If I were a Liberal, I would be embarrassed that hospitals had to hire lobbyists to speak to the health minister. The health minister stands up in this House, and she says, "Why didn't they just give me a call?"

I've yet to hear it, and I would ask anybody to bring forward the Hansard that gives her cell number, because, my goodness, it's hard enough to get time with any of the ministers even for MPPs on this side of the House, never mind those out there trying to do good work for Ontarians who are being told that the cheque is in the mail—unless, of course, you hire somebody who's going to facilitate that. Please.

I've talked to my hospitals. We've talked to our universities. We know what they're up against. They're fighting for every dollar from this government, and anything that will give them a slight edge with a minister, they will use. Of course they will; they're trying to do that on behalf of their constituents.

There was a particularly egregious comment, I thought, from the member for Thunder Bay—Atikokan—an insinuation more than a comment—the other day in debate, when he insinuated that some MPPs may have better access to ministers than other MPPs, I suppose depending on what political party they come from. This is an affront to the voters of Ontario. This is an affront to all of our constituents, that there is not equal access to the ministers for all sides of the House; that there is not access, open and easy access, to the ministers by hospitals, if it's the Ministry of Health, or universities, if it's the Ministry of Training, Colleges and Universities. I mean, these are the bodies, the institutions, that deliver what this government mandates. The very least Ontarians should expect is that they have easy and open access to the ministers. That has clearly not been the case. They've had to hire lobbyists. Government shouldn't be shocked by that. They know who the lobbyists are. They probably even recommended them. They're sitting across the desk from them, often, in their offices. To feign shock is ludicrous, and I think voters and people in Ontario know how ludicrous it is. In fact, most of the folks from my constituency who contacted me about this thought it should be illegal.

It should be illegal. Unfortunately, it's not illegal. It's barely legal, but it's legal. You can do this. You can use taxpayers' dollars to lobby the government. Hey, if you're a municipal utility, you can even use taxpayers' dollars to contribute to the Liberal Party. My goodness. And the government doesn't quite understand the difference between public and private; I get that. Clearly their practices show that. They don't get that there is a difference.

**Mr. Yasir Naqvi:** Is Five Nations not-for-profit?

**Ms. Cheri DiNovo:** I hear a heckle from the Ottawa Centre member, who is clearly quoted, I think in Christina Blizzard's column, as not knowing the difference between private and public utilities and what's appropriate in terms of donations. Private, okay; public, not okay. Ontarians get that. The Liberal Party of Ontario doesn't get it. The McGuinty government doesn't get it. Everybody else gets it.

As the member from Burlington said, 22 agencies are covered by this bill, out of a possible 630. My goodness, what a weak bill. My goodness, what an anemic attempt at correcting a pervasive problem—and remember, not for 15 months, not until after the next election. I guess this is the first of many election promises we'll see roll out from the government: the promise that the use of lobbyists paid for by tax dollars will stop. Of course it won't, even when the bill presumably is passed, and of course it's going to be passed pretty swiftly, given the fact that we've got an hour left to debate it after today and there are only a few hours of hearings coming up in a couple of weeks. So hurry up, lobbyists; get your time. Say something, do something, because there's not a lot of time. You only have a few minutes each to depute, and then this debate will be shut down.

The bill, of course, at the centre of this, Bill 122: What does it promise? It asks, in the nicest of possible

language—it doesn't compel; it simply asks—that those people who are in the habit of using lobbyists with the public purse who are hired privately, outside the institution, stop. “We wish they would,” says the bill. “We hope they do, and we hope they do and wish they would in 15 months.” That's some hard-hitting legislation. Boy.

Of course, we all know what will happen and they know what will happen, too. We're not naive in this place. We know that the same hospitals and universities that now hire outside lobbyists will simply hire those lobbyists and make them part of the staff, so they'll now become inside lobbyists. They'll be called “government relations officers” and they'll be on staff.

**0930**

Of course, as the member from Burlington pointed out, all of this is merely speculation, because this is a bill that won't take effect until probably some other government is in place. This is a bill that, let's face it, may never take effect. Let's say it: It probably won't take effect ever. And yet we're still not allowed to debate it. Why aren't we allowed to debate it? Because, guess what, Ontarians who are listening, it's embarrassing to the government.

It's horrific to Ontarians that their tax dollars that are supposed to be used for front-line care, the education of their children and all sorts of other activities that are worthwhile are instead diverted to pay for lobbyists so that they can get time with ministers, when we all thought they should be accorded time with ministers by the very nature of who they are. Not so, we discover from the auditor's report. We discover that it takes a Liberal to talk to a Liberal. You have to pay a Liberal to talk to a Liberal. That's what we've discovered. Ontarians are horrified.

This followed closely on the heels of another scandal; of course, we all remember eHealth. Now we have the municipal utilities scandal, where they are donating directly to the Liberal Party. Why bother with niceties? Just give it directly to the Liberal Party—your tax dollars.

Really, what we're speaking about here is a government that has lost track, lost touch with what people in the constituencies are actually feeling and thinking.

I can tell you that what the people in my constituency are feeling and thinking is that they're barely scraping by, that they are, many of them—seniors, single mums, people on fixed incomes of all sorts, including salaries, those who are lucky enough to still have jobs—barely paying their bills. And many of them can't pay their bills. Many of them are struggling with their hydro bills, struggling with their utility bills, struggling, since the HST has been imposed, to simply get by.

When they see that their precious tax dollars—and their tax rate has gone up significantly under this government—aren't going to front-line services, aren't going to protect the environment, to look after the sick, to educate the children—no; their precious tax dollars are going to pay well-connected—i.e., Liberal—lobbyists and lobby firms to speak to the government on behalf of the institu-

tions where the dollars should be spent on the front-line activities those institutions are warranted to provide.

This bill at best is a soupçon, as I said; it's a nod in the direction of doing something. It doesn't actually do anything. It's a nod in the direction of possibly doing something. But even this is too much for the McGuinty government to bear, even debating this. Because one knows the answer: Unfortunately for my friends across the aisle, this is embarrassing; this will cost votes.

People know. They're not idiots out there. They know what's going on. They know where their tax dollars are going, and they're not going to provide what people thought they were going to provide. They're going into the pockets of Liberals. This isn't okay. This is not okay. This is not, as I said at the outset, very liberal of them. This is illiberal of this government.

I've even had Liberal supporters who have phoned my office, saying they're outraged by this latest round of revelations. They thought it all ended with eHealth; they thought it ended with OLG; they thought it ended with the imposition of the HST—this kind of grab on their wallets for yet more dollars to go who knows where. Sadly, that's not so.

I remember that one of the first things that happened after my election was—and I think we all remember it in this House; that was in the days before the \$21-billion deficit—when \$35 million just went out the back door, \$1 million of it to a cricket club. That was my introduction to the McGuinty government and the way that they handle money.

Since then we've seen eHealth, we've seen the scandals at OLG—government agency after government agency. Now we're seeing lobbyists and municipal utilities. It continues; it's clearly the way they do business. I would say to Ontarians: If you had any doubt about the way this government operates, that doubt should be put to rest because it's clear month in, month out, no matter what anemic bill is passed or foreclosed, as is happening here today, the government continues to do business as usual, and business as usual is, as my friend from Welland said, a kind of grantism: some people are in and some people are out. If you're connected, you're in, that is, in the minister's office sitting across from her or his chair or his desk; if you're out, you don't have access unless you connect with somebody who's in.

That is the way this province is being run. It has been run that way for the last seven years. This is simply more grist for that mill. This is simply pulling back the curtain, seeing the wizard at work, yet again; he never left, always at work, doing the same things that he's done before.

I think for voters out there who expect that somehow this government can be expected to change, that this government can somehow be expected to change the very nature of what it is overnight with an anemic bill like Bill 122 or a closure motion that forces us not to speak about embarrassing subjects like lobbyists paid on the public purse—the voting public gets it, finally, judging from the polls: what, 76% want a change? I think the voting public

finally gets that this government isn't going to change; that, in fact, this is the very nature of the beast of the McGuinty government; that they are a grantist government. They're a government that prefers to deal with people who are well connected; it doesn't want to hear from those who are out—real working families. It doesn't want to hear from them. They might want to hear from an advertising firm purporting to be them, but don't want to hear from them. No trust—their own little cabal of insiders, connected insiders, and that's who's running this government; not you—if you're watching at home—not you. Your tax dollars are being used but your input is not being listened to. The input that's being listened to is the input of the lobbyist, the lobbyist that's become a necessity in this province to get anything done. To get anything done, a lobbyist is now necessary. This is the way this government is structured.

It's quite sad that the best that the government can come back with—

**Hon. James J. Bradley:** They'll be banned from the Palais Royale.

**Ms. Cheri DiNovo:** I have to check the ministry here because the McGuinty cabinet changes so often, I tend to forget; is this his fourth or fifth portfolio? The Minister of Community Safety and Correctional Services used to be the Minister of Housing; he used to be the minister of something else, now the minister of that. In his heckles, he clearly doesn't understand the difference between public and private donations. This is how confused this government is, that they will come back at the opposition—

*Interjection.*

**Ms. Cheri DiNovo:** You took a donation. No kidding; we all take donations and we all have fundraising dinners. Surprise; it costs money to run political campaigns. What the voters get that the Liberal Party doesn't quite get is that there is a difference between using their tax dollars to support the Liberal Party and using private donations to support your party. That's a confusion—

**Mr. Jeff Leal:** Send the money back, if you're so holier than thou. Send it back.

**Ms. Cheri DiNovo:** And the member from Peterborough—

**The Deputy Speaker (Mr. Bruce Crozier):** We really don't need to yell in this place. The sound system is very good. Order.

The member for Parkdale–High Park.

**Ms. Cheri DiNovo:** The member from Peterborough seems to be taking umbrage at some of my comments. I too would be somewhat embarrassed to be associated with this latest scandal. I too would be upset. I don't fault my friends opposite for being upset.

**0940**

I think it's rather sad. The member from Peterborough is an excellent member; he's here all the time. He's the government whip, I understand. It's sad that, with the shuffle of the cabinet seats, somehow he has been left out. If I were him, I would be upset at that as well. Certainly a lot of people who are sitting in government

seats who should be represented in cabinet are not. Again, it's not my political party, not my issue, but I certainly understand the upset and the division in the ranks across the aisle. I certainly understand that many, many people with lots of experience are not reflected in the cabinet; that's true.

But to get back to the closure motion at hand, because that is what we are dealing with, a closure motion, something this government, when they were in opposition, used to rail against the Progressive Conservatives for when Mike Harris was in. I remember it well. I was not sitting here then. I was one of the voters out there, though, and I remember it well: the closure motions, the horrendous closure motions of the Harris government. And guess who now, of course, repeats that process when they want to conveniently get something embarrassing off the desk of this particular Legislature?

For those who are listening in right now, who are forgoing perhaps some more entertaining programs, you should know that what you're listening to is a debate on a closure motion of a bill. The closure motion an attempt to shut down debate—that's what it does; that's its legislative function—and not only close down the debate but to limit the committee hours to two committee periods, literally hours, in a couple of weeks, so not a lot of notice if you want to depute to the bill that they're trying to shut down debate on, and then come back to the House for only one hour of debate after that.

Then the next question of viewers, I know, is, "What are they trying to shut down? Why don't they want to hear about the bill?" That brings us to Bill 122. The reason the McGuinty government doesn't want to hear more about this bill is because it's embarrassing. It's about the use of public dollars, tax dollars, to hire lobbyists from hospitals, LHINs and other institutions to this government.

**Hon. James J. Bradley:** Are they banned from the Palais Royale?

**Ms. Cheri DiNovo:** You know, it's astounding. I hear the heckle again from the minister of whatever his portfolio is this week, the Minister of Community Safety and Correctional Services, about a fundraising dinner we are having for our leader—no kidding. I ask the Liberal Party where their fundraising dinners are held; I'm sure they are held at backwater inns. Come on. This is a company that has fundraising dinners—and it's a company for sure—at the Sheraton. Oh, my goodness. Would that we could afford such venues. And this is a government that uses your tax dollars to pay for the Sheraton. My goodness. Now we know those tax dollars go right to the Liberal Party from the utility companies.

It would be nice, voters—the next time the Liberals come to your neck of the woods to have a fundraising dinner, I would suggest that you have paid for your seat already and that you should get in free. You've certainly paid for your seat already with the amount of money flowing to lobbyists, the amount of money flowing from utilities to the Liberal Party directly for their campaigns. You've paid for your seat. Knock on the door of that

Sheraton—the Four Seasons Sheraton or wherever they're having it next; an expensive hotel, needless to say—and you should get the dinner gratis.

But to get back to what voters actually want to focus on, which is the use of taxpayers' dollars to hire lobbyists to lobby a government that presumably, supposedly, already had access, the Minister of Health says, "Just pick up the phone," but refuses to give her cellphone number. So I suggest to hospitals and institutions of all sorts, if you want to get your minister on the phone, it should be as easy as picking up the phone and phoning them. I would certainly ask that the ministers table their cellphone numbers so that people can.

I warrant the reason they don't is that they would fill up with cries of outrage from their own constituents. Something that we don't hear a lot of from this side are the cries of outrage from their constituents, which we know are there. One of the cries I hear is about the use of public dollars, public trust, to hire private, well-connected consultants. One of the cries of outrage I hear is about a government that is too frightened to debate their own bills and that shuts down debate and limits committee hearing time on a bill that is embarrassing to them. Other bills that are not so embarrassing, oh, we can debate them for a long time.

In fact, the bills that are the most embarrassing, we don't even see in this House, like the G20. Might I remind the voters of all of those thousands of letters I got about the G20 that we never saw that in this House, that in fact the democratic process was completely circumvented by this government over the G20 weekend. And that was when the House was in session.

But here we have a bill brought in at the same time as the auditor's report, as if they sort of knew what was coming—interesting. How did they know what was coming if they were so shocked and appalled at the use of lobbyists? Anyway, they knew it was coming, tabled the bill very quickly, in fact, the same day; it was already written up. Anemic bill that it is, it doesn't take effect for 15 months—after the next election. It doesn't make it compulsory that folk not hire outside lobbyists. In fact, it opens the doors for inside, in-house government relations lobbyists. It only purports to cover 22 out of 630 agencies.

This is the anemic response, but still, it's a chance for us in opposition to—

*Interjection.*

**Ms. Cheri DiNovo:** It would be nice to actually hear from some of the Liberal backbenchers—not simply from the cabinet members, who are good at heckling—about what they feel, what they're hearing from their constituents about the use of lobbyists and the use of utility dollars going to Liberal fundraising, because I know they hear.

I know they hear from their constituents about the HST. I know they've heard about hydro rates from their constituents. I know they've heard about the stupid meters that are being installed that are going to be yet another tax grab. I hear that from my constituents, and I

know that they send petitions to this government, many of which they wish their members would read in the House, as is their duty, even if they don't agree with their constituents.

It would be nice to hear all of that from the other side. But instead, we get a seamlessness from the other side of the aisle, a battening down of the hatches and a kind of coming together over what, I think, people should admit is a very embarrassing moment in the life of this government, a very embarrassing, dark moment, just like the \$35-million slush fund was—\$1 million going to a cricket club etc.—just like eHealth was, just like the OLG scandals were. All of these are embarrassing moments, and I think Ontarian voters would like to hear an explanation for why this continues to happen over and over again. If this is not the culture of this government, then one would wonder what is.

I'm going to leave some time for my benchmate from Timmins—James Bay, who, I'm sure, will share with you some of what his constituents are saying about how they feel about the use of taxpayers' dollars for connected Liberal lobbyists.

*Interjection.*

**Ms. Cheri DiNovo:** I'm sure that he will want to respond to—his ministry of this week is the Ministry of Community Safety and Correctional Services—those heckles about fundraising venues when they, in fact, have the most expensive venues. As I suggested to those Ontario voters at home, they've already paid for their seat at the next Liberal fundraiser; they should get in for free and have a free meal at Four Points Sheraton or wherever they are.

I'm going to leave some time. It was a pleasure to bring the voice of people I hear from all the time in my constituency and other stakeholders' groups about this embarrassing issue. It's a dark, dark day in the dark life of the McGuinty government. It's been a scandal-plagued government for seven years. This is yet the latest scandal—sadly. I wish it were not so.

0950

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

**Ms. Lisa MacLeod:** I find it particularly instructive that not one member of the government chose to stand up in two opportunities to speak to this legislation and to shut down debate on an accountability bill.

Let's be very clear: The Liberals want to pretend that they stand for accountability and transparency, yet when there is an opportunity to debate an accountability and transparency bill, they shut down debate. They then not only wish to shut down the debate, but as they do it they refuse to debate even members of the opposition, whether it is the Progressive Conservative caucus or the New Democrats. I find that that is probably the most troubling scenario for legislators when we are discussing something as important as taxpayer dollars intended for health care, which, by the way, is why we are here. We are here because the Liberal government reacted to an auditor's report of two weeks ago, on October 20, 2010. At that

time, the Auditor General revealed that despite Mr. McGuinty's promise to stop spending the hard-earned money of Ontario families on Liberal-friendly consultants in Ontario, the same problems that plagued eHealth continued to plague the Ministry of Health, the local health integration networks—which we have heard so much about through the Ombudsman reports and through our own party's efforts—and, of course, Ontario hospitals.

Let me be very clear: We are debating a Liberal motion to shut down debate on how to better spend health care dollars in the province of Ontario. That is what we are doing right now. The Liberals have taken away the opportunity for members in the third party and in my party, the Progressive Conservative Party, to debate how to best spend health care dollars in the health care system, whether that is in the troubled LHINs, at our hospitals or even in the ministry, and they have reduced us to debating time allocation. They have reduced us in this chamber to debating the amount of time we are able to spend on a very important bill, one that could improve the way our health care dollars are spent. Instead, they want to shut that down. They want to shut down debate and they want to hide from Ontarians the real issues at hand.

I want to go through a little bit of background on the bill and why this particular bill, this transparency bill, was put forward. The ministry spent \$223 million on consultants in the last three years. The ministry ran a competitive tendering process in August 2009 for a contract; however, they chose to negotiate solely with the highest bidder of the 12 projects received because the company had done the first two stages of the project. Well, the auditor found problems with that. The McKinsey and Co. contract for review of the pharmaceutical sector is specifically cited by the Auditor General for not being properly justified. This company was also cited for failing to provide enough details on its invoices for \$1.7 million in contracts with hospitals.

So this bill that they now want to force closure on, where they actually want us to talk about time allocation rather than the bill, was designed to respond to the Auditor General's report. The auditor found, and I want to repeat this, that \$223 million of health care money that could have been intended for MRIs, for hip replacements, for cancer treatments, instead went to consultants, and one company in particular was cited for failing to provide enough details on its invoices for \$1.7 million in contracts with hospitals. There are a lot of large numbers. But at the end of the day, we all know that that money, those health care dollars, were intended for health care.

Our party, the Progressive Conservative caucus, under the leadership of Tim Hudak, has been very clear that as we move forward, the local health integration networks will be scrapped under a Progressive Conservative administration beginning next October. We've done this because we've found that they have become the middle manager, the bloated bureaucracy of the health care sys-

tem, where front-line health care dollars are taken away from the front line and put into administration.

The Ombudsman found some troubling and startling issues with the local health integration networks. But not only has our Ombudsman found issues, so too has the Auditor General. In the Auditor General's report on consulting in hospitals, the ministry and LHINs, this is what he found, and this is what the Liberals don't want people at home and in our communities to know: 75% of the sole-sourced contracts at the LHINs did not meet the requirements allowing for the exemptions.

One of the other reasons the Liberals want to shut down the debate today is because the auditor also found at the LHINs that two thirds of the consulting contracts had follow-on agreements and most were awarded without a competitive process or justification for the additional work. The Liberal government, under Dalton McGuinty, does not want anyone to know about that. That's why they're forcing us to close debate today.

And our friends at the LHINs, where even though it's become very clear that they're troubled—the Ombudsman and the auditor have said there are challenges there. The public has lost confidence in the LHINs. Our political party, the Progressive Conservative Party, under the leadership of Tim Hudak, has said very explicitly that we will scrap the LHINs. The Liberal government continues to appoint people to these bureaucratic institutions. As we continue to hear horror stories coming out of these bureaucracies, the Liberals continue to try to legitimize them.

What the auditor also found: There was insufficient information on invoices to support the amount paid in 40% of the contracts examined. Of all the contracts examined by the Auditor General in his recent report on consultants at hospitals, the ministry and LHINs, 40% of those examined had insufficient information. I guess that's also why this Liberal government would want to shut down debate on a bill that presumably would have corrected this.

Finally, let's talk about the hospitals. Patients across Ontario go to our local hospitals because they expect to get the best care that they can receive in Canada's greatest province. But what we've found through the auditor's report is that the previous procurement policies at hospitals were neither as robust or comprehensive as those in the directives.

If I might just talk a little bit about this bill, this bill has nothing to do with transparency and accountability as we would like to see it in the Progressive Conservative Party. We put forward five robust measures in the Truth in Government Act last spring that would have eliminated any possibility of breaches or waste in government. This Liberal government refused to support it. Instead, they've given us this watered-down, weak, facile version of a transparency bill, that they're now trying to shut down, that is littered with directives that don't need to be followed. If you're reading what Mr. McCarter wrote in his auditor's report, you would see that people were not putting forward procurement policies in hospitals that

were as robust or as comprehensive as in ministry directives.

You failed. This Liberal government has failed, and they have continued to fail when it comes to putting health care dollars where they are intended.

Let's go back, though, to the hospitals and what Mr. McCarter found. Many of the contracts were single-sourced and allowed to grow from small assignments to projects over several million dollars. Let me give you an example. This would mean that a small contract for maybe several thousands of dollars would be extended, rather than going back out to tender. Then, multi-millions of dollars later, Liberal consultants were getting rich because they were able to bypass the tendering program.

*Interjections.*

**Ms. Lisa MacLeod:** I can tell that my colleagues opposite in the Liberal Party are chatty now. It's unfortunate they didn't take the opportunity to stand in their place to debate this closure motion. They don't have the courage to do it; they don't have the conviction to do it. They want to shut down debate. They don't want to hear what they have done.

Again, every minute they're here, they lose points in the polls because people have lost confidence in this Liberal government, particularly when it comes to how they are spending our health care dollars. Time and again, we find out, whether it's through the LHINs, through eHealth, through Cancer Care Ontario or through this most recent report, they are squandering our health care dollars and they're going to consultants.

**1000**

Let me get back to the hospitals, because this is important. Many consultants, as we found out from the auditor, charged for expensive meals, alcohol, accommodations, conferences and unauthorized fees without questioning by hospital staff.

**Hon. James J. Bradley:** Sounds like the old Tory cabinet.

**Ms. Lisa MacLeod:** I hear from the chatterbox there in the front row. If he wants to go back 10 years, go back 10 years, but the people of this province want to move forward. They're tired of hearing from you. They're going to defeat you in the next election, because the people of this province want to move forward.

My colleague from Burlington points out that in 336 days, the people of this province will adjudicate on whether they want to move backward with the Liberal Party or forward with the Progressive Conservatives under Tim Hudak.

Let me also explain something else that came out of the auditor's report of two weeks ago. In some cases, the highest bidder was awarded contracts when a tendering process was done. There was a reliance on the same group of consultants—you should know this—who have done work previously for hospitals. Once they got their foot in the door, they received large, untendered contracts. That's what the Liberal Party doesn't want you—and they don't want you and they don't want Mr. Bisson from Timmins–James Bay—to know. They want to shut

down debate because they don't want the public to listen to some of these egregious examples.

Similar to eHealth, consultants filled senior management positions at hospitals. One such consultant serving as a senior executive was paid \$275,000 each year and claimed \$97,000 in fees and a further \$50,000 in administrative support services. This same consultant billed for a bonus, a foreign exchange fee, a Christmas luncheon, a \$400-a-night hotel in Chicago, \$500 for hotel phone charges and a \$300 dinner. If that's not hitting the jackpot off the back of the Ontario patient, what is?

I can tell you something: This is clearly unacceptable. That is why the Progressive Conservative Party stands opposed to this Liberal government and that is why, with the absence of any strong legislation, we will oppose this bill unless they adopt the Truth in Government Act that we put forward that would have prevented these exact abuses. We put that forward. The Liberals opposed it until they got caught. Make no mistake: This recent auditor's report has ensured that they have been caught.

Let's go to another consultant, who took a personal vacation to Japan while on a business trip to Hong Kong. The hospital paid his expenses to go to Japan and his billing fees while he was on vacation. The consultant did later reimburse half of the airfare but not the full airfare.

To further this example of abuse in our health care system, hospitals often paid for consulting contracts that were contracted by the ministry or the LHIN.

But again, we are debating shutting down debate here because this Liberal government does not want the public to know. They want it to be their dirty little secret, but let me assure you that it's not going to be, because this Progressive Conservative caucus, under the leadership of Tim Hudak, will continue to expose the flagrant abuses of taxpayer dollars, particularly in the health care system, each and every day in the leadup to the next election, which is, by the way, in 336 days, when Ontarians are given the opportunity to say, "No more closure, no more time allocation, no more spending scandals and no more." Ladies and gentlemen, they're going to have an opportunity to tell this government, "Time is up. The jig is up. Your waste, your mismanagement are up."

I want to just point out one further point on the auditor's report before I start to talk a little bit more about the bill that the Liberals don't want us to talk about. They've given me the opportunity to point out that eight of the 16 hospitals the AG looked at had lobbyists. These hospitals spent a combined \$1.6 million on those lobbyists. The Auditor General questioned whether that was appropriate.

The question many of us have is: Why do our local hospitals even have to pay a high-priced lobbyist? Many of us in this chamber consider ourselves to be the lobbyist-in-chief in our communities, to defend the interests of our constituents, our public institutions, and to bring them to the floor of this chamber. But this Liberal government has changed all that. They have created a culture of entitlement, a culture in which people in the public sector feel that they must go over the heads of

their local politician and pay for a high-priced consultant in order to get access to the Minister of Health or her advisers. I consider that an embarrassment. I consider that a fundamental break in the system that we rely on in a democracy. We've forgotten, or at least the Liberals have forgotten, that what their job is to do is to come to this chamber, to debate the ideas of the day, and to express the interests, the concerns and the problems in their communities.

That's how things are supposed to be done. This crowd here have forgotten that or they never really knew it. That is the question. Which is it? We're not quite sure.

As we move forward and this bill goes to committee, the Progressive Conservative caucus will be putting forward reasoned and sound amendments, many of which have information that we already obtained today as a government and many of which can be acted upon with little or no cost. Again, it will be the basis and the foundation of the Truth in Government Act that has five robust measures that would protect taxpayer dollars.

The Liberals refused to support that bill until they were caught; then they created with this bill a watered-down version, a watered-down, weak piece of legislation that is chock full of directives and a law that they probably won't even follow, because we've seen this before where they have promised us legislation, they have told us they were going to improve things, they have said we can do better—which has become the government's new mantra. You can hear the Premier speak every day, saying, "We can do better." You're darned right we can do better, with the Truth in Government Act, which was better than this bill.

This is a bill, by the way, that, as I mentioned, is chock full of directives that aren't law.

**Mr. Phil McNeely:** You didn't cover lobbyists.

**Ms. Lisa MacLeod:** The reality is, and you know this, member from Ottawa-Orléans, that your government could have done better, but you chose not to until you got caught, so you put this bill forward. And in reality, many of the bills they put forward, they break anyway. When you look at the boards, agencies and commissions that they were supposed to put online so that we could monitor their expenses, they broke that. Ministers were supposed to put their expenses online; not all of them have. They put forward a piece of legislation that would have called for a review of the local health integration networks, and they broke their own law; they chose not to do it. Yet they, in this piece of legislation, put forward a very weak line that says the minister may call for a review of the LHINs. Well, whoop-de-doo. They already broke their own law. They've betrayed the trust of the public; they've mismanaged health care dollars. What more can they do?

I have to tell you, I have people asking if there's a way to get this government out early, if there's a way we can call for an early election. Can we recall them? That's the number one issue, outside of the hydro rate increases. Then every single time they come out with a new auditor's report or an Ombudsman's report, the people get

more frustrated. The people of this province are tired; they're fed up with this Liberal sense of entitlement.

Warren Kinsella once said, "A Liberal is a Liberal is a Liberal." Well, I can tell you something: If the sponsorship scandal showed us anything, it's that this group used the Gomery inquiry as a textbook. It's embarrassing, but particularly when it's our health care dollars. Have you people no shame? It's unbelievable. The Toronto Star disclosed many of these issues, and I think that was what set the auditor off.

Just to recapitulate the issue here, we have a government that voted down the transparency and accountability bill, the Truth in Government Act, in the spring. The auditor came out in October with a damning report that would have gone to the minister weeks before so she would have been able to see what was in it. And the report was so damning that instead of actually standing and defending the record, because the record is so bad that they didn't want to defend it, they put forward this transparency and accountability bill which now they don't want to even debate. They don't want to be transparent or accountable about the bill, so they're forcing us to close down the bill.

So we've got multiple issues here: one, the utter failure of the Liberal government to cut off and prevent this type of abuse. We have them steadfastly denying support to a piece of legislation earlier in the year that would have prevented the types of abuses in the auditor's report. We have an auditor's report that went back and looked at the Liberal government's mismanagement of taxpayer dollars intended for health care, and it was awful. And then we have a bill that's now supposed to save everybody's day, but is so weak that unless it has substantive amendments, no one can support it because it is another piece of legislation that they'll probably repeal or ignore.

**1010**

Then we have the fact that they're closing down debate on that bill which was a result of the exposé by the Auditor General, which came as a result of the research done by the opposition that showed the abuses, which would have been prevented by a bill we put forward. The timeline, when you compare it to what we're dealing with today, is just unbelievable. It's unfortunate too, because we've got taxpayers across the province who expect and demand better.

But this crowd here, they've gotten so comfortable in their nice chairs and their nice limousines and their nice dinners out—they've gotten so comfortable in the big chairs that they have forgotten what it means.

**Hon. James J. Bradley:** Does Tim have a limousine?

**Ms. Lisa MacLeod:** My good colleague there, the chatterbox from St. Catharines, has continually tried to disrupt me, but I can assure him that the leader of the official opposition drives a minivan, just like I do because—guess what?—that's what happens when you're raising a family. But you know what? It's also one of the important things—

**Hon. James J. Bradley:** The Leader of the Opposition has a government car.

**Ms. Lisa MacLeod:** The leader of the official opposition drives a minivan, just as I do, but the reality is that the minister responsible for whatever he is now—because he keeps changing—doesn't want to—

**The Deputy Speaker (Mr. Bruce Crozier):** I think, member from Nepean–Carleton, it's getting just a little personal, and we don't like to do that in this place.

**Ms. Lisa MacLeod:** Thanks very much, Mr. Speaker, but let's be totally honest here. The reality of why they want to shout me out and not allow me to continue to talk is exactly the same reason they put forward this closure motion: They don't want the sunlight on their books. They don't want the public to know what they've done, and they certainly don't want them to know in the leadup to the next election, which is—what?—336 days away.

I will continue to bring to this House my concerns. The Progressive Conservative caucus will continue to bring to this House our concerns. And our leader, Tim Hudak, will certainly travel this province and speak to the taxpayers of this province, and he will work with them to ensure that there is value for money, particularly where our health care dollars are at work.

Again, the people of this province are losing confidence, and they're losing confidence because this is a government that is now in its second term and feels so secure that they think they can tell taxpayers what to do. They think they are immune to any type of criticism, and they believe what they are doing is right. But we can tell them—and I'm sure my colleagues from the third party will tell them as well—that the people of this province are tired of them. They're tired; they're tired; they're tired. They wish they could find an alternative, and they've found it, I believe, in the Progressive Conservative caucus.

But this government still has 11 months to make good and make right, and all they have to do when this bill finally goes to committee—and it will now, because they're forcing us to close down debate even though half of our caucus still wants to speak to this bill. They have an opportunity, when this bill goes to committee, to social policy: They can put forward and adopt reasoned amendments or they can adopt our own amendments, which will strengthen trust in government, which will strengthen truth in government and which will strengthen the rules on how our tax dollars are governed.

They're not interested, because for them a band-aid is a band-aid, the way a Liberal is a Liberal. The reality of this crowd—they just want to skip from this crisis because I'm sure there's going to be another crisis down the road. Well, we're already dealing with it. As my colleague from the third party said earlier—from Parkdale–High Park—they're now dealing with their smart meters. Our party calls them tax machines; her party calls them the stupid meters. Whichever way you slice or dice it, it's a new scandal; it's another scandal. This government is unwilling to talk to the people of the province about the challenges that they're faced with because they're so comfortable. In the comfort of their own seats and their nice offices across the way, they've forgotten to listen to

the very people who have sent them to this place. How else can you explain this bill, the circumstances that led to the bill and now the closure of this debate? They've embarrassed themselves and they have embarrassed the rest of us by doing this.

I would urge the Liberal backbenchers in that caucus to stand up to the minister and the House leader and demand that we have the opportunity to complete debate on this bill, to get to the root of the problem so we can best prevent further abuses of our tax dollars, particularly when they are in our health care system.

*Debate deemed adjourned.*

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 8, this House is in recess until 10:30 of the clock.

*The House recessed from 1016 to 1030.*

### INTRODUCTION OF VISITORS

**Mr. John Yakabuski:** In the west members' gallery today we have Paul Brown, who visits with government officials on a regular basis, and on Take Our Kids to Work Day he has with him his daughter Danielle.

**Mr. Michael Prue:** I'd like to introduce to the Legislature today Lavie Cymbalist, who is here visiting all the way from Israel.

**Hon. Harinder S. Takhar:** I would like to take this opportunity to welcome to the Legislature today Mr. Avtar Singh Khangura. He is head of a village municipal council and also head of a regional council in the state of Punjab. Visiting with him also is Lakveer Singh Khangura. They are both from my wife's paternal village.

I would also like to welcome Jonelle Dholah-Davis, a grade 9 student from The Woodlands high school, who is here as part of the Take Our Kids to Work program along with her grandmother Simone Dholah. Both are from my riding of Mississauga-Erindale.

**Mr. Frank Klees:** It's with pleasure that I welcome Mr. Bruce Annan, managing director of AIM Group, as well as Mr. Rod Urquhart, journalist and editor of the Voice of the Farmer. Welcome to Queen's Park.

**Mr. Paul Miller:** In the west gallery, I would like to welcome Anthony Passaretti, who has been working in my constituency office. He's brought his sister Vanessa Passaretti to Queen's Park today for Take Our Kids to Work Day.

**Hon. Dwight Duncan:** Today is Take Our Kids to Work Day. I'd like to welcome to question period the 46 children and their parents, friends and relatives who work at the Ministries of Finance and Revenue, who will be attending today.

**Mr. Charles Sousa:** I'd like to introduce two young ladies from Mississauga South. They're in grade 9 at Lorne Park high school. Joining us today is Kaasha Babish, and she's joined by the youngest of my three children, Jessica Elizabeth Sousa. Welcome to Queen's Park.

**Hon. Gerry Phillips:** I too want to introduce one of our people here today for Take Our Kids to Work Day.

Danielle Collier, who is a grade 9 student at Leaside, is here somewhere. She is the niece of Melissa Thomson, who is one of our valued public servants.

I also want to introduce the father, mother, grandmother, grandfather and another grandmother of the page from Markham-Unionville, Soumiya Suresh. As I say, her father, mother, grandmother from India, grandfather and grandmother are here with us today.

**Hon. Monique M. Smith:** I, too, have a number of visitors today. I'd like to welcome our page Nicholas Waltenbury's parents, Dawn and Al, and his brother Spencer, who are here today with us. We're very excited to have them here.

As well, it being bring your grade 9 to work day, my good friend Karen Pitre asked me to take Sean Pitre with us, and he's with us here today. We're very excited to have him. He's having a great day.

**Mr. Reza Moridi:** It's my pleasure to welcome Shadi Mousavi of Richmond Hill. She is visiting Queen's Park for the Take Our Kids to Work Day program. Welcome.

**Hon. Rick Bartolucci:** I have two welcomes. First of all, I want to welcome to the Legislature the executive officers of the Ontario Home Builders' Association. They represent 29 local associations and over 4,000 members. And I'd like to offer a special welcome to Mr. David Horton, executive director of the home builders, and thank him for his 25 years of dedication and service to the association.

**Mrs. Liz Sandals:** I would like to welcome to the House Matthew Gledhill from Sherwood high school in Hamilton. Matthew is here with his father for Take Our Kids to Work Day. Matthew is the son of Hamilton Niagara Haldimand Brant LHIN chair Juanita Gledhill. I also understand that Matthew is quite the hockey player. Welcome to Queen's Park.

**Mr. Dave Levac:** I know that all the members are aware of this group that is here today in the Legislature, and I would like them to welcome the members who are here for the Campaign to Control Cancer. We appreciate their presence here and the information that they're going to share with all of the members in this place. I wish them all well.

**Mr. Norm Miller:** I'd like to introduce Kim Fairhall and the grade 10 civics class from Huntsville High School, who are down here at Queen's Park today in the east visitors' gallery.

**Hon. Linda Jeffrey:** I'd like to take this opportunity to welcome John Cary, the founding member of Trees Ontario. He's in the members' gallery. For those of you unaware of their good work, Trees Ontario is a not-for-profit organization that helps bring together partners and volunteers from across Ontario to implement tree planting programs, and Trees Ontario is helping our government deliver on our goal of planting 50 million trees in southern Ontario. Welcome, John.

**Hon. Rick Bartolucci:** Welcome to the kids from the Ministry of Municipal Affairs and Housing. I am very, very proud that these fine young citizens are here today with their parents viewing what government is all about.

**Hon. Christopher Bentley:** On Take Our Kids to Work Day, I'd like to welcome Jason, the son of Christine Innes, my chief of staff, who will soon be joining us in the east gallery.

**Mr. Peter Kormos:** On a point of order, Mr. Speaker: The clock has expired. The government made [*inaudible*] let them live by it.

**The Speaker (Hon. Steve Peters):** That is a point of order, but the Speaker is about to overrule that point of order because he has a number of introductions that he has to make as well.

On behalf of the member for Markham–Unionville and page Soumiya Suresh, we'd like to welcome her mother, Chitra Suresh; her father, Suresh Muthulingam; her grandmother Gowri Sabapathy; grandmother Sathimalar Muthulingam; and grandfather Palaniyappan Muthulingam, to the members' gallery today. Welcome to Queen's Park.

I'd like to welcome the grade 9 students seated in the Speaker's gallery, who are taking part in the Ontario Legislative Assembly's take your grade 9 student to work day. They are Kasia Babiarz, Clarise Bunsee, Megan Fernandez, Christian Sziraky, Derek Kleperis, Jensen Chadee, Keegan MacInnis, Jhenelle Christopher, Zoe Lofft, Patrick Farnan, Bryn Martin, Rizelle Menzano, Kayla Mullner, Alexander Theriault and Jessica Sousa. Welcome to Queen's Park.

#### 1040

Grade 9 students who are here today for Take Our Kids to Work Day in the Ministry of Tourism and Culture, the Ministry of Citizenship and Immigration and the Ontario Seniors' Secretariat are seated in the public galleries.

Seated in the Speaker's gallery from my riding of Elgin–Middlesex–London, I'd like to welcome a former student employee in my constituency office, Kirk Perrin. Kirk is visiting Queen's Park today with some of his fellow brothers from Delta Upsilon Fraternity, University of Guelph chapter. They are Lane Gambta, Dan Konieczny, Scott Sickle and Rajiv Aeri. Welcome to Queen's Park.

#### BIRTHDAY OF DEPUTY CLERK

**The Speaker (Hon. Steve Peters):** I'd like all members to join me in congratulating our Deputy Clerk, Todd Decker, as he celebrates his 50th birthday today.

#### REPORT, CHIEF ELECTORAL OFFICER

**The Speaker (Hon. Steve Peters):** I beg to inform the House that I have laid upon the table the 2008-09 annual report of the Chief Electoral Officer.

#### MEMBER'S BIRTHDAY

**Mr. John Yakabuski:** On a point of order, Mr. Speaker: I'd like to wish the member from Haldimand–Norfolk, Toby Barrett, a happy birthday today as well.

#### VISITOR

**Hon. Madeleine Meilleur:** I would like to welcome in the House today Celeste Yim, who is a grade 9 student. She is following me today from the Toronto French School. Merci.

**The Speaker (Hon. Steve Peters):** For anyone who has not been introduced, welcome to Queen's Park.

#### ORAL QUESTIONS

#### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Tim Hudak:** To the Acting Premier: November 3 is an historic and sad day in Ontario history because it is the second anniversary of Premier McGuinty turning Ontario into a have-not province and, quite frankly, as a consequence turning Ontario families into have-not households.

When Premier McGuinty looked for the welfare of the federal government for the first time, he took in \$347 million in equalization payments. This year, he has now taken in \$972 million in equalization payments. The bottom line: Our dependency on the welfare rolls of Confederation has tripled.

Minister, doesn't this show it's time for a change here in Ontario when we're getting deeper and deeper on the welfare rolls?

**Hon. Dwight Duncan:** It's time for a change in the equalization formula that penalizes Ontario.

Instead of standing up for Ontario, he chooses to trash our economy, in spite of the fact that it's growing faster than any other provincial economy, in spite of the fact that 90% of our jobs are back. Instead of defending an equation that takes \$5 billion from us and gives us back \$900 million, why doesn't he speak to Harper, why doesn't he speak to Flaherty, get that formula changed and stand up for Ontario instead of trashing this great province that we're putting back on its feet?

*Applause.*

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

**Mr. Tim Hudak:** Only the Ontario Liberal Party would give themselves a standing ovation for turning Ontario into a have-not province.

Let me put this into perspective, Minister: Never in the history of our great country has Ontario been on the receiving end of equalization payments. Premier McGuinty's policies, his failed economic policies, have put us on the welfare rolls of Confederation, and now our welfare cheque has tripled under your watch. But you continue with your reckless spending, your failed McGuinty economic policies, and you're digging Ontario families deeper and deeper into debt and chasing jobs out of our province. The reality is, our welfare payments from the federal government have tripled.

Minister, I ask you: Why are the other provinces doing better and Ontario falling further and further behind?

**Hon. Dwight Duncan:** First of all, factually, the member opposite's wrong: Ontario qualified in 1977, 1978 and 1981. It's just that the federal government of the day and the Davis provincial government agreed that the formula was so out of whack that it ought to be changed, and they changed it.

When we speak of equalization, Ontario has contributed some \$50 billion over the last 10 years. We are getting some of our money back. But it is time that the federal government look at that formula. That's something that has been called upon by many leading economists because they understand what it does: It takes money from Ontario, redistributes it to the rest of the country and gives us a few crumbs back.

It's about standing up for Ontario. It is about building a stronger country. When a formula prejudices an economy like this, it's bad for Canada. We want to work together for a better—

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

**Mr. Tim Hudak:** I think Ontario families rightly would expect a Premier and a finance minister to say that it's not acceptable that Ontario is on the welfare rolls of Confederation, to come up with a plan to grow our economy, to move us forward as a lead province in Confederation again. But all we get from the minister is more excuses, and he puts his hand out for more and more welfare payments from the federal government. It's time for a change in Ontario to grow jobs and move our province forward.

Minister, your greedy HST tax grab is killing jobs, not creating them. You've made us more dependent on federal welfare, and you still cannot make ends meet. You've taken the over billion dollars in federal handouts and washed them down the drain in the eHealth scandal alone.

I ask the minister: Where did the money go? What have you done with the federal transfer payments now that we're further and further in debt?

**Hon. Dwight Duncan:** What needs to be changed is a formula that penalizes the people of Ontario. The member opposite asked where the money goes. The money goes to 10,000 new nurses. It goes to five million Ontarians who now have electronic health records. It goes to 20,000 new spaces in post-secondary education.

We look forward to the day when that formula is changed, because Ontario contributes mightily to this Confederation; Ontario is vital to this Confederation. And just to show you how crazy this formula is, more than 80% of Ontarians aren't receiving. It makes no sense; most economists say that. The only people that don't get it are them, and that's because they'd rather protect the Harper government than protect the people of Ontario.

I challenge you: Stand up for Ontario. Stand up for fairness in transfers among and between all of the provinces in this Confederation—

*Interjections.*

**The Speaker (Hon. Steve Peters):** The member from Hamilton East does not need to encourage the government side.

## FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Tim Hudak:** Back to the Acting Premier, on the same topic: The minister reminds me of the student who gets a failed report card and blames the report card instead of pulling up his socks and working harder. You seem satisfied that Ontario is a laggard in Confederation. Ontario families, the Ontario PCs, want Ontario to be a leader in Canada again, and number one in job creation.

Minister, you know what you did with the federal welfare payments: You blew it. You flushed it down the drain in your failed economic plan. Expenses and sweetheart deals handed out at eHealth, eHealth 2.0, Cancer Care Ontario, the LHINs—I could go on and on—one OLG scandal after another: all told, some \$3.7 billion in waste that is now saddled on the backs of Ontario families.

Minister, why have you turned Ontario families into have-not households when you made Ontario a have-not province?

1050

**Hon. Dwight Duncan:** The Royal Bank of Canada published the following in June of this year: "Ontario's economy entered 2010 with renewed vigour, carrying its strongest momentum in almost six years.... This impressive start to 2010 implies greater strength overall this year than earlier believed...."

The Conference Board of Canada says the recovery is definitely under way in Ontario, and Ontario's economic rebound will be supported by the public fiscal stimulus spending of its government.

I agree that we need to change the equalization formula. I believe that it's wrong for Ontario, as do a range of economists. I believe there has to be a better formula for Confederation. Ontario wants to continue to contribute, as we do today.

But I'll tell you something: The people of Ontario expect their Legislature and their legislators to stand up for the interests of Ontario against the federal government, which refuses to change that formula.

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

**Mr. Tim Hudak:** The Ontario PCs each and every day are standing up for Ontario families to fight back against your HST, to fight back against your hydro increases, to fight back against your eco taxes.

Minister, do some quick math. If you take your \$3.7 billion in McGuinty government waste, that works out to \$822 for each and every home in our province.

Minister, you took the federal transfers, you wasted them, and now our welfare payments have tripled. If you'd taken control of your reckless spending at the first sign of trouble, when then-Minister Colle handed out those grants based on who was closest to the Liberal

Party and made the world's richest cricket club, if you'd stopped it then, you could have stopped eHealth. You could have stopped the OLG scandals. You could have stopped the MPAC scandals. You could have stopped the scandals at the LHIN. Why don't you understand that Ontario families are saying, "Enough is enough"—

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

**Hon. Dwight Duncan:** We on this side of the House believe that investments in health care, education and a cleaner environment are in fact the right investments to make.

That member and his party compared nurses to hula hoop workers; we think they're vital to a healthy and vibrant society.

That member and his party want dirty air for our kids and will reopen coal plants, raise the price of electricity and not invest what we need in transmission. We disagree. We think those are important investments.

We believe that there were far too many kids out of school for far too long when that member and his party were in power. We believe in investing in schools, in full-day learning, in a better and brighter future for our children.

The people of Ontario believe in those principles as well, sir, and we'll continue to defend those public services against the people who want to cut, cut, cut.

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

**Mr. Tim Hudak:** Frankly, with that kind of answer from the finance minister, no wonder Ontario is falling further and further onto the welfare rolls of Confederation.

The failed economic policies of the McGuinty government have plunged Ontario into have-not status. Your \$3.7 billion of wasteful spending on the backs of Ontario households—\$822 on each and every home and apartment in our province—means you've turned households into have-not households. You've tried to force down the eco taxes. You brought forward your greedy HST tax grab. Hydro bills are going through the roof.

Families are rightly saying, "Enough is enough." They want to see change here in the province of Ontario, but instead, you're putting us deeper on the welfare rolls of Confederation.

Why don't you put a stop to your sweetheart deals? Give Ontario families the break that they deserve and make Ontario once again a leader, not a laggard, in Confederation.

**Hon. Dwight Duncan:** The Leader of the Opposition just said he thinks Ontario is falling apart. We don't believe that at all.

We don't believe that investing in public services, the jobs that are being created, that a plus-3%—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Members from Simcoe-Grey, Halton, Nepean-Carleton and Renfrew-Nipissing-Pembroke.

Minister.

**Hon. Dwight Duncan:** We believe that investments in our communities, in our schools, in our health care and in a cleaner environment are appropriate investments. We have cut the province's deficit from its high in just one year, which is more than I can say for other governments.

On a final point, since we're talking about fairness in Confederation, why wouldn't that member and his party explain why unemployed Ontarians don't get anywhere near the benefits that other unemployed Canadians do? Instead of accusing Ontarians and saying that Ontario is falling apart, stand up for Ontario, for a better future for our children and for fairness from our federal government.

#### POLITICAL CONTRIBUTIONS

**Mr. Michael Prue:** My question is to the Acting Premier. Should publicly owned utilities or, for that matter, any other publicly run organization be forced to make a political donation to gain access to their provincial government?

**Hon. Dwight Duncan:** No, and I don't think anybody is.

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

**Mr. Michael Prue:** Paying for access is exactly what has been happening. In a letter sent yesterday to a concerned hydro ratepayer, the president of Newmarket Hydro wrote: "Newmarket Hydro does not intentionally support any political party through donations or otherwise...."

"The cost of these tickets was treated as a donation by the government of the day...."

"But ... attendance at these functions was viewed as essential to best understand the government's policy objectives in this regard."

Why were public utilities forced to pay the Liberal Party to find out what this government is up to?

**Hon. Dwight Duncan:** I might ask the member, then—because, you know, the more we dig, the more we find, and it's always very interesting.

I wonder why the member opposite wouldn't have disclosed what I'm about to disclose. That party took from Wasaya Airways, according to their own website, 100% owned by several First Nations bands, \$6,000 to the NDP central party coffers and \$1,000 to the Kenora-Rainy River riding association.

It's unfortunate that they continue to insist on a double standard, one where they try to hold us to account for things they do. Mr. Speaker—

*Interjection.*

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

**Hon. Dwight Duncan:** Those kinds of donations are questionable and draw into question the integrity of all of these questions.

**The Speaker (Hon. Steve Peters):** I just remind the member from Hamilton East—Stoney Creek.

**Mr. Paul Miller:** They're not telling the truth.

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

**Mr. Paul Miller:** Okay, I withdraw. He's not telling the truth; he's stretching it.

**The Speaker (Hon. Steve Peters):** Withdraw the comment.

**Mr. Paul Miller:** I withdraw.

*Interjections.*

**The Speaker (Hon. Steve Peters):** The Speaker can read lips.

Final supplementary.

**Mr. Michael Prue:** I think the only thing the finance minister doesn't understand is what he is in fact doing and how he is perpetrating this on the people of this province.

The CEO of Sudbury hydro said he didn't even know his utility had made a political donation. In fact, he says they have a policy against it. He explains, "The total cost of the ticket for the dinner ... was considered, we know now, to be a political donation."

Why were public utilities forced to fork over public money to Ontario Liberal fundraisers just to find out about the McGuinty government's policy plans?

**Hon. Dwight Duncan:** Why would the NDP have taken \$1,200 from Five Nations Energy Inc., a non-profit utility?

They can pretend that this isn't on the public record. They can pretend that none of this has happened to them, but we know it; it's on the public record.

This government has brought forward more initiatives on transparency and accountability, which I will recount in later questions. I challenge that member and his party, if they feel that strongly, to give back that money they received.

#### POLITICAL CONTRIBUTIONS

**Mr. Michael Prue:** Again to the Acting Premier: The president of Essex Power didn't know about his utility's donation, either. He told the press, "We are not aware of that donation ... we did attend what they call the heritage dinner. We were there to ensure ... that there was a long-term commitment" for those projects that they were working on locally.

Why do the people running our public utilities think the only way they can get things done is by giving money to the Ontario Liberal Party?

1100

**Hon. Dwight Duncan:** In fact, they give money to the NDP and they give money to the Conservatives. It is a matter of public record.

We have brought forward a number of amendments over time to strengthen the accountability, including on-line disclosure in real time of contributions, which we think makes a really important contribution to more accountability and more transparency. The only people who haven't been accountable and transparent in this are the NDP, who have refused to disclose their own donations that have been received over the years.

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

**Mr. Michael Prue:** This minister's answers are flimsy, absolutely flimsy at best. Public utilities are supposed to be owned by the people and accountable to those people, and so is this government. When public bodies feel they have to pay tribute to the ruling party just to get things done, there is something terribly wrong in Ontario.

Does the minister really think it's okay for the Liberal Party to collect money from publicly owned utilities that have a policy against political donations?

**Hon. Dwight Duncan:** I would ask the same of the third party, because they've been doing it. There are all kinds of opportunities for us to provide for enhanced transparency and accountability, which we've done. It's important that all members and all parties in the Legislature speak fully and frankly about their own fundraising activities. It's important, I think, that all of us continue to focus on improved transparency and accountability to move forward.

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

**Mr. Michael Prue:** The Liberal Party has been caught with its hands in the cookie jar, and the minister is desperately trying to rationalize what is happening here. But people across this province are losing faith in the political system and especially with this government.

Instead of defending this as politics as usual, the government can fix the problem. Will the McGuinty government commit to real political finance reform, follow the lead of other provinces and the federal government, and ban corporate and union donations entirely so you'll have nothing more to explain?

**Hon. Dwight Duncan:** Well, then, maybe the member opposite would like to explain this invitation that was received by all kinds of people across Ontario to the NDP Leaders' Levee, where a leader event sponsor has to pay \$9,300, and you can be a friend of the leader if you pay \$4,500. Now, that's probably a good deal, because they get both Andrea Horwath and Jack Layton. The member opposite pontificates about the welfare diet; you should see the menu on here. I don't think it's part of the welfare diet: beef carpaccio, walnut toast gorgonzola, tomato coulis, panko-crusted fried brie.

It's hard to say any more. They say one thing; they do another. Start living the creed over there and stop being so phony.

#### GOVERNMENT'S RECORD

**Mr. Norm Miller:** My question is for the Acting Premier. The \$822 per household that Premier McGuinty made Ontario families pay for his expensive experiments, waste and scandal is only the tip of the iceberg. Since Premier McGuinty turned Ontario into a have-not province two years ago, he has failed to deliver public sector wage restraint as promised. He shut down development of half of northern Ontario's land base. He has failed to fix the problems at eHealth. He is turning Ontario fam-

ilies into have-not households that pay billions of dollars for his reckless spending and boondoggles. What makes you think Ontario families have an unlimited ability to pay for your wasteful scandals and expensive experiments?

**Hon. Dwight Duncan:** The people of Ontario wanted us to invest in health care; they wanted more nurses in their hospitals; they wanted more doctors. They wanted us to undo the damage that that party left in our health care system. They wanted us to invest in education because, unlike the Conservatives who think that full-day learning is a frill, we think it's essential for a vibrant future of this province and our children.

This party has invested in a cleaner environment and a safer environment, as well as investing in leaving a legacy around our public forests and our public lands that our children and grandchildren will thank us for. It's about having a balanced view, it's about fixing the things that went wrong when that party was in power, and most importantly, it's about a better future for our children and grandchildren.

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

**Mr. Norm Miller:** Again to the Acting Premier: Premier McGuinty leaves no stone unturned in looking for families to pay for his reckless spending on sweetheart deals and waste at eHealth and OLG scandals and subsidies to Ubisoft, Samsung and the Chevy Volt. It's bad enough that Premier McGuinty's HST, health tax, and income and property tax hikes turn Ontario families into have-not households. With equalization, he has found a way for families in Newfoundland and British Columbia to foot the bill too. What makes you think families in St. John's and Victoria have an unlimited ability to pay for your reckless spending?

**Hon. Dwight Duncan:** We don't think investing in a better education system for our children is reckless. What is reckless is his party promising to cut \$2,300 per Ontarian from health care with their \$3-billion health care cut. That's what they're about. They want to go back to the days of Premier Mike Harris. They want to go back to a time that all Ontarians rejected in 2003 and 2007. It's about building a better and brighter future for our kids. That involves the prudent management of finances, as well as investing in health care and education and a cleaner environment. That's what the people of Ontario want, that's what they voted for in 2007, and that's what we will continue to deliver.

#### HAZARDOUS WASTE

**Mr. Peter Tabuns:** My question is for the Minister of Energy. Ontario Power Generation is wholly owned by the government of Ontario. The Minister of Energy meets regularly with the OPG board. Is the minister aware that OPG transferred ownership of 32 radioactive steam generators to Bruce Power last year, and can he please tell us why this transfer of ownership took place?

**Hon. Brad Duguid:** I thank the member for the question. Once again, I guess we have the NDP up here

trying to raise concerns about nuclear power here in this province. I think the problem is that they don't realize just how important nuclear power is to this province.

Every transaction that takes place in that industry is highly regulated by the federal government. Every decision that is made in the nuclear industry is subject to the utmost of scrutiny to ensure that public safety is being taken into full consideration. It's time for the NDP to recognize that this province requires nuclear power; it's the backbone of our energy sector. Instead of constantly trying to dump on it and suggest that somehow or another they can come up with another alternative, they should recognize the importance of the nuclear industry in Ontario and the hundreds of thousands of jobs across this country that—

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

**Mr. Peter Tabuns:** Well, it's very clear that the minister doesn't like this question at all. OPG was responsible for the management of low- and intermediate-level nuclear waste in Ontario until last October, when, according to this report, OPG transferred possession and title of the Bruce A radioactive steam generators to Bruce Power.

Now, could the minister tell us, did OPG transfer ownership to Bruce Power because OPG is not allowed to export radioactive waste—maybe you are familiar with that—or is it because the McGuinty government wanted to distance itself from the dangerous and now widely opposed decision to ship the generators across the Great Lakes? Which was it?

1110

**Hon. Brad Duguid:** I'm really getting tired of the NDP trying to have it both ways on nuclear power. The fact of the matter is, this is the backbone of our energy system. The NDP pretends that somehow or another we can run an energy system in this province that provides power to Ontario families and provides reliable power to our businesses without this industry. This is a highly regulated industry. Everything from nuclear waste to radiation issues to safety issues are all highly regulated and administered through the federal government.

We can always provide assurances to Ontarians. I will not for a second entertain the suggestion that in any way people are at risk as a result of the work that goes on in this industry. There are thousands of Ontarians who depend on their jobs in the nuclear industry. It's safe, it's clean, it's reliable and it's an important part of our energy mix.

#### CHILDREN'S AID SOCIETIES

**Mr. Yasir Naqvi:** My question is to the Minister of Children and Youth Services. Minister, as you and many members know, November is Adoption Awareness Month. It is a welcome opportunity to recognize families that have adopted children and given them permanent, loving families. It is also a time to think of the children who are in need of permanent, loving families and the

families that are ready and willing to welcome those children.

Minister, we know children's aid societies across the province currently have children in care who are looking for loving and stable permanent homes. Can you please explain what our government is doing to support these children as they look for families in our communities?

**Hon. Laurel C. Broten:** I want to thank the member for Ottawa Centre for his advocacy on behalf of families in his community, because that's exactly what this is about. This is about best outcomes for kids and helping kids find families. It's a privilege in my role to have been able to sit down with many of our youth in care who talk about their dream and aspiration of finding a forever family.

I'm very pleased to share with the House much of the work that's been done in the sector to find permanency options for kids in the last year.

Under our government, the number of adoptions has increased by 62%. Completed adoptions through children's aid societies have increased in the last year by 21%.

I recently had the chance to attend the Adoption Resource Exchange, where CASs from around the province came together to demonstrate and show the kids who would be available, to encourage families to think perhaps beyond the—

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

**Mr. Yasir Naqvi:** It's heartening to hear that there is an improvement in adoption numbers and that children's aid societies are working together to find homes for kids. The minister mentioned improvements to the child welfare system through the work of the Commission to Promote Sustainable Child Welfare. Members have been hearing that some children's aid societies are facing financial challenges, while many children's aid societies have balanced budgets and are taking innovative steps to make sure money is best spent on supporting children and families.

I know that the Ottawa children's aid society has a balanced budget and I'm very pleased to have a productive and positive relationship with them. Could the minister share with the House some of the innovative practices taking place at the Ottawa children's aid society that her ministry has observed?

**Hon. Laurel C. Broten:** The Ottawa CAS is doing great work. They are developing innovative solutions to find approaches to spend less time on paperwork and more time on kids, to find families, to reach out, to recruit families that might like to adopt kids.

Innovation is all about finding a pathway to sustainability. We're looking at a range of permanency options—legal custody, customary care, supporting families to be able to look after their own children. There are so many pathways to find permanent families and permanent homes for kids. The Commission to Promote Sustainable Child Welfare is doing much of this work.

We look forward to working with CASs like the Ottawa CAS to learn from their best practices and continue to do this important work to find families for Ontario's kids and give them the very best outcomes that they can have. It's all of our collective aspirations and it's good work being done in Ottawa.

## TAXATION

**Ms. Lisa MacLeod:** My question is to the Minister of Revenue. This government is so out of touch that even a lob ball question from the member from Willowdale went unanswered and was bungled last week.

Last Thursday, the member from Willowdale—and I'll refresh your memory—asked the minister to clarify how HST affects Ontarians when they're purchasing a home. The minister, in response, did not say a word about how Ontario families are being forced to pay more for real estate commissions, legal fees, home inspections, movers, leases, high-ratio mortgages, natural gas, hydro and Internet access fees that now apply to them.

The question is very simple to this minister: Was your omission of all of the ways Premier McGuinty's greedy HST tax grab affects Ontarians deliberate or were you negligent?

**Hon. Sophia Aggelonitis:** I'm so glad to be able to answer a question about the HST. But there was something that was said in the House that gives me great concern. In fact, it was our Minister of Finance who said that this party is going to cut \$2,300 per person in the province of Ontario. Why are you going to be cutting that much in health care? That's the real question today.

When we talk about the HST, we're talking about \$47 billion in investment in our province. We're talking about 600,000 jobs for Ontarians—

*Interjection.*

**Hon. Sophia Aggelonitis:** It really is.

I wonder if she's had an opportunity to speak to the MP in Nepean–Carleton and why he voted for the HST.

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

**Ms. Lisa MacLeod:** I'd like to invite Alice out of Wonderland to come over here to the real world, because that was actually embarrassing. She has no grasp of her file.

But poor member from Willowdale, when he was co-opted for a staged softball question last week—how could the minister do a bait-and-switch on him? I'm not sure how the minister can even call that an answer to a question.

The reality is, we want to know what the broad impact of the HST is, and that's what the member from Willowdale wanted. It's the kind of treatment, quite frankly, he received that we would expect on this side of the House. It's usually meant that a backbencher is going to get an answer to his lob ball question.

The question we have now: Was the minister punishing the member from Willowdale for pulling a Sarah Palin and going rogue with his HST question or is it now that the McGuinty Liberals don't want to answer any-

one's questions in the leadup to the next election because they have no answers?

**Hon. Sophia Aggelonitis:** First, let me say that the member from Willowdale is doing an incredible job for the people of Ontario—absolutely. He's such a great member.

Here's the answer to her question: I really think that—  
*Interjection.*

**The Speaker (Hon. Steve Peters):** The member from Nepean, you just asked the question. You know the rules: If you're not satisfied with the answer, you can call for a late show.

Minister.

**Hon. Sophia Aggelonitis:** I just would really ask the member if she's had the opportunity to thank her former boss, Mr. John Baird, who in fact supports the HST.

### INSURANCE RATES

**Mr. Peter Kormos:** Once again, to the Deputy Premier: Yesterday, Ontario's insurance brokers joined a chorus of consumer and anti-poverty groups in demanding an end to the use of credit scores in the home insurance industry. They cited numerous examples of premium increases of 50%, 75% and even 100% because of the use of this profoundly unfair practice.

Why won't this government listen to the insurance brokers, to the consumers' groups, to the anti-poverty groups, and ban the use of credit scores in the home insurance industry?

**Hon. Dwight Duncan:** I'll remind the member opposite that this government has, in fact, banned the use of credit scores in areas where we have complete jurisdiction. In 2005, we took action: We banned the use of credit scores on auto insurance. In our most recent reforms, we have strengthened that prohibition.

We eliminated backdoor uses of credit scores when it comes to quoting rates for a consumer. Going forward, we'll continue to monitor the use of credit scores in other areas of insurance, such as personal property. FSCO is engaged in discussions with other insurance regulators across Canada, and it's important, just like our five-year review, that we maintain a balanced approach.

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

**Mr. Peter Kormos:** If the use of credit scores for determining premiums is unfair for drivers, why isn't it unfair for homeowners? It's not just brokers, consumers' groups and anti-poverty groups that want credit scores banned; even The Dominion and Wawanesa have said that it's time for credit scores to go. Other provinces have banned them, and the minister acknowledges that they've banned in Ontario the use of credit scores for auto insurance.

People in Ontario are hurting. Why does this government continue to side with the most reactionary elements of the insurance industry by refusing to ban credit scores in the home insurance industry?

**Hon. Dwight Duncan:** We have worked with other regulators across the country on this important issue.

What I would remind the people of Ontario, that the member opposite neglects to tell them, is that by following this policy, in fact people with good credit scores would see their premiums go up.

So in terms of implementation, we have to be very careful how we do it. We have to make sure we get it right. That's why we're working with other jurisdictions, because we're not the sole regulator in this matter.

1120

### POST-SECONDARY EDUCATION

**Mrs. Liz Sandals:** My question is for the Minister of Training, Colleges and Universities. Minister, as I'm sure you're aware, most of our colleges were built 20 to 35 years ago. Since then, of course, not only has the labour market changed, but so have the technical requirements for the jobs which have emerged. College graduates are now expected to have a good understanding and practical knowledge of control software and high-tech equipment so that they can enter the job market confident that they have the skills and knowledge that employers are looking for.

Can you please tell me what colleges are doing to prepare our students with the relevant skills to make them excellent candidates in today's competitive economy?

**Hon. John Milloy:** I thank the member for the question. She raises a very, very important point. We can't train our college students for the jobs of tomorrow on yesterday's equipment. That's why our government has made updating the equipment in our college system a priority. We announced a three-year, \$60-million fund, of which \$10 million was flowed this year to help Ontario's 24 publicly funded colleges upgrade equipment and purchase new technology.

The types of things colleges can use this funding for include computers for classroom use, software for teaching purposes, books or electronic materials for libraries, specialized equipment or machinery for use in labs and classrooms, tools for use in shops, such as plumbing or electrical, materials to support additional classroom space or new programs, and equipment to help accommodate students with disabilities.

This is an important part of our Open Ontario plan and an important investment for—

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

**Mrs. Liz Sandals:** I've noticed a significant difference within the last 10 to 15 years, as most students I speak to now talk about how much technology is part of their everyday learning. I'm happy to hear that our government recognizes that this is where our economy is going. Investments in new technology and equipment not only make good business sense, but ensure that the next generation of workers is qualified to participate in the new world economy.

Being from southwestern Ontario, I'd be curious to know exactly what this funding was used for at Conestoga College and other area colleges. So Minister, could

you please provide me with the details on how the CERF funding was used at colleges in my region?

**Hon. John Milloy:** Members may not be aware that Conestoga College has a vibrant presence in the Guelph area, and I'm happy to report on some of the investments at Conestoga. Some of the funding that flowed is helping to upgrade equipment, such as the SIM training dummies for the paramedic program, audiovisual projects for the computer engineering technology program, various wood-working equipment, and new computers for various programs in student labs, including mechanical engineering, civil engineering, architecture, journalism, and welding and broadcasting.

At Mohawk College, which is near Guelph, Ontario's investment is helping to upgrade equipment for the aircraft technician and maintenance programs, new e-learning tools for Web-based program delivery, new high-definition equipment for the television control room of the broadcasting program, and new lab equipment for various engineering programs.

#### LABOUR DISPUTE

**Mr. Toby Barrett:** To the Acting Premier: Over a thousand steelworkers in my area have just come out of a 10-month US Steel lockout down at the Nanticoke Lake Erie Works. And now another 1,000 steelworkers at Hamilton's Hilton Works are reading, in "US Steel Lockout Countdown," this report: "The blast furnace in Hamilton will never reopen."

Ontario taxpayers doled out \$150 million during Stelco's bankruptcy protection before US Steel received federal approval for a takeover—a takeover based on job and steel production commitments that have not been met. Acting Premier, what steps have you taken to ensure these commitments and the Ontario jobs that they protect are maintained?

**Hon. Dwight Duncan:** I agree with the member citing the challenges associated for those families that are faced with this. That's why, in 2006, we came forward with a package to protect their pensions; that member and his party voted against it. Our government continues to be in touch with the appropriate people in this situation, and we will continue to work to find the solution.

This is a troubled industry. We're seeing closures in the United States, in places like Michigan and Wisconsin.

We will continue to work with the federal government and others who have an interest in ensuring that as many of these jobs as possible are protected in Ontario.

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

**Mr. Toby Barrett:** Acting Premier, this game has gone on too long. The lockout down at Nanticoke's Heckett has gone on for 18 months. I don't think your government has done anything. A lockout may permanently close the Hilton works' blast furnace and end 100 years of steelmaking. Families will again be split, as you've recognized. Steelworkers will again lose their homes.

Primary industry has historically provided tens of thousands of jobs in Ontario. Are you preparing to wave goodbye to yet another industrial heavyweight? Do you have any plan at all for primary industry, or are you just making this up, crisis by crisis?

**Hon. Dwight Duncan:** To the Minister of Labour.

**Hon. Peter Fonseca:** We all feel that it is very unfortunate when these types of situations disrupt the lives of those workers, their families and the communities. But I can say that this government has been working 100%, rolling up its sleeves, through the Minister of Economic Development and Trade, through the Minister of Finance, through our Premier, through leadership and through the Ministry of Labour. We have our most seasoned, skilled, professional mediators there, working with the parties.

When the member says it's all over, we don't agree. We don't agree with that. We continue to be there at the table, continuing to assist, to keep the dialogue open. If there is any chance or hope of keeping the plant going, of assisting those workers, we will be there for those workers.

#### WINTER HIGHWAY MAINTENANCE

**Mr. Gilles Bisson:** My question is to the Minister of Transportation. Minister, you would know that under the Conservative government, we went the way of privatizing winter road maintenance. We know that it's more expensive to do so, and we know that the standard when it comes to winter road maintenance has been lessened.

We now learn that another contract has been issued by MTO to privatize winter road maintenance in the northeast. Why are you going forward with the privatization initiative that was started by the Conservatives if you know it doesn't save money and that the standards are less?

**Hon. Kathleen O. Wynne:** In fact, the standards are not lessened. In fact, the standards are kept high. As I have said many times in this House, we have among the safest roads in North America, and that's a standard that we will continue to uphold.

We obviously work with the regional offices to make sure that the oversight of those contracts is in place. I have visited the regional offices and I know that it's a real concern of theirs.

The fact is that road maintenance can be done in a variety of ways. This method is what's in place in the province, and we've kept the standards very high, using it.

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

**Mr. Gilles Bisson:** Minister, it's quite interesting, because you were opposed to the privatization of winter road maintenance when you were in opposition. Now that you're the government, you've put the pedal to the metal and you've accelerated it.

In the case of this particular contract in the northeast, we're also, at the Ministry of Transport, going to lose the ability to do what are called patrols; in other words, the people who dispatch where the plows have got to be on

the highway at various times of the day, depending on the conditions. It's not going to be done by MTO but by the contractor.

I ask you again: Why would you do something like this when you know, at the end of the day, that you're not going to save money, quality is going to go down and safety is in question?

**Hon. Kathleen O. Wynne:** We wouldn't be doing this if safety were at question. We wouldn't be doing it if quality was going to go down.

One of the first visits I made was to the northern regional office. I had a conversation with folks about the oversight of these maintenance contracts. That oversight is in place. We monitor it very carefully.

I think the other thing that the member opposite needs to know is that we have made record investments in northern highways. In 2010-11, we are investing \$774 million in northern highways. That is an unforeseen amount. There is construction and work and maintenance going on all over the north.

I take the member's concern seriously that we have to make sure that oversight is in place. We're doing that. We have to make sure that the MTO offices know what's going on in road maintenance. We're doing that. The standards are high. We will keep them high and we will keep the quality in place.

1130

#### WORKPLACE SAFETY

**Mr. Pat Hoy:** My question is for the Minister of Labour. November 12 will mark the anniversary of a terrible tragedy that no one wants to see repeated again. Lori Dupont, a nurse, was stabbed to death while on the job. Although five years have passed since her death, Lori Dupont's legacy is still strong in the hearts of her family and co-workers.

Everyone has the right to a safe workplace, free from fear or violence. Minister, can you please explain what your ministry has done to help make Ontario workplaces safer?

**Hon. Peter Fonseca:** I know how deeply affected the member and his community have been by the murder of Lori Dupont. That murder of Lori Dupont focused our attention yet again on the effects of workplace violence on the individual, on the family, on the community, and our thoughts and prayers are with the Dupont family today.

Our government takes violence and harassment in the workplace very seriously. That's why we amended the Occupational Health and Safety Act to address workplace violence and harassment. Employers are now required by law to develop policies and programs to help prevent things like what happened to Lori Dupont from happening again. Today, workers have the right to refuse work if they feel that they are physically at risk of violence in the workplace.

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

**Mr. Pat Hoy:** Like so many others, in 1996, my community lost Theresa Vince, a wife, a mother and grandmother, to a tragedy at the hands of her workplace supervisor.

Workplace violence is a complicated matter, one that deserves attention and action. Minister, I know that your ministry has undertaken a number of proactive initiatives to educate workers and employers about these new requirements under the Occupational Health and Safety Act. Can you speak to these many initiatives?

**Hon. Peter Fonseca:** Again, I thank the member for allowing me to address some of the resources that have been developed by our health and safety partners for violence and harassment in the workplace. We're getting the message out. Workers and employers can find resources and materials on the ministry's website, and this includes an informational video. I'll let you know that this informational video we have on our website—we have a number of them—is the video that is most sought after, is most viewed, and was posted just this past June. I said before and I'll say it again: Violence and harassment have no place in Ontario's workplaces. We want to make sure that all workers go home safe and sound to their families at the end of the day, and this is exactly what this legislation does.

#### AIR TRANSPORTATION

**Mr. Frank Klees:** To the Minister of Transportation: The owners of the Buttonville Airport in York region announced operations will cease within five years. The airport hosts more than 170,000 flights annually, mostly corporate flights essential to the economy of the GTA. Can the minister tell us what involvement her ministry has had in the discussions that led up to the shutting down of this regional airport, and what role her ministry will have in planning for an alternative regional airport to serve the needs of the GTA?

**Hon. Kathleen O. Wynne:** My understanding of the way the air network in the country works is that this is a federal issue, and this is a private operation. Having said that, I do have an air advisory panel, and I have spoken with people from around the province who are involved in the small—particularly the remote and rural—airports in the province. I know we've been involved in a pavement study on those runways and there has been a lot of work that has been done as a result of that study. I am concerned about the overall quality of the airports in the province, but on this particular issue, I believe it's the jurisdiction of another government and it's a private organization.

**Mr. Frank Klees:** The jurisdiction of the province of Ontario is to ensure that we have a proper transportation plan in place. That, surely, is the mandate that was given to Metrolinx. It's disconcerting to me that this issue of air transportation is to be seen nowhere in the ministry's transportation planning. In fact, one of the directors of Metrolinx, at the standing committee, admitted when I put the question to him that air transportation should, in

fact, be an integral part of the intermodal and integrated transportation system in the province. I will then put it to the minister: Will she undertake to ensure that air transportation becomes an integral part of the transportation planning process for the province of Ontario?

**Hon. Kathleen O. Wynne:** As I said in my first answer, we have—in fact, a former Minister of Transportation, the member for Etobicoke Centre—set up an air advisory panel in our ministry. The member for St. Catharines kept that going.

There was, in the Ministry of Transportation, a robust air department, air unit. It was the party opposite that got rid of that unit. It was the people on the other side of the House. It seems to me that the member opposite was a Minister of Transportation, and it was under his watch that provincial involvement in air traffic and air transportation was diminished.

We have reinstated the conversation. I understand that air travel is an important part of the network, which is why I'm working with the folks who are involved in those airports around the province. But the member opposite has to take responsibility for reducing the capacity for us to do that.

#### EDUCATION FUNDING

**Mr. Rosario Marchese:** To the Minister of Education: Parent councils were created to enable parents to help their kids, but a study by People for Education shows that parent councils have turned into fundraising machines. The money they raise goes to basic fundamental items like textbooks and computers, things we all thought the government of Ontario should be paying for.

The Ministry of Education has pledged to craft fundraising guidelines since 2005, and we were expecting guidelines in 2010. Now they say no policy will be implemented until 2012-13.

I had no idea that writing a single set of guidelines was so onerous for the minister. Is it really that complicated?

**Hon. Leona Dombrowsky:** I think it's important that I correct the honourable member that it's not about the minister writing guidelines. In fact, the ministry leads robust consultation with all of the people who are going to be impacted by fundraising activities. So I think yes, in fact, it is very important that we take the time to do this right, that we make sure that we consult and provide opportunities for families and for people in our communities to provide feedback.

I would also like to clarify that when it comes to dollars that are raised within school communities, the first issue that we have focused on is student fees, and right now the honourable member and all people in Ontario can go to the ministry website and see what we have proposed for guidelines on student fees in our schools.

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

**Mr. Rosario Marchese:** Clearly, I wasn't talking about user fees, although that's an important issue too.

Given the eco fee fiasco, you might not want to bring that up.

You talk about the robust consultations. Does it really take five years to have robust consultations with the parents? How much longer do you need for robust consultation with the public? I don't get it.

Parents fundraising has become an integral part of how the Ontario government funds its schools. It has sapped the energy and resources of parents, and it's undermining public education by creating have and have-not systems. But my sense is that the minister isn't losing too much sleep about such issues. My worry is that parents are fundraising over \$600 million a year.

It's really about the money, isn't it, Minister?

**Hon. Leona Dombrowsky:** First of all, we think that having consultations and putting guidelines on student fees—those are fees that directly impact students in our schools—should be a priority, and that is why that is the guideline that is out first. With respect to fundraising in our schools, another very important area, we will be putting out guidelines in the new year.

I think it's also important to clarify in this House that there is a great deal of fundraising that goes on in schools. What's interesting, though, is that some of that fundraising is to support and benefit other community activities like the United Way. I know that when there are disasters, in our communities and beyond our communities, there are significant fundraising efforts in our schools, which, in my view, underscores the reason why we do need to have good guidelines in place; why, when we do put our draft guidelines out there, they will be—

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

#### CLIMATE CHANGE

**Mr. Phil McNeely:** My question is for the Minister of Natural Resources. Minister, the people in my riding of Ottawa-Orléans are very concerned about the effects of climate change. I'm proud of Ontarians' support for Ontario ending coal generation. We are 70% towards reaching that goal. Ontario is a world leader through this action.

On another climate change initiative, it is proven that trees act as an effective sink for carbon dioxide, which we know is the leading contributor to global climate change.

Recently, I welcomed the Environmental Commissioner of Ontario to my riding to speak to high school students on the environmental issues facing the province. The commissioner has a very good grasp of those issues and a clear understanding of what needs to be done to address these environmental challenges. In a recent report, he suggested that we need to make greater effort to deliver on our commitment to plant more trees in southern Ontario.

Minister, what is the government doing to fulfill this commitment?

**Hon. Linda Jeffrey:** I'd like to thank the member from Ottawa–Orléans. In the member's riding, there are two conservation authorities, Rideau Valley and Cata-raqui, who, in partnership with Trees Ontario, have planted over 218,000 trees in this area alone.

I'm pleased to stand in this House here today to re-confirm our government's commitment to the 50-million tree program. Approximately 6,000 trees have been planted to date, and in 2010, 2.1 million seedlings were planted. We're on target to plant a total of 50 million trees by 2020. This is a vital government program, and it will be ensuring a legacy for the people of Ontario which will provide long-lasting forests which will improve the air we breathe and the water we drink, as well as improving the watersheds, whether they're urban or rural, wherever we live. These forests will protect wildlife and provide recreational opportunities and help combat global warming.

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

**Mr. Phil McNeely:** I'm happy to hear that we are making progress on our government's goal to plant 50 million trees in southern Ontario. This initiative is a critical step in our government's plan to slow the effects of climate change. It will have a positive impact on the environmental future of Ontario and help ensure that our children and grandchildren will breathe clean air for years to come.

I know that many people in my riding and across the province want to help us meet this ambitious goal. However, landowners need tax savings incentives made available to them in order to plant trees and manage their forests in a sustainable fashion. My question is: What is the government doing to encourage participation in the program?

**Hon. Linda Jeffrey:** Thank you, again, to the honourable member. I'm pleased to share with the House my ministry's managed forest tax incentive program. It's a voluntary program administered by MNR to provide lower property taxes to participating landowners who agree to conserve and actively manage their forests.

Under this program, participating landowners have their property reassessed and classified as a managed forest, and they're taxed at 25% of the municipal tax rate set aside for residential properties. To participate in the program, landowners must own four hectares or more of forest land. They must agree to certain conditions, including preparing and following a managed forest plan for their forest. The MNR-approved plan improves the owner's knowledge of their forest, increases the owner's participation in managing the forest and, in turn, helps encourage stewardship of Ontario's private forest.

I thank the member for the question and I thank Trees Ontario for their assistance.

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 38(a), the member for Haldimand–Norfolk has given notice of his dissatisfaction with the answer to his

question given by the Acting Premier concerning the US Steel lockout. This matter will be debated today at 6 p.m.

#### DEFERRED VOTES

#### TIME ALLOCATION

**The Speaker (Hon. Steve Peters):** We have a deferred vote on the amendment by Mr. Miller, Parry Sound–Muskoka, to government notice of motion number 31.

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

*The division bells rang from 1144 to 1149.*

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

#### Ayes

Arnott, Ted	Hudak, Tim	Munro, Julia
Bailey, Robert	Jones, Sylvia	Murdoch, Bill
Barrett, Toby	Klees, Frank	O'Toole, John
Bisson, Gilles	Kormos, Peter	Ouellette, Jerry J.
Chudleigh, Ted	MacLeod, Lisa	Prue, Michael
Clark, Steve	Marchese, Rosario	Savoline, Joyce
Elliott, Christine	Martiniuk, Gerry	Sterling, Norman W.
Gélinas, France	Miller, Norm	Yakabuski, John
Hardeman, Ernie	Miller, Paul	

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

#### Nays

Aggelonitis, Sophia	Duncan, Dwight	Mitchell, Carol
Balkissoon, Bas	Flynn, Kevin Daniel	Moridi, Reza
Bartolucci, Rick	Fonseca, Peter	Murray, Glen R.
Bentley, Christopher	Gravelle, Michael	Naqvi, Yasir
Best, Margaret	Hoskins, Eric	Oraziotti, David
Bradley, James J.	Hoy, Pat	Pendergast, Leeanna
Brotten, Laurel C.	Jaczek, Helena	Phillips, Gerry
Brown, Michael A.	Jeffrey, Linda	Ruprecht, Tony
Cansfield, Donna H.	Kwintner, Monte	Sandals, Liz
Caplan, David	Lalonde, Jean-Marc	Sergio, Mario
Carroll, Aileen	Leal, Jeff	Smith, Monique
Chiarelli, Bob	Levac, Dave	Takhar, Harinder S.
Colle, Mike	Mauro, Bill	Wilkinson, John
Crozier, Bruce	McNeely, Phil	Wynne, Kathleen O.
Dombrowsky, Leona	Meilleur, Madeleine	Zimmer, David
Duguid, Brad	Milloy, John	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 26; the nays are 47.

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

We now have a vote on the main motion.

Ms. Smith has moved government notice of motion 31.

Call in the members. This is a five-minute bell.

**Interjections:** Same vote reversed.

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

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 47; the nays are 26.

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

*Motion agreed to.*

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

*The House recessed from 1152 to 1500.*

## INTRODUCTION OF VISITORS

**Mr. John O'Toole:** I'd like to welcome from my riding Madilyn Darrach and her mother, Jody. Madilyn is here attending Take Our Kids to Work Day, and her mother has joined us. Welcome to Queen's Park.

**Mr. Khalil Ramal:** I'd like to welcome to Queen's Park today the members of the Campaign to Control Cancer. They are here today for the Cancer Day of Action at Queen's Park.

## MEMBERS' STATEMENTS

### MUNICIPAL ELECTIONS

**Mr. Steve Clark:** I felt it was important today to rise in this House and acknowledge the commitment to community demonstrated by those who ran for office in local council and school board elections last week.

I don't have to tell anyone here that putting your name on a ballot is not an easy decision. By putting forward your platform and ideas, you open yourself up to scrutiny and criticism from the public and press. The debate of those ideas is fundamental to our democracy, and without a variety of candidates and diversity of opinion, we all suffer. Whether they finished on top of the polls or somewhere farther down the list, I want every candidate to know how much their participation mattered in their municipality.

In Leeds-Grenville, as with the rest of the province, election day brought many changes. I look forward to working with every elected mayor, reeve, councillor and trustee, whether they're returning to office or new.

I congratulate newly elected Mayors Brett Todd in Prescott, Bill Sloan in Edwardsburgh/Cardinal, David Gordon in North Grenville, Herb Scott in Athens, Bruce Bryan in Leeds and the Thousand Islands, and Erika Demchuk in Gananoque.

I also applaud Mayors David Henderson in Brockville, Jim Pickard in Elizabethtown-Kitley, Ron Holman in Rideau Lakes, Bill Thake in Westport, Doug Struthers in Merrickville-Wolford, as well as Reeves Roger Haley in Front of Yonge and Mel Campbell in Augusta, for their return to office.

### NON-AUTOMOBILE MODES OF TRANSPORTATION

**Ms. Helena Jaczek:** Every week, over 150 people on average are hospitalized or visit emergency rooms as a

result of injuries incurred on all-terrain vehicles and snowmobiles in Ontario. According to Ontario Injury Prevention, the same goes for 550 cyclists. These injuries are often severe and even debilitating, and some 1% actually die from their injuries.

Legislation concerning the use of non-automobile modes of transportation, including bicycles, motorized vehicles such as all-terrain vehicles, snowmobiles, motorized bicycles, motorcycles and scooters needs to be addressed in a comprehensive fashion.

Today, I tabled a private member's resolution that a select committee be appointed to study the use of such modes of transportation and report back to the House with recommendations as to how we can make the use of these vehicles safer for all Ontarians. In a non-partisan fashion, the select committee would look into possible age and licensing requirements, safety training, the use of protective equipment for operators and passengers, and the appropriate size of non-automobile motorized vehicle relative to the size of the operator. The membership of the committee would be composed of members from all regions of the province.

I would like to urge my colleagues from all sides of the House to vote in favour of this resolution on November 25. With your help, we can address these issues and lessen the number of injuries and fatalities from these vehicles.

### NATIONAL 4-H MONTH

**Mr. Ernie Hardeman:** Today is the annual Show Your 4-H Colours day, hence the green tie. This kicks off National 4-H Month across Canada and is the day when 4-H members and supporters are encouraged to wear green to show off their support and spirit.

Since 1913, 4-H has helped to encourage well-rounded Canadian youth. With the motto of "Learn to do by doing," 4-H teaches rural youth new skills, including leadership, public speaking and responsibility.

Members have the opportunity to join clubs, travel in Canada and beyond on exchanges and earn grants and scholarships. Today in Canada, more than 26,000 youth are led by a committed group of close to 8,000 volunteer leaders. These are youth from rural Ontario who will be the next generation of farmers and rural leaders; 4-H has a strong history of supporting rural Ontario and encouraging young people to get involved in their communities.

November has historically been a very important month for 4-H groups in Ontario: It includes everything from the Royal Agricultural Winter Fair to the national 4-H conferences in Toronto. And 4-H members from across Canada have travelled to Toronto in November for the national 4-H conference for decades. It is the longest-running conference in Canada and has provided great opportunities for 4-H members to create friendships and memories that will last a lifetime.

I want to extend best wishes to all 4-H members, and I hope they have a successful 4-H month and conference.

## BEYOND THE BOUNDARY

**Mrs. Amrit Mangat:** This past weekend, I had the opportunity to attend the elite cricket community tournament hosted by an organization called Beyond the Boundary.

I would like to begin by saying how impressed I am with Beyond the Boundary. It is a not-for-profit organization, and its goal is not only to help newcomers to integrate quickly and effectively into Canadian society but also to promote youth development and foster learning, discipline and respect for others through the power of sports.

I'm pleased to say that Ontario is the only province that has a stand-alone ministry for health promotion and sport. This ministry was created to enable Ontarians to lead healthy and active lives and to make this province a healthy and prosperous province in which to live, work, play, learn and visit.

Beyond the Boundary is helping to make Ontario a better place to live and the riding of Mississauga-Brampton South an inclusive and active community.

## TAKE OUR KIDS TO WORK DAY

**Mr. John O'Toole:** I'm honoured to have in my office an additional staff member for the day, as I and many other members are entertaining students working with us for the day.

It's my pleasure to introduce Madilyn Darrach and her mother, Jody, who I introduced earlier, from Newcastle in my riding of Durham.

Madilyn is a grade 9 student from Clarke High School and is participating in Take Our Kids to Work Day. This is a Canada-wide program which offers grade 9 students the opportunity to gain a better understanding of the world of work.

**1510**

Madilyn is an exceptional student who is dedicated to giving generously of her time and effort to her community. This past year, she completed all 82 badges for her Girl Guide troop. But that's not all. She then moved on to earn the Lady Baden-Powell Challenge award, which is the highest honour that can be earned.

Maddy hopes to one day serve as a Supreme Court judge. Judging by her past achievements and from having lunch with her today, I expect to see her sit on the bench or perhaps even in the Legislature, replacing me.

It is my privilege to host Maddy and to thank her parents, James and Jody, for allowing her to join us today.

I hope all members take the time to meet and mentor exceptional students from their ridings as part of a great program. I encourage all youth, including the pages here today, to dream big, work hard and make our world a better place for all of us to share.

## CANCER CARE

**Mr. Khalil Ramal:** I'm pleased to welcome members of the Campaign to Control Cancer and the November 3, 2010, Cancer Day of Action at Queen's Park.

It's a terrible disease that at one time or another has touched everyone in this House in one way or another. Consistent and urgent effort is required by all of us to keep moving forward on prevention and early detection, treatment and access to quality patient support. I know that is a message brought forward today by volunteers with the Cancer Day of Action and by the more than 1,000 Ontario citizens who participated in community conversations on cancer across the province this year.

The Campaign to Control Cancer is working to champion a new response to cancer: more control, less cancer. In 2010, an estimated 28,200 people will die of cancer in Ontario, and 65,100 new cases will be diagnosed. We have the knowledge to cut the rate of cancer deaths by half in the next generation, and that gives me the hope and determination to work together on this challenge.

That's why we launched Canada's first province-wide colorectal cancer screening program to combat the second-deadliest form of cancer in the country. We have invested \$193.5 million over five years to implement a colorectal screening program in Ontario. We are funding approximately 135,000 more colonoscopies over five years.

We introduced a free vaccine to protect young women against the human papillomavirus, the major cause of cervical cancer. About 77,000 females in grade 8 were offered the free vaccine to protect against the human papillomavirus, saving families up to \$450 per person—

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

## ENERGY POLICIES

**M<sup>me</sup> France Gélinas:** Where I live, and in many parts of my riding of Nickel Belt, people don't have access to services that people in the urban areas of this province take for granted. Where I live, we don't have cable TV or mail delivery. We don't have water or sewers. We don't have natural gas, sidewalks, paved roads, public transit or storm sewers. Volunteers make up our fire department. In short, in many communities in Nickel Belt there are very few services that city-dwellers take for granted. In my home, like in many communities in Nickel Belt, the only service we get is a phone line and electricity.

People throughout my riding are becoming increasingly frustrated with the frequency and duration of blackouts. They're frustrated with the quality of the electrical service, where power brownouts damage their appliances. They are doubly frustrated that while services deteriorate, they are told to pay more—much, much more. Then, on top of increased hydro rates, they get dinged with the HST.

Two weeks ago, in Mattagami First Nation, a funeral was performed indoors but in the freezing cold and in the

dark because the power was out again. This truly is an undignified way to conduct a funeral. That particular power outage lasted 21 hours.

It is not right that it should happen, and we want this government to change that.

### FÉDÉRATION DE LA JEUNESSE FRANCO-ONTARIENNE

**M. Phil McNeely:** Je désire souligner une subvention de 15 000 \$ offerte par la Fondation franco-ontarienne à la Fédération de la jeunesse franco-ontarienne.

La Fédération de la jeunesse franco-ontarienne, FESFO, a été créée en 1975 par des jeunes qui voulaient « s'assurer que la jeunesse franco-ontarienne participe pleinement au développement de sa communauté ».

Tout d'abord nommée la Fédération des élèves du secondaire franco-ontarien, la FESFO est devenue la fédération de la jeunesse afin de créer des ponts encore plus solides entre l'école et la communauté. La FESFO est l'organisme porte-parole des 25 000 jeunes francophones qui fréquentent une des 86 écoles secondaires franco-ontariennes. Plusieurs activités de la FESFO visent à faire découvrir l'identité franco-ontarienne et à combattre l'assimilation tout en outillant les jeunes leaders de tous les coins de l'Ontario.

Les Jeux franco-ontariens représentent, depuis 1994, le plus grand rassemblement annuel et provincial de la jeunesse franco-ontarienne. À chaque mois de mai, un millier de jeunes d'écoles secondaires franco-ontariennes de tous les coins de l'Ontario se rassemblent pour faire valoir leurs talents.

Des milliers de francophones de la région hôte bénéficient de cet événement dynamique grâce aux Mini-Jeux et aux 200 spectacles et performances qui sont ouverts au grand public. Plus de 16 000 heures de bénévolat sont consacrées à l'organisation de cet événement.

L'expertise de la FESFO en développement communautaire est reconnue et utilisée par des partenaires importants tels le ministère de l'Éducation de l'Ontario, l'Association canadienne pour les Nations Unies, Patrimoine canadien et la Fondation Trillium de l'Ontario.

J'invite les membres de l'Assemblée législative à se joindre à moi pour féliciter et appuyer le travail de la FESFO, l'Ontario, ses communautés francophones et des milliers de jeunes franco-ontariens.

### POLITICAL CONTRIBUTIONS

**Mr. Bill Mauro:** For some time now, the leader of the NDP has been casting around innuendo about supposed improprieties as if she were simply saying, "Good morning," or "How are you doing?"

She has accused our government of transgressions of accepting money from energy companies that attended political fundraisers, when she knows there is nothing illegal about this activity, and when, in fact, the leader of

the NDP, as an individual and as the head of her party, has done the very same thing. She accepted money for her leadership campaign from energy companies, and she accepted money for their party from energy companies.

First the NDP said accepting donations from energy utilities was wrong, but then the leader of the NDP was exposed for accepting \$1,000 from Union Gas for her leadership campaign, and as a party, the NDP has accepted thousands from Enwave and from Suncor. Then the leader of the NDP tried to argue it was okay to accept money from private, not public, companies, but then it was disclosed that the NDP had accepted donations from Five Nations Energy Inc., a non-profit entity owned by First Nations communities.

The NDP leader seems to have no problem with the practice of receiving money from energy utilities, private or public, as long as the money went to her campaign or the NDP. The NDP has raked others through the mud for conduct she has no problem with when it applies to herself or her party. By doing so, she is doing a disservice to all who sit in this House and to those who might consider putting their name on a ballot.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr. Michael Prue:** I beg leave to present a report from the Standing Committee on Regulations and Private Bills and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill without amendment:

Bill Pr37, An Act respecting The Sisters of St. Joseph of the Diocese of Peterborough, in Ontario.

Your committee further recommends that the fees of the actual cost of printing at all stages be remitted on Bill Pr37.

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

*Report adopted.*

### INTRODUCTION OF BILLS

#### CELL PHONE SAFETY ACT, 2010

#### LOI DE 2010 SUR LA SÉCURITÉ DES TÉLÉPHONES CELLULAIRES

Mme Gélinas moved first reading of the following bill:

Bill 128, An Act to increase cell phone safety in Ontario / Projet de loi 128, Loi visant à accroître la sécurité des téléphones cellulaires en Ontario.

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

*First reading agreed to.*

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

1520

**M<sup>me</sup> France Gélinas:** If you allow me, I have two visitors, Mr. Bob Conley and Professor Magda Havas, who are here to witness the introduction of this bill.

This bill is very short and very simple. It requires that all cellphones sold in Ontario bear a warning label. That's it; that's all. It requires that people who sell phones in Ontario post a sign containing information about the specific absorption rate of cellphones on the back of the cellphones. It's a very simple measure to do education and help people protect themselves.

Le projet de loi est extrêmement simple. Il s'agit tout simplement d'afficher une vignette sur les cellulaires qui sont vendus en Ontario pour prévenir les gens d'un usage correct et préventif afin de se protéger de l'usage néfaste des cellulaires. C'est tout.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Gerry Phillips:** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

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

**Hon. Gerry Phillips:** I move that notwithstanding standing order 98(g), notice for ballot item 54 be waived.

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

*Motion agreed to.*

### DANTE DE MONTE

**Hon. Gerry Phillips:** I believe we have unanimous consent that up to five minutes be allocated to each party to speak in remembrance of the late Dante De Monte.

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

**Mr. John Yakabuski:** It's my pleasure and honour, as a member of the PC caucus, to stand in tribute to Dante Matthew De Monte, who served in this Legislature from October 17, 1967, till October 20, 1971.

Dante De Monte was born here in Toronto on May 6, 1926. He served Canada in the Second World War in the Royal Canadian Navy. He obtained his BA at St. Michael's College, University of Toronto, and graduated from Osgoode Law School in 1955. He practised law in the city of Toronto for over 40 years. He served from 1963 to 1967 as vice-president of the Toronto and District Liberal Association, and then was elected in the riding of Dovercourt in the election of 1967.

I was reading some of the obituary notes for Mr. De Monte, and I'd like to talk about some of the things. In

1967, if you were elected as a member to this Legislature, it was a vastly different place than we see today. My father was a member in 1967, having been elected in 1963. I think of some of the similarities as I go through the obituary and the record of his time here, but also the record of Mr. De Monte's time beyond this Legislature as well.

He was the first person of Italian descent to be elected to this Legislature. We have had many members of the Italian community since then, and we have members serving today. He would be so proud that this Legislature, just earlier this month, passed the motion approving June as Italian Heritage Month here in Ontario. It was a co-sponsored bill by all three parties. Mr. Sergio, Mr. Shurman and Mr. Marchese sponsored it for each of their respective caucuses. I think he'd be very proud to see that, because I see from his record he was a very devoted member of the Italian community as well.

My father happened to be the first person elected to this Legislature of Polish descent, so they share a distinction in that way.

I see the De Monte family up there. I don't know who is who at this point because it is a large contingent, but I will try to address you from time to time.

He was a father of seven children. My father was a father of 14 children. At least by the basis of the parliamentary journal, at least one of your siblings was born after your father was elected to this Legislature, as one of my brothers was born after my father was elected to the Legislature. He also had a 1966 Mustang, and he talks about being a devoted family man and about piling the family into the 1966 Mustang.

*Interjection.*

**Mr. John Yakabuski:** Just a minute. My mother had a 1968 Mustang. Of course, my father was down here in Toronto, and on a very rainy day, she piled, I'm sure, at least eight of us into a 1968 Mustang with bucket seats. You can you imagine the room there was in it. I can picture the De Monte family piling into that Mustang because I experienced it at a different level up in Barry's Bay.

Things that make us similar: My dad was an Argos fan as well, and your father was an Argos fan.

What I'm talking about is it was a different place. There was a lot of collegiality at that time. My father was a world war veteran as well, as your father was. There was a brotherhood that existed that shortened the distance between these two sets of desks in the Legislature at that time. At that time I know that many of the members of this Legislature were people who had served in the world wars and/or Korea, because that was the generation for which it was such a significant part of their lives. Your father, Mr. De Monte, was no exception to that. He served his country well. He served this Legislature well.

He was a dedicated member of the Italian community, a real community-minded man. I understand his barbecues were famous—the roast pigs and beef. He was a master of the 'cue, as they say.

I can't believe time runs so fast, and there's so many things we can't touch on. But the one thing we have, as the privilege of a member, when we get the honour of delivering a tribute to a member of the past, is that we get a little snapshot of their lives. Even though I never met Dante Matthew De Monte, I know my father had, and they were probably kindred spirits in some way because of the similarities in their lives. But you do get a sense that you do know that person just a little bit better by having the opportunity to do this. I think all of us thank you for your father's sacrifice, for your uncle's.

Talk about a family man: Look at the contingent here. It shows the respect and the love and the admiration his family had for him and, obviously, that he had for his family and his extended family. I've never seen such a contingent as we see in the Speaker's gallery today to pay tribute to a former member of the Legislature.

Thank you all for the life, the service and the compassion of Dante Matthew De Monte. Ontario is a better place because of it, and this Legislature was better because of his service.

**The Speaker (Hon. Steve Peters):** Member from Trinity–Spadina.

**Mr. Rosario Marchese:** As I listened to the member from Renfrew, I think I should rewrite my speech because I liked it so much.

I rise on behalf of Andrea Horwath and Ontario's New Democrats to pay tribute to the late Dante De Monte, who was a friend to this chamber and one of the more interesting figures in the history of this House.

All members can remember the euphoria and excitement that marked our arrival here as rookie MPPs. I certainly remember mine. I remember the tremendous fear that I experienced sitting on that side and finding it so daunting to be there, particularly as a minister.

But I think how daunting it must have been for Dante De Monte in 1967. You've got to remember there weren't too many Italian Canadians who were elected at the time. In fact, when Joe Pantalone, my friend, ran in 1980 or 1982, Italians didn't vote for him because they didn't think that we were good politicians; that others were, that Tony O'Donohue, as an Irishman, was a better politician than Joe Pantalone. Imagine how difficult it was and the tremendous excitement and accomplishment for Dante to have been elected in 1967. It's something the family should be proud of.

Regardless of which side of the House you're on, we all come with a vision and a desire to make a positive impact, and we're all full of energy to initiate meaningful change for the communities that we've been given the honour of representing. There's no doubt that our role as MPPs gives us tremendous opportunities to help improve the lives of our constituents and of all Ontarians.

**1530**

Again, particular to the Italian-Canadian experience—it's no different than the Polish experience in the early 1950s; we have lots of Polish Canadians in my riding, and Ukrainians as well—when we get elected as Italian Canadians, the Italian Canadians of the old stock come in

great numbers to be served by the MPP who speaks Italian, and would not go to other politicians. As soon as they elect someone who can speak their language, they line up, which is what they did with Dante, and it makes sense.

I think of the enthusiasm we bring, and how soon that enthusiasm gets tested by the immense responsibilities of the job and, frankly, the limitations of our positions. That is especially the case for those of us who are in opposition or relegated to the government backbenches. As members, we become aware of the challenge of advocating for the mosaic of voices, cultures and communities that make up our ridings. And, yes, we do our best to be a voice for all within those boundaries.

While this challenge can be seen as a rite of passage for MPPs, past or present, the challenge was magnified for pioneers like Dante De Monte. His story as a son of first-generation Canadians who worked hard to create opportunities that they didn't have captures the essence of Canadian life for so many of us.

The De Monte story is one that many of us can relate to, especially Italian Canadians, but I'm sure it's no different for the Greeks, the Polish and the Portuguese. People come from some mountainside area of my region, and immediately people follow in great numbers. I'm sure it's no different where the late Dante De Monte came from. You've got a couple of people who come and work hard, and they call thousands after them. That is the story. They worked hard, Mr. Speaker, as I'm sure your parents did. All immigrants come with a desire to work hard and make a difference for themselves, their families and everyone who surrounds them.

Dante De Monte's accomplishment as the first Ontarian of Italian descent elected to this chamber is an incredible milestone in its own right, and yet it is his efforts, both in this chamber and beyond the spotlight of public life, that bring true significance to his pioneering status. De Monte recognized that he had a responsibility to build for future generations, and upon his election in 1967, he brought this perspective to the chamber, where he championed issues like citizenship, immigration and labour. Remember labour in those particular times, when there was no health and safety; whether you were underground or above ground, you worked without any health and safety. That's a challenge that I'm sure the late Mr. De Monte had to deal with as a member in this place.

He served for a short time in this House, but he continued his advocacy for Italian Canadians as a private citizen. He worked with immigration services agencies as a board member, fundraiser and organizer; helped those who travelled the same path as his parents; and set an example of public service for a generation of Italian Canadians to come. I look around this chamber, and both sides of the House are a testament to that example with the number of Italian Ontarians who have stepped into a life of public service for many of the same reasons that he did; not just Italian Canadians but so many others in this place. His life journey is a reminder of both the opportunities and responsibilities of citizenship.

Today, the Speaker's gallery is filled with his children, extended family and friends, all of whose lives have been enriched by De Monte's contribution. On behalf of the people of Ontario, and those here in this chamber, I thank you for allowing us the company of your father. His love for you mirrored his commitment to the people of our province, and I know that you understood the sacrifices he made, as indeed do all the spouses and friends of those who are here today.

Although Ontario has made incredible strides in the years since he was elected in 1967—it wasn't long ago—of the enduring legacies of De Monte's life, perhaps the one that speaks loudest is the need for us as MPPs and citizens alike to do what is necessary so that all Ontarians have opportunities to make their own contributions, regardless of whether they have recently arrived or have been here for generations.

The De Monte story is a testament to the power of opportunity. Let us do our part to ensure that others can continue writing tales of personal triumph and community success.

Thank you, Speaker, and thank you to the family for being here.

**Mr. Mario Sergio:** On behalf of Premier McGuinty and the Liberal caucus, I rise to pay tribute to Dante De Monte. We are joined today by members of the family, friends and other relatives, but especially the children, James De Monte, John De Monte, Antoinette De Monte, Dante De Monte Jr., Cecilia De Monte-Bahr, Joan De Monte and Mary-Anne De Monte Whelan. And we have a wonderful list of grandchildren and nephews and spouses and children and lots of friends, especially the very particular friends, Alan and Norma Seymour.

Sometimes we say a lot of things in this House, but when our colleagues plagiarize our speaking, that should not be allowed, but on an occasion like this, I think it's wonderful to hear members of the House speaking on behalf of one of our former colleagues as well.

Dante was born in Toronto—he was a Torontonian—right on Symington Avenue, a particular area in the west end of our city with which I'm well familiar, because Italians—it's not that they used to congregate, but where friends and relatives would come to live. That's where they would come, and I had friends on the abutting streets, on Symington, Osler, Prescott, Uxbridge and so forth.

Dante's parents came from the northern region of Friuli. I have to say that this region perhaps sent us the best-skilled tradesmen that Italy ever sent to Canada. Dante was born in Toronto on May 6, 1926, and he passed away peacefully at our own Humber River Regional Hospital on October 23, 2009. As his parents—immigrants probably from the first wave—we could see from their very particular ingenuity and skills the first contributions that Italians made to our province here.

Dante served in the Royal Navy in the Second World War, and subsequent to that, he acquired his BA from St. Michael's College—he went to the University of Toronto—and graduated from Osgoode Law School in

1955. It was at this particular time that he established an office on Wilson Avenue, between Jane and Keele, on the south side of Wilson at Lexfield, if my memory serves me well. In my previous life, I used to have an office at Keele and Wilson. That's when I had the big pleasure of meeting Danny. I say "Danny" because he felt good with that, and because of his personality, he had acquired a tremendous circle of friends who respected him immensely.

Yes, there was a time when he was interested in politics, and from 1963 to 1967, he was the vice-president of the Toronto and District Liberal Association. In 1967, yes, he was elected a member, the first member of Italian descent, to this House.

Dante was a very dedicated community person. I remember we used to have an office—when I say "we," the Italian community—at the northwest corner of Dufferin and St. Clair: the Italian aid society. He started to work there, and his specialties were immigration, labour and citizenship cases, especially working with people coming from the region of Friuli. Friuli is in the northern part of Italy.

#### 1540

He was a tremendous volunteer and community organizer. For eight years, he was the president of the Michael Power dance club, I think it was called. For the work he did there, in 1986 he received from the Sisters of St. Joseph a very special award, and one from the Basilian Fathers as well.

He was proud when he joined the Famee Furlane Club. Famee Furlane is the Friulana families, the families who come from the northern region of Italy. Later on, he changed the name to the Friuli Centre. This was one of the really wonderful things that the community did and of which Dante was very proud.

The Friuli Centre came to build a wonderful retirement building. Subsequent to that—just in the last two or three years, I believe—they built another lovely long-term-care building. Within the complex, they had one of the first and one of the best banquet and convention centres, with lots of space for their own people, especially for seniors.

This centre today is well used by the community at large for community events and fundraising, not only for the Friulani community but for everybody else. I have to say that within the centre there is one restaurant that perhaps is the only one within the city of Toronto that serves typical, original Friulani fare. If you have a chance, go and visit this place. The food is absolutely northern.

Dante was a lover of the arts, the symphony, and the Argos. Yes, he had season tickets. I think he was told by friends that he was a fixture on the Argos' bench. He would love to take his nephews and sons. Yes, he did enjoy that very much.

One of the things that he was really known for was being a good cook. His specialties were around the barbecue. One of the wonderful characteristics that he had was to use this particular wonderful skill to raise funds for schools and local organizations, especially for the

club at Baby Point. He would do porchetta; he would be roasting pigs and half-steers. Then, this passion became so deep with Dante, it would become a yearly event. Of course, this was well attended, and he would raise a lot of money for local groups and organizations.

He also used to be a member of the Canadian Italian Business and Professional Association, still in existence today, which I have been part of. He was a member of the Boulevard Club.

I have to say, in conveying the deepest sympathy, that Dante was a jovial, gentle and very generous person, and I think we should remember him as such. I know that the friends and the family do.

On behalf of all members of the House, I would like to express to the children and every member of Dante's family our deepest sympathy.

**The Speaker (Hon. Steve Peters):** I'd just like to take this opportunity to say thank you to the family. As well, we will ensure that a copy of the DVD of today's proceedings and the Hansard are sent to you so that you have a permanent record of today.

I beg the indulgence of Hansard: I will present to Hansard the list of all the names. They will be included in the Hansard so there is that permanent record of all of you having been in attendance today.

Thank you very much for being with us.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### WOMAN ABUSE PREVENTION MONTH

### MOIS DE LA PRÉVENTION DE LA VIOLENCE FAITE AUX FEMMES

**Hon. Laurel C. Broten:** I rise today to acknowledge November as Woman Abuse Prevention Month. First recognized in Ontario in 1986 as Wife Assault Prevention Month, it was renamed in 2005 as Woman Abuse Prevention Month. This year, on its fifth anniversary, we continue to work to end all forms of woman abuse.

Je prends la parole aujourd'hui pour rappeler que novembre est le Mois de la prévention de la violence faite aux femmes. Souligné en Ontario pour la première fois en 1986 sous le nom Mois de prévention de la violence conjugale, cet événement a été renommé Mois de la prévention de la violence faite aux femmes en 2005. Cette année marque le cinquième anniversaire de l'événement, et nous poursuivons notre travail pour mettre fin à la violence faite aux femmes.

As we work to end all forms of woman abuse in Ontario, we need to remember that the issue of violence against women crosses beyond provincial borders. In fact, it was identified as one of the most pressing concerns for women worldwide at the 1995 United Nations conference on women.

This finding should shake us all to our core. The effects of abuse on women are beyond measure and the consequences far-reaching. It robs women of their spirit, their dignity, their freedom and, in some instances, their lives.

To improve the lives of those who have been victims, we continue to build on our domestic violence action plan. We continue to draw on expert advice from the domestic violence advisory council's report to better meet the diverse needs of women and their children.

We're training more front-line workers, working with experts to reduce the risk of lethal violence against women and supporting the network of services for survivors with the Women's Centre for Social Justice. But it is also at the community and grassroots levels that Ontarians are becoming involved and helping to stop abuse against women.

Nos trois campagnes, Voisin-es, ami-es et familles, Kanawayhitowin et « Neighbours, Friends and Families » interviennent auprès de plus de 200 collectivités afin de sensibiliser les gens aux signes de la violence et à la façon de trouver des services dans leur collectivité.

The White Ribbon Campaign highlights the critical role men play in the movement to end violence against women. Launched every year on November 25, the International Day for the Elimination of Violence Against Women, it is the largest global effort by men who are working to end violence against women.

Men in aboriginal communities are also speaking up against woman abuse. The Kizhaay Anishinaabe Niin campaign, meaning "I am a kind man," is being implemented across Ontario by the Ontario Federation of Indian Friendship Centres. The campaign encourages men and boys to speak out against all forms of violence against aboriginal women.

Many organizations and individuals are dedicated to ending woman abuse, and I would like to extend my sincere thanks for the tireless efforts put forward by so many. Together, we are working to stop violence against women and provide much-needed services to survivors.

It is both the bravery of survivors and listening to their stories that informs and drives us.

Ensemble, nous travaillons à faire cesser la violence faite aux femmes et à offrir aux survivantes les services dont elles ont grandement besoin. Le courage des survivantes et l'écoute de leur histoire nous informent et nous motivent à poursuivre notre travail.

As we move forward, we must continue to express a vision for a future free of violence against all women, and we must foster a culture that teaches generations to come that gender-based violence is simply not acceptable.

We must teach our daughters to insist on equality for themselves and we must educate our sons about equality towards others.

Nous ne devons jamais cesser de travailler vers l'atteinte de cet objectif de mettre un terme à la violence faite aux femmes parce qu'il s'agit de nos mères, filles, sœurs et amies, et nous leur devons cette protection car

si l'une d'entre nous n'est pas en sécurité, aucune d'entre nous ne l'est.

We must never stop working toward our goal to end violence against women, for these are our mothers, daughters, sisters, friends, and we owe them this protection because if one of us is not safe, none of us is safe.

1550

### AIR QUALITY

**Hon. John Wilkinson:** Two weeks ago, I had the pleasure of attending the annual meeting of the Canadian Council of Ministers of the Environment, along with my provincial, territorial and federal colleagues. I'm pleased to report to all members of the House on the historic progress that came out of that meeting.

One of the major initiatives of the Canadian Council of Ministers of the Environment was an agreement to work together on a new comprehensive pan-Canadian approach to air management, and let me explain what that entails.

Working with all of the provinces, territories and our federal government, we will develop stringent national air quality standards and countrywide industrial emissions standards, and we will strengthen community involvement in air quality management. This will mean better, cleaner and healthier air for people right across Canada.

This approach is being welcomed by the Canadian Lung Association as a way to improve the health of millions of vulnerable Canadians. Canadians, wherever they live, will have ready access to information about the quality of the air they breathe through new public reporting, modeling and monitoring. This new comprehensive air management system will also inform future discussions with our neighbours to the south on issues concerning air quality and air pollution.

Ministry officials from each jurisdiction will finalize the major elements of the system in 2011, and we all committed to implementation that will begin in 2013 after ratification by our respective jurisdictions.

I'm proud to note that Ontario has been at the forefront in improving the air we breathe by closing coal-fired electricity plants, improving public transit and protecting green space in the greenbelt.

As well, over the past seven years our government has introduced 59 new or updated air standards, the most action in addressing air emissions in more than 30 years. And we are seeing real results. Air quality in our province has improved significantly. From 2003 to 2008, we've seen nitrogen dioxide decrease by 32%, carbon monoxide by 31% and sulphur dioxide by 26%.

We are leading by example and look forward to working with other provinces and the federal government to do what needs to be done to reduce pollution, lessen harmful air emissions and clean the air we all share.

Clean air is fundamental to healthy communities and healthy people. In 2008, the Canadian Medical Associa-

tion calculated that the cost of illness caused by air pollution topped \$8 billion annually in Canada.

In addition to the health costs, we know that bad air is bad for our economy. It affects our farms and our forests, our water, our land and our ecosystems. It affects our quality of life and our enjoyment of the outdoors, and is especially hard on the most vulnerable in our society: young children, people with health problems and the elderly.

Air pollution knows no boundaries. As well, it knows no political stripe. So we are all working across boundaries as well. Fourteen governments throughout Canada, governed by all three major political parties, have joined in common cause.

This collaborative approach to a national air management system is a positive step in the right direction. It's good for Ontario, it's good for our people, it's good for Confederation and it's good for the country that we all love, Canada.

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

### WOMAN ABUSE PREVENTION MONTH

**Mrs. Joyce Savoline:** I'm honoured to respond on behalf of our member from Kitchener-Waterloo, the critic for women's issues.

The PC caucus believes firmly that every woman has the fundamental right to live free from violence and abuse. An opportunity is in the month of November to raise awareness about violence against women. Protecting women from violence and abuse is of the utmost importance to the future of Ontario. It is essential that we ensure our most vulnerable citizens have the means to live in a violence-free and abuse-free situation.

We must work diligently to provide the necessary resources and channels to afford abused women a safe and effective way to find relief. It requires a plan. It requires a strategy which is proactive in its prevention efforts and comprehensive in its response.

We must make certain that we provide abused women with the ability to leave an abusive situation, knowing that there are options available to them. This means providing for housing, counselling, legal aid and job training. Abused women are entitled to a helping hand.

The PC Party has proven its commitment to empowering women and strengthening their ability to properly respond to violence and abuse. It was our party that was pleased to introduce and pass the Domestic Violence Protection Act, and that happened in late 2000. We increased shelter funding and allocated money to create a crisis line for assaulted women, which provided access to 24/7 crisis services for abused women across our province. We provided \$5 million for an early intervention program for child witnesses of domestic violence, which helped children recover from the effects of witnessing violence in their families. We spent over \$160 million on programs and services to combat violence against women. This was an increase of 75% since 1995. We took action to ensure that the justice system treats victims

with respect and the support that they need. We increased shelter funding by \$26 million over four years, and that added 300 new shelter beds and refurbished 136 others. And \$9 million annually was provided in new funding for counselling, telephone crisis service and other shelter supports.

Abuse against women is often silent. It could be affecting our mothers, sisters, aunts and friends. It is our determination, as the PC caucus, to ensure that this government remains focused on reducing and, hopefully, one day eliminating violence and abuse against women.

#### AIR QUALITY

**Mr. Toby Barrett:** Thank you for the opportunity to address the work of the Canadian Council of Ministers of the Environment. Today we hear of the proposed new air quality management system, the standards across the country, to establish regionally coordinated airsheds and air zones—again, across the political boundaries of our provinces and territories.

What I find intriguing, and I don't know whether this was mentioned, is the statement from CCME that they made with regard to the need for a system to facilitate discussion with the United States with respect to, obviously, air pollution that crosses the Canada-US border. I think of the good work of Ronald Reagan and Brian Mulroney and the work they did with respect to acid rain a number of years ago down in my area. My farm is just a stone's throw from OPG Nanticoke, the coal-fired generating station, and the issue of transboundary air pollution looms large down our way. We are downwind from the Ohio Valley, as is much of southern Ontario.

Even if we were to leave all of our cars at home, even if this government was able to come up with a coal closure deadline that they actually kept—even if all these steps were taken, we would still face a 50% smog problem billowing in from the United States. Coal continues to power much of America. We're a country where 75% of us live within 100 miles of the border, and the issue of transborder smog is very significant. I think of Batchawana Bay, north of the Soo. Where does their air come from? It comes from the coal plants in Chicago.

#### WOMAN ABUSE PREVENTION MONTH

**Ms. Cheri DiNovo:** I rise to address Woman Abuse Prevention Month on behalf of the New Democratic Party caucus and our leader, Andrea Horwath.

Certainly, the first thing I want to say is that our prayers and our support go out to all the front-line workers: those women and men who work across the city and across this province to prevent abuse; certainly people like those workers at Redwood, in my own riding, and those at Interval House, where some of us were last night.

All of the workers in the field that I've spoken to have two simple demands of this government, and they can't, for the life of them, understand why there has been no

response forthcoming. Number one, they need housing. The actual wait time in shelters has doubled during the last seven years for housing, transitional and otherwise, for women who suffer abuse. Number two, child care: We are bordered by Manitoba and Quebec—Quebec has \$7-a-day child care; Manitoba, \$17-a-day child care; Ontario, over \$1,000 a month, and only one in 10 children have access. These are the two necessities to combat abuse of women—absolutely.

**1600**

The other thing that I of course want to put on the table, yet again, is that on the order paper for many years now, a simple request of this government has been positioned, and that is that we have an all-party, all-woman committee to look at the issue of domestic violence and violence against women. For the life of the front-line workers and the women themselves, I cannot understand why this House is so partisan and this government is so partisan that it cannot constitute an all-woman, all-party committee to look at this very issue and to structure a response.

I leave it at that. I live in hope, as do all the women who have suffered abuse and the women and men who help them, and we hope that perhaps after October 11, there is some response.

#### AIR QUALITY

**Mr. Peter Tabuns:** I rise to respond to the statement from the Minister of the Environment. I have to say, as is common, that those were fine words from the minister and, as is common, those were noble sentiments, but you should not hold your breath for results.

I had the opportunity to stand in the lobby of this Legislature when Governor Schwarzenegger, along with Premier McGuinty, talked about the incredible need to act now and act forcefully on climate change. I was at the Metro Convention Centre when Premier McGuinty announced his climate change action plan and talked about the challenge for this generation and the need to save generations to come. I don't know if the Premier could have been much more forceful in outlining the issues and the need for action.

Today we're told—not to diminish you, Mr. Minister of the Environment—by a somewhat less exalted person that action is going to be taken on air quality standards. That might have been credible, except for the fact that the McGuinty government, led by the Premier who made those fine statements, has not even met their own targets for climate change action, does not even have the process in place to meet those targets, and said that in their last climate report. The Environmental Commissioner of Ontario went through the report and said they don't have the ability to meet their own targets, and said he was worried that their reliance on federal action cap and trade was a real problem, a huge vulnerability.

Those who watched television last night are well aware of what happened in the United States. The chances of a cap-and-trade system coming forward in the

States have been dramatically diminished. If we're depending on them in this province, frankly, it's time to be looking around. We have not seen the action from this government to fill the huge looming holes in their own policy.

So I say to you, I have heard fine words, noble sentiments, which, if acted on, would mean that action on air quality would have been taken in a very dramatic way. It has not happened.

With these promises, as substantial as the breath that they were carried on, I suggest that people wait and see if anything happens.

## PETITIONS

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

**Mr. Ted Chudleigh:** I have a petition to the Legislative Assembly of Ontario.

"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 at 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 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 petition. I'm pleased to sign it and pass it to my page, Priscile.

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

**Mr. Michael Prue:** I have a petition which I think is identical. A petition for provincial oversight of the OSPCA:

"Petition to the Parliament of Ontario:

"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 at 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 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."

It's signed by many residents of my riding. I'm in agreement, will put my name thereon and send it with page Jayden.

## MULTIPLE SCLEROSIS TREATMENT

**Mrs. M. Aileen Carroll:** I have a petition with just under 8,000 signatures. I attempted to table it, but there were some difficulties. The table was wonderful in assisting, so today it is in the proper format, and I will read it.

"Whereas there is now worldwide interest in the work of Italian doctor Paolo Zamboni, who has discovered that nearly all multiple sclerosis (MS) patients tested by his team had narrowed or blocked veins. This condition is called chronic cerebrospinal venous insufficiency, or CCSVI for short. A simple Doppler ultrasound scan diagnoses the presence of CCSVI; and

"Whereas this is a radical new approach to the cause and possible treatment of MS which is inexpensive, drug-free and relatively simple; and

"Whereas this is a real breakthrough, with the potential to benefit many young people in their 20s, 30s and 40s with families and careers, but at the present time, MS sufferers in Ontario and Canada are unable to have this procedure performed in Canada; and

"Whereas waiting several years down the line is not an option, as time is not on their side;

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

"That the Legislative Assembly of Ontario act now, as a matter of some urgency, to ensure that vascular scans

and follow-up treatment for all MS patients in Ontario will soon be sanctioned.”

#### PARKINSON'S DISEASE

**Mr. John O'Toole:** I'm pleased to present a petition from my riding of Durham. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas there are up to 40,000 Ontarians living with Parkinson's disease, many of whom require speech-language therapy to retain essential verbal communication skills and life-saving swallowing skills; and

“Whereas speech-language therapy can make the difference between someone with Parkinson's retaining their ability to speak or not, and their ability to swallow or not, yet most Ontarians with Parkinson's are unable to access these services in a timely fashion, many remaining on waiting lists for years while their speaking and swallowing capacity diminishes; and

“Whereas Ontarians with Parkinson's who lose their ability to communicate experience unnecessary social isolation and economic loss due to their inability to participate as full members of their communities; and

“Whereas it is the responsibility of the community care access centres to assign speech-language pathologists to provide therapy to people on the wait-lists, yet people are regularly advised to pay for private therapy if they want timely treatment, but many people living with Parkinson's are already experiencing economic hardship and cannot afford the cost of private therapy;

“Therefore we, the undersigned, petition the Parliament of Ontario to call on Premier Dalton McGuinty and the Minister of Health and Long-Term Care to intervene immediately to ensure that CCACs across Ontario develop a plan to ensure that all Ontarians living with Parkinson's who need speech-language therapy and swallowing therapy receive the necessary treatment.”

I'm pleased to sign and support this and present it to Priscile on her second-last day here at Queen's Park.

1610

#### REPLACEMENT WORKERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Nickel Belt.

“Whereas strikes and lockouts are rare: on average, 97% of collective agreements are negotiated without work disruption; 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 those 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 ... 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 Nicholas.

#### CHILD CUSTODY

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

“Whereas grandparents often become a family's first reserves in time of crisis. Grandparents act as playmates for children, role models, and family historians, mentors, and help establish self-esteem and security for children.

“One potential aspect of the divorce is the disruption or severance of the grandparents-grandchild relationship.

“Also, in cases of the death of a parent, (the maternal or paternal grandparents' child) should continue to enjoy access to their grandchildren by the living parent, as visitation and access was fully established prior to death of parent; ...

“In Canada, the issue of grandparents' rights of access to grandchildren has not been given recognition in legislation, with the exception of the provinces of Quebec, Alberta and BC. In all other provinces, grandparents may only petition the courts for rights of access as interested third parties. In the absence of a specific statute providing grandparents with legal standing to access, there are continuing difficulties in obtaining contact with grandchildren;

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

“That grandparents have legal rights to access to visitation with their grandchildren in the event of parental divorce or death of a parent.”

I have signed this petition and give it to Marie-Josée, a wonderful page from Chatham-Kent.

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

**Mrs. Julia Munro:** “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 at 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” the “Community Safety Minister ... 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 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.”

As I am in agreement, I have affixed my signature, along with hundreds of others, and give it to page Emmett.

#### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** I have this petition from the people of Algoma.

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

“Whereas,” since October 2009, “insured PET scans” are 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 ... 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 ask page Ffion to bring it to the clerk.

#### KIDNEY DISEASE

**Mr. Jeff Leal:** I have a petition today from an old friend of mine, Joe Chambo, who lives at 1867 Cherryhill Road in Peterborough, a very nice residential area. It’s a petition to the Legislative Assembly of Ontario.

“We, the undersigned residents of Ontario, Canada, draw the attention of the Legislative Assembly of Ontario to the following:

“Whereas kidney disease is a huge and growing problem in Canada; and

“Whereas real progress is being made in various ways of preventing and coping with kidney disease, in particular the development of a bio-artificial kidney;

“We, the undersigned, call on the Legislative Assembly of Ontario to make research funding available for the explicit purpose of conducting bio-artificial kidney research as an extension to the research being successfully conducted at several centres in the United States.”

I agree with this petition and I’ll give it page Elle.

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

**Mr. Norman W. Sterling:** This is a petition relating to the Ontario Society for Prevention of Cruelty to Animals. This petition has been read by others before me.

“Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA”—my colleague Mr. Frank Klees has put forward a resolution the petitioners support, which reads:

“That, in the opinion of this House, the Ontario Legislature 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 have signed that petition.

#### MULTIPLE SCLEROSIS TREATMENT

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

“Whereas thousands of people suffer from multiple sclerosis;

“Whereas there is a treatment for chronic cerebrospinal venous insufficiency, more commonly called CCSVI, which consists of a corrective angioplasty, a well-known and universally practised procedure that is low-risk and at relatively low expense;

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

“That the Minister of Health agrees to proceed with clinical trials of the venoplasty treatment to fully explore its potential to bring relief to the thousands of Ontarians afflicted with multiple sclerosis.”

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

#### VETERANS

**Mr. Robert Bailey:** This petition is addressed to the Legislative Assembly of Ontario.

“Whereas with turmoil and fighting around the globe, what better time to remember the price our veterans paid for freedom than the 65th anniversary of the end of World War II; and

“Whereas we also remember and honour our present-day veterans and all who have paid the ultimate price fighting for the freedoms we enjoy in this great nation;

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

“That the Dalton McGuinty government declare November 11 a provincial holiday to honour our veterans of past and present; as well as all the soldiers of today who currently fight to defend our freedoms.”

I'll send that down with Calder.

**The Deputy Speaker (Mr. Bruce Crozier):** The time for petitions has expired. The member for Burlington, I understand your point, but it's just that senior members sometimes take a little bit longer to get up.

**Mrs. Joyce Savoline:** I am more than happy to defer to the senior members.

**The Deputy Speaker (Mr. Bruce Crozier):** Okay.

**Mrs. M. Aileen Carroll:** On a point of order, Mr. Speaker: I did have a petition. It's very important to him that this was tabled today. Maybe I didn't stand up quickly enough.

**The Deputy Speaker (Mr. Bruce Crozier):** My apologies. I simply missed you. So, next time.

Orders of the day.

## ORDERS OF THE DAY

### TICKET SPECULATION AMENDMENT ACT, 2010

#### LOI DE 2010 MODIFIANT LA LOI SUR LE TRAFIC DES BILLETS DE SPECTACLE

Resuming the debate adjourned on November 2, 2010, on the motion for second reading of Bill 172, An Act to amend the Ticket Speculation Act / Projet de loi 172, Loi modifiant la Loi sur le trafic des billets de spectacle.

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

1620

**Mr. Ted Chudleigh:** Talk about truncated speeches. I think this is the third time I have tried to get in my opening debate on this bill.

As a bit of background, this bill was introduced on April 29, 2009. Minister Bentley announced then that the government would be amending Ontario's Ticket Speculation Act. In the Legislature, the minister stated that this proposed legislation “would, if passed, help to ensure fair access to entertainment tickets.”

Let me say at the outset that this legislation will not create one more ticket, nor will this legislation save people who buy tickets one thin dime. This legislation will do nothing to solve those problems.

The minister went on to say that this legislation, if passed, would prohibit “related primary and secondary ticket sellers ... from selling tickets to the same events,” and that there would be fines of \$5,000 for individuals and \$50,000 for corporations if they were to contravene this new legislation. Again, those parts of this legislation will not create any more tickets, nor will they save the purchasers of those tickets one thin dime.

There is a variety of ticket resellers out there, including online markets such as TicketsNow, Stubhub, craigslist, TicketNetwork, RazorGator and dozens, if not hundreds, of other sites that offer resale tickets. This provides consumers looking for premium or last-minute tickets with additional options when primary market tickets are no longer available.

Today, the secondary ticket market is manipulated by scalpers and ticket brokers who provide little or no protection for consumers in the area of information security or fraudulent ticket purchases. Tickets could be mass-produced—even photocopied—and sold to unsuspecting people who think they're buying a viable ticket to an event and simply have no protection against whether or not the ticket they have will indeed get them into the event they are supposedly buying the ticket for. So there's a lot of fraud in the business, and these ticket resellers, be it TicketsNow, Stubhub or craigslist, are all bona fide resellers of tickets which, through their expertise, through their programs, guarantee that people who purchase tickets through them get a legitimate ticket that will indeed give them access to the venue for which they are purchasing.

Today, the secondary ticket market is manipulated by scalpers and ticket brokers who provide little or no protection for the consumer. If you buy from a scalper on the street, it may be a legitimate ticket; it may not. So you take your chances when you buy something on the street.

This bill essentially targets one company, Ticketmaster, which also happens to own the online resale marketplace TicketsNow. Ironically, the resale marketplaces such as Stubhub, craigslist and all the others are untouched by this legislation.

Contrary to the Attorney General's assertions, this bill does virtually nothing to fix the consumer protection concerns he claims to be addressing. In fact, by targeting one of the few resale sites that is actually able to validate the authenticity of the tickets it offers, because of its connection with primary ticket sellers, the bill actually increases the risk of making the problem worse for consumers. This bill may indeed reduce competition in the resale marketplace, thereby making the situation worse for consumers.

Ontario does indeed need consumer protection legislation in this area, but this bill doesn't provide it. The proposed legislation ignores the actions of every other secondary ticket-selling site and street-side scalper while failing to address the legitimate consumer protection concerns. It would do nothing to protect consumers from price-gouging, street-level harassment or counterfeit tickets. Counterfeit tickets are a growing concern across North America, probably around the world. Those are the real problems that are facing Ontarians.

Bill 172 is based on a faulty assumption that primary ticket sellers, like Ticketmaster, divert tickets for a profit to the resale marketplace it operates. Now, that would be something. If Ticketmaster were to get a Bruce Springsteen concert in New Jersey, which is where all this started, and they knew that this concert would sell out,

and they had an arrangement with Mr. Springsteen that they would sell these tickets at so much per—for these purposes, let's say it's \$100; they would sell these tickets for \$100 apiece. Now, they know these tickets are going to sell out, so they immediately take, if this is a 50,000-seat stadium, a number of these seats—let's say 10,000 seats—and they divert those seats to TicketsNow, and TicketsNow will sell these seats not at \$100 but perhaps at \$200 a ticket, and TicketsNow will pocket the extra \$100 to their own account. That's what this bill is supposed to prevent, so that Ticketmaster and TicketsNow can't collude in making that happen. In making that happen—if that did happen—that would be fraudulent.

In Canada there was an investigation by the Competition Bureau of Canada. That same situation that happened in New Jersey also happened in Calgary. The Competition Bureau of Canada conducted an investigation into that situation that happened in Calgary, examined Ticketmaster, examined TicketsNow's books to find out if any fraud took place, or indeed if any tickets were transferred. The result of that investigation was that they found nothing wrong. It would be a contravention of Ticketmaster's arrangement with the entertainment venue to tell sell those tickets or divert those tickets to anything but the general public. That Competition Bureau investigation, which happened between the time that this bill was introduced on April 29, 2009, and today, found that nothing was amiss.

Yet that's not enough. US authorities also investigated the New Jersey situation, and they found that Ticketmaster and TicketsNow did nothing wrong over the distribution of those tickets in New Jersey. There was no diversion between Ticketmaster and TicketsNow. So the US authorities have also confirmed that Ticketmaster is not in violation of federal consumer trade practices and that Ticketmaster does not divert tickets. That's two organizations—one, the Competition Bureau of Canada, and the second, the US authorities with the same responsibilities—that have found that Ticketmaster does not divert tickets to TicketsNow or any other organization.

The reason for this is simple: Ticketmaster Canada does not own the tickets it sells. It does not control the ticket inventory, and it does not set the price of the tickets offered through either its Ticketmaster agency nor the TicketsNow resale marketplace. Those prices are set by the convenor or by the marketplace, in the case of TicketsNow.

**1630**

In the words of National Post columnist Terence Corcoran, "The bill, aimed at Ticketmaster, is designed to fix a perceived problem that doesn't exist"—I hope the government is listening to this—"based on an analysis that is flawed with a law that doesn't do anything to fix the perception or respond to the flawed analysis." I think he believes that this bill is an absolute, total mess.

I would point out that how I started this debate was by saying that this bill will not create one more ticket and it will not save one consumer one thin dime. The proposed legislation could pass as-is, and Ontario consumers

would still not be protected from streetside scalpers and the majority of secondary ticket sellers that Ontarians currently have access to over the Internet. Why is the government doing nothing to address the legitimate concerns of consumers about the real Wild West of the ticket resale world? They're picking on one of the few legitimate ticket resellers, which guarantees the authenticity of the tickets they sell. This government has missed the point. They have missed the mark and they've done it badly, in this case.

The proposed legislation also fails to address issues concerning the resale of season's tickets, an important issue for not only consumers but major league sports teams across the province. Sports teams need their season's ticket holders to have the flexibility to resell tickets as part of their investment in the team.

Think about this: The Toronto Blue Jays have 90-odd home dates a year. Very few sports fans could take—

**Mr. Jeff Leal:** Eighty-one.

**Mr. Ted Chudleigh:** Is it 81 home dates? It's 162 games a season; that's right.

Eighty-one home dates: Very few people could make that many dates. I know you can buy different packages, but if you were a season's ticket holder and you had bought all the games, you would have difficulty reselling those without the resale marketplace. That is very important to major league teams, of which Toronto has four or five—depending on whether you count the Toronto Maple Leafs.

The industry, including major league sports teams, was not consulted. The major industries that use the Ticketmaster-type organizations and the resale ticket organizations were not consulted before the proposed legislation was introduced, and quite frankly, they are not being listened to now. The Ottawa Senators and Scotia-bank Place, the arena in which they play in Kanata, have both been very vocal about this issue, as they would be, in their words, "very adversely affected." It would affect the sale of season's tickets in their venue in Ottawa, and I'm sure the government would not want that as a side effect of this legislation.

Ticketmaster provides a ticketing distribution service to the public on behalf of entertainers, promoters, sports teams and live entertainment venues, enabling the efficient and equitable distribution of tickets to the public. That's a very real and important service, to ensure that the public has easy access that they can trust and believe in when purchasing tickets to live entertainment events.

It's particularly important for the city of Toronto. The city of Toronto is the third most active live entertainment city in the world, after New York and London.

**Mr. John Yakabuski:** What about Pembroke?

**Mr. Ted Chudleigh:** I'm sorry, member from Pembroke: Pembroke doesn't count as in the same venue. I know they've got wonderful live entertainment there, but I won't say what the venue is—and you usually don't have to buy tickets to it.

In Toronto, you have to buy tickets to live theatre. As I say, it's the third most active live theatre city in the

world, after New York and London, and buying tickets by telephone, on the computer or on the website is a very important aspect to encourage the success and profitability of that business. These organizations should be very concerned if there's constraint to that kind of trade or if there's a lessening of competition in that segment, and this legislation could reduce that competition. I think that's something that this government should have some more consultations about. I think they should talk to some people who know how this business works. I think they should do that before they do some serious harm to the entertainment business in Ontario.

TicketsNow is an online resale marketplace through which individual and professional retailers, a.k.a. brokers, can offer the event tickets they own for resale to a consumer. If I were to buy a couple of tickets to an event, and then along comes a political opportunity or a political event which I felt it was necessary to attend on behalf of my constituents and I could no longer go to that event, I could then put the tickets on TicketsNow or on eBay or on craigslist, and they're accepted by those organizations and tested to make sure that those tickets are legitimate. When they are legitimate, they can then be resold and authenticated for the person who buys them, so when you buy those tickets, you know you're getting something that isn't counterfeit, that will get you into the event, and your money will be protected.

Ticketmaster does not divert tickets between Ticketmaster and TicketsNow. Ticketmaster Canada does not own tickets, it does not control ticket inventory and it does not set the price of any of the tickets offered through its Ticketmaster agency or its TicketsNow resale site. In the first case—Ticketmaster—the price of the tickets is set by the venue for which they're selling. If it's a Toronto Maple Leafs game, the Toronto Maple Leafs set that ticket price. If it's Mamma Mia or—what's the new one?

**Mr. John O'Toole:** Billy Idol.

**Mr. Ted Chudleigh:** Billy Idol or the new one—Priscilla of the desert, is it?

**Interjection:** Yes.

**Mr. Ted Chudleigh:** If it's one of those shows, those prices are set by the people who are putting on that particular production in Toronto. It might be David Merrick; it might be somebody else whom he's leasing his theatre to. But the ticket prices are not set by Ticketmaster.

Ticketmaster offers tickets for sale on their clients' behalf in a number of different ways. They sell them through the Ticketmaster website, they sell them through telephone orders, they sell them through retail partnerships and at the venue box office. These are primary sales for which the artists, teams and venues are compensated directly. Nobody selling tickets on TicketsNow receives a preferential access to tickets made available for sale on Ticketmaster. These statements are confirmed by the Competition Bureau of Canada and its counterpart in the US, who have recently conducted investigations into Ticketmaster and TicketsNow.

Ticketmaster invests heavily in consumer protection through the development of innovative technology such as paperless ticketing and is a leader in purchase information security, buyer guarantee, fraud protection and crackdowns on brokers purchasing en masse through online software robots. When a ticket for an event sells out so quickly, even though it may be limited to four or eight tickets per person buying them, quite often it's a software robot that is buying tickets at an incredibly rapid rate. Ticketmaster has developed innovative technology in order to determine whether this is happening and to shut it down, thereby making the tickets available to a wider range of individuals.

**1640**

Since the early 1900s, Ontario's Ticket Speculation Act has been in effect. This legislation makes it illegal for an individual or a corporation to sell tickets above the face value printed on that ticket. Currently, the law is barely enforced in Ontario. You can find people reselling tickets on any one of the ticket sites that I have mentioned, and rarely are those tickets sold at face value or below. Those tickets are almost always sold at a premium. That premium contravenes the Ticket Speculation Act, which was passed almost 100 years ago in Ontario and simply isn't enforced. Fines and arrests associated with scalping are rare, and individuals scalping tickets are commonplace in front of many sports venues, performance theatres and concert halls across the province.

It's difficult to imagine how a bill of this type can come to the House and come through the process of being developed, come through what the government talks about as being a consultative process, when so many of the people who are directly affected by this legislation have not been consulted with; when so many of the people who think that they can get more access to tickets with a piece of legislation like this haven't been told that bill will do nothing—not one thing—to improve their access to tickets.

This government has not consulted with the general public, and as such, I think this bill should be taken back. I think the government should do some serious consultation on this bill and make sure that when it goes back to this House, it protects consumers, it addresses the scalping issue, and it makes the distribution of tickets in Ontario as competitive as it can possibly be. This bill does none of that.

Mr. Speaker, I would like to share my time, if I could, with the member for Durham, if that's all right with you.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Durham.

**Mr. John O'Toole:** The member from Halton, I believe, has summarized the complete and succinct argument with respect to the issue of Ticketmaster.

The real story here is the fact that the government has been reluctant to move the bill forward, which is a good sign, from our argument presented by Mr. Chudleigh. I say that because, with his arguments, he indicated that the bill does not correct the problem. We talked about

this before, and that's why I wanted to be on the record just briefly. He described it from the point of the view of the season's ticket holder and the disadvantage it would provide in a balanced market.

What they have to do is really enforce the rules that exist today. What he said is that "too little attention was paid last week as Ontario's Attorney General did what governments do best: pander to public perception. Seems like no issue is too small and no public misconception so stupid or wrong that it cannot be answered with legislation or regulation."

It reminds me a bit of the accountability, the lobbyist registry stuff—I think it's Bill 122. The auditor comes in with a report saying that their misuse of consultants or lobbyists is costing the health care system and others—universities etc.—way too much money. The very day that the auditor's report was filed, what did they do? They introduced a bill to hopefully fix the problem. It doesn't, nor does Bill 172.

If you look at the genesis of the bill—I think it was sometime in 2009, actually, over a year ago. Now they're bringing it back for further debate. I would say that Mr. Chudleigh, the member from Halton, made an argument that we should pay some attention to.

Bill 172 is based on faulty assumptions that primary ticket sellers like Ticketmaster divert tickets for a profit to the resale market it operates. Let's repeat that. It's very important to understand. It's very subtle. It diverts tickets for a profit to the resale market it operates. Investigations by the Competition Bureau of Canada and by the United States authorities have confirmed that Ticketmaster is not in violation of federal consumer trade practices and that Ticketmaster does not divert tickets.

The idea is that they were holding off tickets to jig the price on closeout sales—if there are only a few for a very famous concert or something like that. But it doesn't presume a third party is doing that, that somebody could put that on eBay and somehow start up a business, and that's exactly what they would be doing if that were the case. The reason for this is simple: Ticketmaster Canada does not own the tickets themselves. Control of inventory or setting of the prices is through neither the Ticketmaster agency nor the TicketsNow resale market. When you see it—it was used in Mr. Chudleigh's example—the real seller, of course, would be, in the case of Toronto, the Raptors, the Toronto Maple Leafs.

I heard a really good story about how the Toronto Maple Leafs are a lot like the Titanic: They're quite splendid until they hit the ice. The Titanic sank; it hit the iceberg. I thought that was very good, because they are now headed to the bottom.

*Interjection.*

**Mr. John O'Toole:** It's unkind. I know I'm amongst friends here, or I'd never take a shot with Mr. Phillips there. A lot of these people are just ardent Toronto fans, and I would say that we should all try to stand up for the Leafs because they don't seem to be able to stand up themselves.

*Interjection.*

**Mr. John O'Toole:** No, I like the Montreal Canadiens. That's Peterborough as well. But Mr. Leal is saying that Peterborough at one time was a farm team for the Montreal Canadiens. Even now, there's a great relationship of respect. But I digress.

There's always a shortage of tickets for successful events. People who are frustrated or don't anticipate a successful concert are a good example, and I think this issue really came up because of a concert that was sold out. Some people were unable to get tickets and they blamed Ticketmaster, and the next thing you know, Premier McGuinty comes out with a bill. He's going to fix the problem. It's a bit circumspect, in my view. It's a bit suspicious, when you see these things, as was the article I read first, where governments actually think they can solve the problem by simply introducing legislation, which really doesn't solve the problem.

I just wanted to make sure that if you look at this industry—and again, why the bill has been around and is now called back—I don't know why the government is doing it. I sometimes get suspicious. They had debate on this about a year ago, then it disappeared, and now it's back again.

The background on Ticketmaster and TicketsNow—it's good for the viewer in the last minute or so. Ticketmaster provides a ticketing distribution service to the public on behalf of entrepreneurial promoters, sports teams and live entertainment venues, and enables the efficient and equitable distribution of tickets to the public—a laudable goal. TicketsNow is an online resale marketplace through which individuals and performers, a.k.a. brokers, resell and can offer tickets they own for resale to customers. Regulate the current structures; enforce the rules in the current structures. That's the solution, rather than another bill and a lot more red tape, probably hiring another deputy minister to look after it.

Ticketmaster does not divert tickets to TicketsNow, and that's very important. That was the suspicion initially: that they were diverting tickets or covering up tickets as if they were reselling tickets. I have it clear from the Competition Bureau of Canada: This does not happen. Ticketmaster does not own tickets, control inventory or set the price of tickets.

I can only say this in conclusion: If you listen to the arguments put forward by the member from Halton, you'll see very clearly that he's made a very clear, convincing argument in support of not supporting Bill 172. If the government is listening, which I'm suspicious they're not, they will vote against their own bill, or at least not bring it for third reading. That's the advice from Halton—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

**1650**

**Mr. Peter Kormos:** I'll be speaking to Bill 172, on behalf of New Democrats, in around eight minutes' time, using the modest one hour allowed me as the critic here with the NDP caucus.

I listened very carefully to the shared lead of the Conservative Party.

This is a bogus bill. I'm going to, with all due respect, take folks through the amendment to the Ticket Speculation Act, and I'm going to take people through the Ticket Speculation Act.

While case law on the Ticket Speculation Act wasn't easy to come by—there's a paucity of case law on the Ticket Speculation Act—I came across an interesting decision from 1967 by Justice Edson Haines in the Superior Court of Justice, called the High Court then, where he was hearing an appeal by a stated case, which is in and of itself an interesting process for an appeal—and I'll explain that, as well. Perhaps the parliamentary assistant, who I say has been very reliable in the process of this bill, as usual, might complain to me that some of the commentary in there is obiter; I'll argue that it is not. Justice Haines, back in 1967, said some interesting things about the Ticket Speculation Act that in fact undermine Bill 172 and its goal.

I'm also incredibly interested in the real world, what's going on out there, and as you know, the Conservative lead spoke to that to a large extent. I'm going to be able to speak to that a little bit more.

I just find this a very curious bill. Of course, it's 18 months old now. There was no urgency a year and a half ago. There seems to be no real urgency now.

The bill should go to committee because I'm sure there are things people have to say.

I'll be speaking shortly.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. David Zimmer:** Let me just say in regard to the comments made at length by the member for Halton and, to a lesser extent, by the member from Welland, although we'll hear from him at length shortly—I listened carefully to the member for Halton, and absent in his remarks, absent in his thinking about this issue, is any notion of consumer protection. That, at its core, at its heart, is what this bill is about: consumer protection.

It's a very, very tough economy out there, and the good citizens of Ontario have to spend their entertainment dollars wisely. What can potentially happen is that an agency gets the corner on a block of tickets, advertises them and creates the impression that there's an unlimited number of tickets available, and what they've really done is they've held back a smaller number of those tickets and given the rest to an arm's-length agency of theirs that resells them at a higher price. So we have this advertisement that goes out there that says there's a big event with lots of tickets available, and the people call in—"Sorry, those tickets have all been snapped up." The people are forced on to this secondary market and pay a substantially higher price. That's not fair for the consumer. It's particularly not fair for the consumer in these tough economic times when they have to choose where to spend their economic dollars carefully.

What this legislation does as a piece of consumer protection is it creates a level playing field so that there's

a fair price for a fair ticket that has been advertised at that particular price. There's—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

**Mr. Gerry Martiniuk:** I'm pleased to comment on the debate of the member from Durham and the member from Halton.

We presently have an act that would do away with scalping, and that act is not enforced by this government. Why is this bill even before this House? Why is this House spending hours and hours and hours on a bill that really is doing very little? It certainly is not in any way protecting the consumer. Why are we spending the time of this House? We're talking about thousands and thousands of dollars being spent in the time of this House when there are so many problems out there. I have constituents who can no longer afford to pay their hydro bills. I have constituents who find that shopping for groceries is becoming impossible; they cannot feed their families. I have constituents who are unemployed.

There's so much that we must do as a Legislature to help not just my constituents but constituents right across this province, and yet we're presented with a bill that does little or nothing. The bills of these governments remind me of my big disappointment at Easter time, when I got a big chocolate egg, and when I put my finger in it, it was empty. That is more and more the kind of bill that we're wasting our time on in this Legislature.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Hamilton East—Stoney Creek.

**Mr. Paul Miller:** I thought about reading notes, but I'm not going to; I'm just going to go off the top of my head here.

I'll tell you, I remember buying tickets when I used to go watch a Leafs game or a Tiger-Cats game or a Blue Jays game; it was within my budget. These prices have gone off the map. These athletes are making just unbelievable wages.

I remember the big story when Bobby Hull signed with the Winnipeg Jets; it was for \$1 million. Everybody fell out of their seats.

**Mr. John Yakabuski:** The million-dollar man.

**Mr. Paul Miller:** The million-dollar man.

The guy in New Jersey—I could be wrong; correct me—I think it was \$14 million he just signed for in New Jersey, for three years. Listen, in our era, a million dollars? Unheard of; \$100,000 was a lot of money.

I remember guys like Bernie Faloney and guys like that, top Hamiltonians who were top athletes, and they didn't make anywhere near this. It's unbelievable. So where does it all stem from? It stems from the outrageous prices and the outrageous salaries that athletes make. Ticket sale prices have gone up 61% in five years in the States—61%. So maybe instead of dealing with this type of bill—consumer protection? There's no consumer protection out there. Honestly, when they charge these kinds of prices—\$500 to go and watch the Leafs? Cripes, I'd rather step on the ice myself than watch those guys

for \$500. They're unbelievable. And I'd work for 50 times less than they do. It's unbelievable.

All I can say is, it's a rip-off from day one, and it continues. These prices and salaries are out of whack, and until we get a handle on that—consumer protection? Nobody can afford to go to the game.

**The Deputy Speaker (Mr. Bruce Crozier):** That was a little off topic, but we'll give you two minutes to respond, the member for Durham.

**Mr. John O'Toole:** I think the member from Hamilton East, I guess it is—I should get that right—Hamilton East—Stoney Creek. I know he's a reasonably decent hockey player—I've played with him—but I don't think the topic is just about hockey. Hockey is a great sport; it's priceless, you could say. I can't afford it. But the point is that this bill will do nothing to solve the problem.

The Competition Bureau of Canada has looked at it, and the argument he was making that it's the players' union that has made—

*Interjections.*

**Mr. John O'Toole:** So he's talking against the union.

**Mr. Paul Miller:** They're overpaid.

**Mr. John O'Toole:** I want that recorded, Mr. Speaker. He's saying that they're overpaid. They have a players' union that went on strike a year or two ago, and nobody had hockey. It almost killed Canadians; Canadians were in tears.

The point is, I would say that in all professional sport it is becoming prohibitively expensive, and so are the tickets. It's an elite thing just to go to a Leafs game just to cry. Why else would you go? Last night is a good example. They lost it in the last minute of play.

**1700**

But Bill 172 simply doesn't protect consumers. As the member from Willowdale said—it's another example of the Liberals sort of misguiding the viewer and the consumer today. It's like the smart meters. They're not smart meters; they're cash machines to get more money in Dalton's pocket—or Premier McGuinty, rather. I think this bill would be right if there was something in it that was going to correct a situation that they believe to be wrong. But what it does—there was an outrage about some concert, and people felt there were scalpers reselling tickets. It doesn't fix that problem. You should enforce the scalping legislation that exists today.

**The Deputy Speaker (Mr. Bruce Crozier):** I'm counting on further debate being on topic, and I know it will be. The member for Welland.

**Mr. Peter Kormos:** Qui? Moi, Speaker?

**The Deputy Speaker (Mr. Bruce Crozier):** No, it's just that we have strayed a little bit in the last minute or two.

**Mr. Peter Kormos:** I understand, and the Speaker quite properly points out that that may have caused me to focus my attention somewhere to the left or higher or lower—rarely to the right. I appreciate that guidance, and I condemn those who would lead me astray. We surely don't want that to happen.

I want to mention once again that the parliamentary assistant for the Attorney General is here during the course of this debate. It's an honourable tradition in this chamber, as it is in other similar chambers, that either the minister or the parliamentary assistant participate, if only by their presence, and monitor the debate, just as they do during committee. I commend the parliamentary assistant in that regard, and wish that all his colleagues had the same standards.

I mention too that I very much want to speak to Bill 172 and, as I say, to the Ticket Speculation Act. I want to make comments about the statement made by the minister when he introduced the bill. I want to make reference to some of the commentary that has been made in the media—in the press.

First of all, look, this bill has nothing to do with consumer protection—please. I note that the Attorney General, when he introduced the bill in the House, in his ministerial comments, thanked Minister Takhar, Minister of Small Business and Consumer Services, for his close co-operation and support. I don't, for the life of me, understand what the minister contributed to this bill. I know that had his successor, now the Minister of Revenue, been Minister of Consumer Services at the time, she would have been much more forceful about in fact making this bill about consumer protection. But she, of course, had not yet ascended to that role, and the Ministry of the Attorney General was denied her guidance and counsel. I'm afraid that the Attorney General has nothing to thank Minister Takhar about. Minister Takhar would have been bested by his successor had she been in that role at the time this bill was being drafted.

It very much seems to be, and I suppose this will make—I believe there are lobbyists working on this bill. I don't know who they're lobbying for, because I haven't met with them. I don't know whether they are lobbyists for Ticketmaster or for the ticket resale industry in general. But to be very, very fair and accurate, the bill does seem very much to be targeting Ticketmaster and the secondary seller that it owns, called TicketsNow, because they, as I understand at this point—and folks, correct me if I'm wrong; I know you will and I know you'll jump at the opportunity—are reported as being the only primary and secondary sellers that have any relationship. We're told there is a whole pile of secondary sellers—a huge number—but none of them have the relationship discussed in the bill to any primary seller.

Let's understand exactly what the bill does. The bill does not prohibit even a related reseller from selling tickets at an inflated price. Do you understand that? The bill does not prohibit a related reseller from selling a ticket at an inflated price. The bill is very, very clear in that regard. The bill very specifically says that only one or the other shall sell tickets. So assuming that TicketsNow wants to sell tickets at an inflated price, it could, lawfully, even with this amendment having been passed, as long as Ticketmaster wasn't selling tickets at the face value plus commission.

Nobody has addressed the idea of commission, because it seems to have been adopted—and I'll go back to the original Ticket Speculation Act and suggest how I believe that it's not necessary to discuss commissions when you're talking about an agent.

As I understand the business, the promoter of an event, whether it's the Toronto Maple Leafs, whether it's a promoter of rock events at the Air Canada Centre or wherever, whether it's the promoter of a live theatre production or the opera centre down the road here, engages in a relationship with Ticketmaster or a similar agency—Ticketmaster becomes their agent—and it's Ticketmaster or a similar type of agency that sells tickets on behalf of the Canadian Opera Company or the Toronto Blue Jays, amongst others. The Toronto Blue Jays may not use Ticketmaster; I, quite frankly, don't know.

Effectively, what a reseller does, even in the sense of TicketsNow, is commit to purchasing a block of tickets. Any promoter is eager to have his or her event sold out and may well have a bottom line at which point they're still doing fine, and I don't know what that number happens to be for sporting events, as compared to theatrical performances, as compared to rock and roll stadium concert things. It could be 80%. In other words, 80% could pay everybody, including the promoter, and anything beyond 80% could be the gravy on the turkey; it could be the peanut butter on the toast.

The promoter's primary interest is being assured of tickets being sold. A ticket agent can't assure him or her of that, because the ticket agency says, "Well, we're only a ticket agent."

Correct me if I'm wrong, but it seems to me that it's in the interests of everybody that there be a reseller who commits to buying the tickets in the first instance. In other words, if you're promoting an appearance by Leonard Cohen, whose name came up in the course of discussion of resellers in the various news items, and you need minimum 80% coverage for everybody to make money, and anything beyond 80% is gravy, you'd be more than pleased to have your ticket agent in a relationship with a reseller who would buy 80% of the tickets.

Hotels, as I understand it, use this procedure. You get all sorts of travel agents that are resellers, the package promoters. That's why you can go to these websites and get hotel rooms at X% off or Y% off or Z% off.

Airlines do it. They sell blocks of seats. They could care less what they're sold for in the resale market, as long as they've got them sold, booked and paid for—cash in advance, almost inevitably.

It seems to me that the concert industry—we shouldn't restrict it to concerts, because it's sports events and any other type of event—is in a very similar position.

I ask people to take a look at, specifically, section 2 of Bill 172. This is the offence; this is the prohibition:

"No primary seller"—we'll use the word "Ticketmaster," the agent of a promoter—"shall make a ticket available for sale for admission to an event in Ontario if a ticket for admission to the same event is or has been

made available for sale by a secondary seller who is related to the primary seller."

So there's a secondary seller who's got to be related. If a secondary seller, who has got to be related, is selling tickets to an event, the primary seller can't sell tickets. That doesn't prohibit tickets from being peddled at twice, three times, four times, five times their face value.

And then, the corollary of that is subsection (2): "No secondary seller shall make a ticket available"—for the purpose of illustrating, that's TicketsNow—"if a ticket for admission to the same event is or has been made available for sale by a primary seller who is related to the secondary seller." In other words, high-end scalping flourishes and the resale industry thrives, and it appears that the target has been Ticketmaster and TicketsNow. I find this a very peculiar scenario.

#### 1710

Now, I very much want this bill to go to committee. I want it to go to committee because I suspect there are some folks out there who have things to say about it, especially people who learn, as I hope they will during the course of this debate at second reading, that the bill will not protect consumers. There's no consumer protection. It will not protect consumers from outrageous amplification—doubling, tripling, quadrupling—of the face value of tickets.

Let's talk about consumer protection, for Pete's sake. The minister, of course, in his introduction, threw in the whole kitchen sink there. He acknowledged that Ontarians work hard. I wish they would acknowledge that Ontarians work hard to pay the HST on all of these new items and services that are now taxed that were never taxed before. Ontarians work hard, he says. I wish the Attorney General would acknowledge that Ontarians work hard to pay the escalating, the skyrocketing electricity prices, plus the HST on those electricity prices.

Then the Attorney General, in his ministerial comments on the introduction of this bill, said, "They work to support their families and support our economy." Lord knows, this government hasn't been supporting them, so I suppose it's easy for the Attorney General to say that hard-working Ontarians support the economy. They are the economy, or they're victims of the economy, more appropriately.

Then he talks about principles—and I'm reading from the Hansard of the Attorney General's comments when the bill was introduced at first reading. The Attorney General talks about principles. He talks about Ontario consumers "expressing concern ... over unfair ticket resale practices in Ontario."

Now, I understand this to be the frustration and disappointment, because I remember a day when, as does the parliamentary assistant because he's my age—he's either my age or he's younger or he's older, one of the three. We're from pretty much the same era. I remember when kids would line up outside the ticket sales booth overnight waiting to buy tickets to a particularly popular performer, whether it was the Rolling Stones, the Beatles or what have you. So they'd sleep out overnight. They'd

have their sleeping bags, their little cots and lawn chairs, and it would be a news event in itself. It would help promote the event. Even then, there appeared to have been more than a few tickets that ended up in the hands of people who weren't lining up to buy tickets. There would be street-type scalpers. It was scalping. Scalping is an interesting concept too. Of course, here we're talking ticket speculation, but the word that's used colloquially, and quite properly, is "scalping."

I remember Maple Leaf Gardens in its heyday and the drama and colour that touts scalping Leafs tickets would add to a Maple Leafs game. It was always very furtive. It was like buying and owning an Irish Sweepstakes ticket, because you went off in a little corner, and here's a guy in a cap and he shows you this and this and this. In those days, I never bought them, but I have enjoyed scalpers outside of SkyDome, which they now call Rogers stadium. Rogers: It almost gets me off track because I had to deal with them just at noontime today returning a cable box. Honest, Speaker, dealing with Rogers is the most painful, excruciating—you can waterboard me for days at a time before you make me deal with Rogers. But in any event, Rogers stadium—see how that happened? Tickets, ticket speculation, scalpers, SkyDome. I didn't change the name to Rogers stadium. They did, and that got me off into damning Rogers for having the worst customer relations in the world.

But going to Rogers stadium—it may be once a year, and occasionally I'm the object of generosity and sympathy by people who have an abundance of tickets to baseball games. There are those people. So I get gifted a couple of tickets. No lobbyists, no—as often as not, they tend to be members of this chamber. From time to time, I'm the recipient of the generosity of that sort.

From time to time, I can't be so selective about when I go to see a game because I've got either friends visiting the city or relatives visiting, and I want them to see a baseball game. And I enjoy the SkyDome. Baseball is probably the—football games don't interest me. Hockey in the arena—again, down where I live, I more often went to Buffalo games because we were just 20 or 25 minutes across the way from Welland to Buffalo.

I always took delight in waiting until the game started and then buying a ticket from a scalper at a reduced price, not at an exaggerated price. I saw that as one of the great benefits of scalpers.

As a matter of fact, it's interesting, because I was taking a look at the Shorter Oxford English Dictionary, an older edition of it, the one that's in the bookcase behind the Speaker's chair. This is the third edition. Its publication date is 1944. Although it has been reset for 1977, it doesn't appear to have been revised. When you look up "scalping," as in tickets or the stock exchange, it is always identified as an Americanism, US slang, and "scalp" as verb in the context of stock exchange: "To buy at very low rates so as to be able to sell at less than official rates." That's what scalpers are doing when you get them after the game has started: You're buying a ticket at less than the face value. Then, of course,

"scalping," US slang: "One who buys and sells at a profit but at a price lower than the official one (esp. unused portions of long-distance railway tickets.)" That's an interesting scenario, because that's obviously not the stuff that's causing people to express concern about scalpers.

You move from there to, I believe, the second edition of the Canadian Oxford Dictionary. There, scalping is "reselling (esp. tickets) at inflated prices." So here we are. The contemporary language of scalping applies most specifically to the complaint that's being expressed here.

The Attorney General said that Ontarians have frustration: "Their frustration stems from the concern that companies may make tickets available for sale to popular Ontario events on the primary market, and then, on the secondary market at much higher prices."

He's being very careful of his language there, because he wasn't spilling the beans; he wasn't telling it all. He was being coy; he was being cute, because he clearly left the impression that you're talking about primary- and secondary-market sellers and resellers regardless of whether they're related or not.

Then he goes on to say, "The McGuinty government wants to do something about this"—the McGuinty government, which has 76% of Ontarians wanting a new government, another party in power. There's Gordon Campbelling going on right here in the province of Ontario.

"Gordon Campbell" is going to become a verb, a noun, an adjective. A Premier has been Gordon Campbell. A government has been Gordon Campbell. "To Gordon Campbell" as a verb is to throw the towel in when you hit the lows in the polls.

The minister goes to say, "Today"—and that was a year and a half ago; a year and a half, my goodness—"we're moving forward on our commitment to protect Ontario consumers." Protect consumers? How? I'm so eager.

I suspect the parliamentary assistant is going to speak to this, because he's wont to. He's not loath to rise to his feet—or on his feet. You don't rise to your feet; you rise on your feet. He's not loath to rise on his feet and make comments about bills, especially the bills that he has had thrust upon him, imposed upon him, because, again, the Attorney General, who has leadership ambitions, doesn't want to be stuck with laws that end up being real clunkers, sinkers, if you will. Because this bill is a sinker; this bill is a clunker.

**1720**

The government is saying it's going to address a particular issue out there—a particular issue—when it's going to do nothing of the sort. It will provide no more access to tickets at face value than does the status quo. It will provide not one inch, not one millimetre of access to tickets at face value. I, for one, think that most people are quite prepared to avoid the—well, you don't line up anymore. It's all about computers. When I was talking about lining up for tickets, that was before anybody even thought a computer existed.

That's not true. I remember reading Life Magazine back in the 1950s, and they had this big post-war computer that filled a whole room, a whole floor, of a university. Its capacity was probably less than—let's see; who's playing with their BlackBerry here?—less than that member's BlackBerry in terms of gigabyte capacity, memory. Yes, this member right here with the BlackBerry.

Computers put people, I presume—I haven't got the slightest idea how to buy a ticket for a concert. I have no idea. I, for one, from time to time, have been up to Hugh's Room on Dundas—a great club; a small club. The last person I saw there was Odetta shortly before she died, a great folk singer from New York city and mentor to all the folkies of the 1960s. Pete Seeger actually performed there a few months ago. It was a rare occasion. I know that Ian Tyson has shown up there.

You go to Hugh's Room. You phone them, because they send you an email about who's appearing when. You phone them, and you—again, I think Tyson was selling for 40 bucks, but it's a very, very small room. You phone them up and you say, "Have you got tickets?" And they say yes, or they say no, that you should have called sooner. If they say yes, you get out your credit card and you pay for them, and they're waiting for you at the door.

As I say, I have no idea. I presume it's on the computer that you access an agent like Ticketmaster and you identify where you want to sit, which is interesting, too, because the Attorney General said that this legislation—he was referring to Bill 172—"would, if passed, help to"—this is the qualifying word; this is the very clever language that skilful script writers use—"ensure fair access to entertainment tickets." "Help." I'm not even sure it's going to help. Notice that he didn't say "prohibit"; he didn't say "end"; he didn't say "guarantee fair access."

Consumer protection: Let's look at some of the consumers we're protecting here. I went to Ticketmaster's website this afternoon before we came into the chamber, and I looked up the Toronto Raptors versus the Golden State Warriors. I have no idea who the Golden State Warriors are. There was another entry where they were playing the Boston Celtics. That probably would have been a much more expensive ticket. But courtside row A—this is not from a reseller; this is apparently the face value plus the modest commission—is \$1,120; courtside row B, \$585; side prime, \$240. I had no idea people were paying this kind of money to go to basketball games, and that's not buying from a reseller. Wow. I suppose that the guy or gal who could afford to pay \$1,120 to go to a basketball game at the Air Canada Centre needs protection too. To be fair, there's what is called gondola seating for \$38. "Gondola" gave me the impression that you're probably sitting up there in a basket, swinging from some cable in the ceiling, which is why they call it gondola seating—you're so far removed.

I went on. I thought, "There's a sporting event." I went to U2. That's Bono, yes; not Sonny Bono, but just Bono. Level 200 tickets, up to \$265; level 100 tickets, up

to \$265. Level 500—I can't imagine where that is—tickets at \$110. Then I went to Lady Gaga—you're familiar with her. I'm sure you have her discs all over your car. Lady Gaga, who I don't know a whole lot about—I'm sure pages know more about her than I do. Lady Gaga is a phenomenon, though. The Minister of Revenue is applauding. The Minister of Revenue is a Lady Gaga fan. She's gaga over Gaga, I suppose. I do know that Yoko Ono appeared performed with her recently. But Lady Gaga gets 191 bucks, and that's not scalped prices—191 bucks. Mind you, you can get general admission floor—I can just imagine what that's like; general admission, where you don't have a reserved seat—for \$101. I suppose it's whatever your cup of tea is.

Then—here we go, pages, Justin Bieber. Have I hit some generationally relevant performance here? No, somebody's wincing. Justin Bieber's a Canadian, right? He grew up in—somewhere in Ontario. Where did he grow up? Who knows where Justin Bieber grew up?

**Hon. John Wilkinson:** In Stratford.

**Mr. Peter Kormos:** Stratford. Somebody did know here. Yeah, Stratford. Did he grow up in Stratford?

*Interjections.*

**Mr. Peter Kormos:** Okay. He grew up somewhere in southern Ontario here. Poor Justin Bieber is \$61 to \$71.

*Interjections.*

**Mr. Peter Kormos:** Where did he grow up? Stratford. Okay, well good for him. He's a young phenomenon, a young rock-and-roller. I'm not sure he's rock and roll. I don't know what kind of music that is, but he's a phenomenon.

So this is really out of my league, and I don't know how to buy—again, as I say, Hugh's Room once in a while. The Top O' the Senator used to be a great place, because there you'd pay a—

*Interjection.*

**Mr. Peter Kormos:** Have you got a point of order? No, you're not even in your seat.

Anyway, Top O' the Senator. You went there and paid a cover charge of 15 or 20 bucks, you sat down, bought a bottle of wine, and you'd sit and listen to very good jazz performers and some blues performers.

I remember in old days the Riverboat. Do you remember the Riverboat on Yorkville Avenue? As a kid, I used to go there—a great, great venue. There were guys like Phil Ochs and Ramblin' Jack Elliott. That's where you went and you paid a \$5 cover.

It appears that this is all about what the market will bear. Now, I've read about Bruce Springsteen, the rock-and-roller from New Jersey. I do like Bruce Springsteen because he paid homage to—he's sort of Guthrie-esque and Seeger-esque from time to time in terms of his lyrics, writing and singing about working people and working America—or not-working America. This, apparently, is what gave rise to this whole—this is the Y2K of this decade. Because apparently, Bruce Springsteen in New Jersey—and this is from the Corcoran column in the National Post that's been referred to already:

“The most famous example of alleged ticket manipulation is a Bruce Springsteen concert in New Jersey”—I’m quoting now from the column—“where TicketsNow appeared to have tickets even before they were available at Ticketmaster.” Oops. “Not only is it the most famous example, it is the only example, and one which Ticketmaster says was due to a local computer malfunction. If Ticketmaster had prematurely sold Springsteen tickets via TicketsNow, it would have been in breach of its contract with the Springsteen promoters.”

But if this is the same Springsteen incident that Rob Ferguson is talking about in the Toronto Star, where the National Post says that it was a mere accident—I don’t know what kind of accident that is where the computer glitch has tickets for sale from TicketsNow before they are for sale from Ticketmaster and how that’s a computer malfunction. Interesting. But the Toronto Star article by Ferguson from April 30, 2009—and I know that’s old, but so is this bill—points out that Springsteen complained “to his home state of New Jersey about TicketsNow, prompting the firm to settle the complaint for \$350,000....” That’s what isn’t mentioned in the National Post column, if indeed that’s the same incident.

I’ve got a feeling here that while the PR people for Mr. Springsteen would like to portray him as somebody who’s railing against capitalist exploitation of consumers, the real anger here was the fact that somebody was making \$350,000 or more on his concert that his promoters weren’t making, because clearly these performers sell tickets for whatever the market will bear, and in fact it’s the resellers who are indicating what the market will bear.

1730

**Hon. Christopher Bentley:** Didn’t Howard Moscoe’s brother act as a scalper—

**Mr. Peter Kormos:** As I already told the Minister of Transportation—sorry; yes. The Solicitor General knows that I have already expressed admiration for the scalpers who will sell a ticket under price, as I’ve expressed admiration for kind, generous people here in the chamber who from time to time have gifted me a ticket, and I’ve got to tell you that when I was gifted, I looked at the face value. I thought, my God, this ticket is worth that much?

And the public—I was listening to a colleague talk about her uncle in Ottawa who was a hockey fanatic. He would drive to the Forum in Montreal. The new Forum is nowhere near as interesting as the old Forum. But I say that about Maple Leaf Gardens too.

**Hon. James J. Bradley:** You’re right.

**Mr. Peter Kormos:** The minister notes.

He would drive to Montreal or he would drive to Ottawa, and I suppose he was very much like me. Down in Niagara, before I got elected and before Niagara-on-the-Lake grew very, very big and turned very red flocked velvet wallpaperish—the member from St. Catharines knows exactly what I mean—we would drive up there on a Sunday afternoon and stop in at the Prince of Wales, which was not a particularly busy place. Yes, we had a drink, but then we walked a block down the road to see

what was on at the theatre. We didn’t know in advance. There were the two theatres there, and if there was something we wanted to see, as often as not we got good seats, because people who owned the season seats would call and say they were not showing up, and so latecomers would get good seats for a fraction of the price.

Apparently, this gentleman had much the same style. He, at the last minute—maybe it was because of his work schedule—would decide he had to get to the game, but he always bought from scalpers. That’s back when the Montreal Forum and Maple Leaf Gardens in Toronto were probably far more heavily attended than they are now.

I’m convinced, and I said this at the outset—I’m quoted in some of the press items—that the public would welcome the service of somebody buying a ticket for them. The problem is, this bill doesn’t facilitate that in a regulated or controlled way either.

I wanted to get to Justice Haines’s ruling from the Ontario High Court of Justice from 1967—Edson Haines, as I said. He was a personal injury lawyer and was the founder of one of the large personal injury law firms here in Toronto. I never appeared in front of him. He was before my time, but he was that old school of judges, rather stern. I’m sure in his private life he was like that old school of judges who were rather gregarious and easygoing and who did things to excesses, though we’ll not go any further. But what he had was an interesting appeal by stated case, which is a novel appeal from summary conviction offences. It’s still available. What happens is that it’s an appeal on the basis of law only. I am familiar; I’ve done some of those in my former life.

A fellow got convicted of scalping, and not the old-fashioned scalping where you sell a ticket—the minister might know that I was explaining how back in the 1800s in America, scalping consisted of buying stock at a low price so you could still sell it below face value and make a profit; hence “scalping,” literally, right? Shaving off the top. Then it was applied to railway tickets, where you would buy from a consumer who had no use for his return ticket; you would buy the railway ticket for less than face value, the half of it, but then resell it for still less than face value but enough to make a profit—scalping. Obviously, as I say, in contemporary usage, in the second edition of the Canadian Oxford Dictionary, scalping is specifically selling tickets at inflated prices.

So here’s a scenario, as I say, that was most—especially as a student here in Toronto, down by Maple Leaf Gardens and down along Dundas Street, I’ve got to tell you, places like Norm’s Open Kitchen and the Warwick Hotel were fascinating venues for a young law student, who’s interested only in the legal aspect of these things, and perhaps with a bit of an interest in sociology.

Here are the findings of fact. Look at this picture. I remember this picture very well, and I suspect at least a few other members of this chamber do. This is the judge magistrate saying—a deputy magistrate for the county of York. He found as a fact that “on January 22, 1966 at approximately 7:35 p.m., the accused, Allen David Fink,

was in front of the premises known as Maple Leaf Gardens, in the city of Toronto, and that he, at this time, approached several persons and produced something from his pocket and that these persons produced something from their pockets.

“I found further that when a police officer approached the accused and inquired of him if he had any hockey tickets for sale, the accused offered to sell to the said police officer for the sum of \$25 two tickets of admission to the hockey game priced at \$4 each.”

Once again—I’m interjecting now for the sake of Hansard—this was at a time when, obviously, the Toronto Maple Leafs had a far bigger audience than they do now. Heck, if a Maple Leafs ticket can cost you \$80 or \$60 for a reasonably good seat, or higher—so this guy is selling \$4 tickets at six times their value. That would be like paying \$600 for a \$100 ticket now.

Here, we’re going back to the deputy magistrate, P.J. Wilch. Why is it that only 40 years ago people’s names were so much more interesting than they are now? Allen David Fink, being prosecuted for scalping, and being tried by P.J. Wilch.

But the judge further finds, “I found further that each of the said tickets entitled the bearer to admission to a hockey game at the said Maple Leaf Gardens on January 22, 1966.

“I found further that the price of \$4 printed on the said tickets was the price at which the tickets were first issued.

“Accordingly, applying the provisions of the Ticket Speculation Act, I convicted the accused.”

A deputy magistrate like P.J. Wilch was the kind of guy that, if he could, would probably give you 30 days in the Don just to make sure you never did it again. When I was a very young lawyer in Niagara, we had some judges down there who seemed incapable of uttering the words “not guilty.” I remember one judge—and I successfully appealed his decision—when I was a very young lawyer, told my client, “I’m finding you guilty, and if I didn’t have a reasonable doubt, I’d send you to jail.” That’s a true story; there’s a transcript of that. Of course, the county court judge who heard the appeal took note of that. But the interesting thing about the case, and I ask the parliamentary assistant to turn to page 136 of the reported decision—that’s in the Ontario Reports.

Oh, heck. Let’s do this properly. It’s in the Ontario Reports, second, 1967, page 132. The issue in this case was the constitutionality; whether this was criminal law. Maybe the province had no jurisdiction. Because the Ticket Speculation Act—it doesn’t go back to the early 1900s, at least not in that name, because I did some searching in the library. I doubt if in the early 1900s, it would have been of much concern, because working-class people went to movie theatres; they tended not to go to the theatre or opera or even—the world is different now. The price of tickets was far different.

This is interesting, on page 136; I think it’s relevant. I’m wondering where the government was at in developing Bill 172. “To be of value, any attempt by the

province to regulate the sale of tickets to places of entertainment and amusement in Ontario must be directed to provide for the admission to all public performances of as many persons as possible at prices which are reasonable.” That’s an interesting ruling. He says that for the province to have jurisdiction to regulate the sale of tickets, the goal has to be, one, “to provide for the admission to all public performances of as many persons as possible at prices which are reasonable.”

**1740**

So help me, Speaker. If that’s valid law, and I could find nothing that refuted it, how does this bill provide for the admission to all public performances of as many persons as possible at prices which are reasonable, when I’ve already pointed out to you what the prices are? Lady Gaga, 191 bucks; U2, \$262. And that’s not a scalped price; that’s the face price. Again, the Toronto Raptors, courtside, A, B or C: \$1,120. That’s not for your family; that’s not for your wife or your mistress or your lover or your concubine; it’s just for you: 1,120 bucks. Courtside B: \$585. This is the face value of these tickets.

Again, and I don’t want to leave him out: Justin Bieber of Stratford is trailing the pack at a mere \$71. There’s going to be a whole lot of folks at—I don’t know where this is—the Air Canada Centre on Tuesday, November 23, at 7 p.m. There’s going to be a whole lot of folks not only driving their kids to the Air Canada Centre that night but also getting out their credit card big time.

This is what Judge Haines says, and he goes on further: “The existence of large audiences of regular attendees is essential to all branches of these industries for their continued growth and development.” So he’s pointing out—and there is some interesting effort to point out that this bill is essential for the welfare of the industry, that is to say the entertainment industry or the sports industry, whereas the member for Hamilton East–Stoney Creek has already expressed interest and concern. And don’t think he’s the only one. He could have gone into the movie world. Mind you, it’s sad that all this is going on when in the cultural industry, writers, poets, playwrights earn a pittance, by and large. Novelists, people who seek to be published, actors and actresses earn a pittance. You’re only talking about the very top of the triangle when you’re talking about the multi-billion-dollar sports players or actors or musical performers.

Why I’m reading this is because he’s defining what this bill has to be and what this bill has to enhance if it’s going to have any validity. He goes on to say, “Nothing I believe is as likely to instill as much chaos and disorder to the entertainment industries as the unchecked activity of ticket speculators.” Chaos and disorder? “These speculators, or ‘scalpers’ as they are often called, operate to buy up varying quantities of tickets to various types of performances in order to place themselves in the positions of monopolists with respect to the resale of the tickets.”

Monopoly: Judge Haines appears to be condemning the monopoly. But this bill will create monopolies, because the bill says that the reseller can resell tickets even

if it is not at arm's length, even if it's in a pillow-talk relationship with the primary seller, as long as the primary seller still doesn't sell tickets.

Remember what I said earlier: Concert promoters, like rock concerts—their primary interest is in hitting their bottom line, like 80% occupancy, 80% of the house. If they can get Ticketmaster to arrange for a reseller to pay for those tickets up front, you finance the production. Do you understand what I'm saying? The promoter doesn't have to advertise, doesn't have to do any work.

It seems that most of these things—my gosh—happen so quickly that there isn't big advertising. You don't see big posters around town encouraging people to go and see Bono and U2. People who are fans of Bono and U2 or Lady Gaga or Justin Bieber seem to know what's going on. I've never seen a big billboard saying, "Lady Gaga coming here. Start saving for your tickets now."

You see, the promoters could care less whether the reseller is directly related to the agent. All this bill does is prevent the agent, the primary seller, from selling if, in fact, the reseller is related and is selling tickets. But it doesn't prevent any other reseller who isn't related from selling tickets at any price. That's what I'm saying.

Now, back to poor Mr. Fink—he was a street-level scalper. Again, he didn't know what a computer was. I don't know if he's alive or not; that was 1966, 1967—43 years ago. He still could be; he could be watching. Poor Mr. Fink never dreamed of computerized ticket-selling.

Furthermore—and please, to you, Speaker, and I wish the parliamentary assistant would listen specifically; I talk about chaos and disorder, monopolists. "By then reselling these tickets at highly inflated prices, they deprive many persons of modest means of attending certain performances and they also cause great resentment in many of those to whom they do, in fact, sell."

The victims—who does Judge Haines say are the victims? "The victims of these practices, if they were allowed, would be both those persons whose lives are associated with the entertainment and amusement industries—for the life of me, I don't know how. Again, the performer wants to be paid. As I told you, it could be the Springsteen phenomenon, because I'm not entirely convinced that Mr. Springsteen wanted to rail against the capitalist exploitation of concert-goers when he condemned the resellers; he wanted his piece of the action, and he got it: \$350,000 from Ticketmaster down in New Jersey.

"The victims ... would be those persons whose lives are associated with the entertainment and amusement industries as well as the entire public." This is a beautiful line: "In Ontario, we owe much of our cultural heritage to the performing arts and to the various spectator sports which provide enjoyment and pleasure to all of us and it would seem appropriate to me for the Legislature to take whatever reasonable steps are necessary to protect these aspects of our lives from the dangers of unchecked ticket speculation." I agree with Judge Haines in that regard. My colleague the member from Hamilton East—Stoney Creek agrees. If only this government would do it.

Take a look at the Ticket Speculation Act—the one that's being amended, not Bill 172, which is doing the amending—and you find an act that's almost as quaint in its language as Judge Haines was in his or, more importantly, Deputy Magistrate P.J. Wilch, the deputy magistrate for the county of York in the province of Ontario. So here we've got the Ticket Speculation Act, which goes back many decades—not to the early 1900s, at least not under that name. Oh, and by the way, I could only find one reported case that dealt with the Ticket Speculation Act, using all of the usual search tools.

What's the law as it stands now? Because that's an interesting point that was made by the Conservative critic on this issue. The law is pretty clear, methinks. This act was last amended in 1989, when they changed the fine from \$50 to \$5,000.

**Mr. John Yakabuski:** In 1989—you were a member by then.

**Mr. Peter Kormos:** I was a member.

In fact, I suspect that was hidden in an omnibus bill, and I probably couldn't agree with other parts of the omnibus bill.

**Mr. John Yakabuski:** The Liberals were in government then; they did a lot of omnibus bills.

**Mr. Peter Kormos:** Yes, they did. That was Liberal Premier Peterson, and then there was Liberal Premier Rae, and now we've got Liberal Premier McGuinty.

**Mr. John Yakabuski:** I think McGuinty is having a chat with Gordon Campbell today.

**Mr. Peter Kormos:** They could. I think Gordon Campbell is going to be on a lot of Liberals' minds tonight.

In the Ticket Speculation Act, they built—

*Interjections.*

**Mr. Peter Kormos:** Please, people; please.

The Ticket Speculation Act, the law that's being amended, defines "ticket" in the usual way. Then they talk about,

"Every person who,

"(a) being the holder of a ticket"—I presume by "holder" they mean the owner, in possession of it—

**Interjection:** He's not charging for it.

**Mr. Peter Kormos:** No; as a matter of fact, being the holder of a ticket implies that this is pre-computer days, because you can own a ticket now without actually holding it. You buy all sorts of stuff; you buy those Canadian Cancer Society-Princess Margaret lottery tickets for 100 bucks and they give you the confirmation number. If you've got the confirmation number—again, this law was written pre-computer:

"Every person who,

"(a) being the holder of a ticket, sells or disposes of the ticket at a higher price than that at which it was first issued," or who tries—I'm paraphrasing here—to do so, or purchases "with the intention of reselling them at a profit, or purchases or offers to purchase tickets at a higher price than at which they are advertised or announced to be for sale by the owner or proprietor of any place

mentioned”—wow. So the existing law can convict both the purchaser—

**Interjection:** And the seller.

1750

**Mr. Peter Kormos:** And the seller. Hmm, I say. Humph, I say again.

**Mr. John Yakabuski:** How do you write that in Hansard?

**Mr. Peter Kormos:** Hansard's got that down pat by now.

The existing law in the province of Ontario would permit the prosecution—wait a minute. Let's make sure we get this right. Again, I ask the parliamentary assistant, who is very skilled and learned in the law, to help me with this. Every person who “purchases or attempts to purchase tickets with the intention of reselling them at a profit, or purchases or offers to purchase tickets at a higher price than that at which they are advertised or announced to be for sale by the owner or proprietor of any place mentioned in section 1”—wait a minute. So that means that the guy who buys a scalped ticket—I'm fine. I haven't broken any laws because the only scalped tickets I've bought are the ones that were scalped in the 1880s sense. The guy outside the SkyDome—Rogers, a horrible company, bad customer service. Rogers Cable are an indecency and an affront to civility. It's Rogers stadium. When I go to Rogers stadium to buy an 1880s-style scalped ticket at less than face value, I'm not committing a crime, nor is the guy or gal selling it to me, but if I go there and buy a ticket above face value, then I am committing a crime as the purchaser, as is the vendor. Aha.

Let's get up to date. Let's get up to 2010; fast forward this little scenario. It's no longer me with a couple of cousins or some friends and I want to take them to a baseball game—it's not only the price of tickets but the price of beer there, and popcorn. Jeez. Deadly. I don't know how Rob Ford could have gotten drunk at a Raptors game. I couldn't afford to. Good God. Think about it: The price of beer at Rogers is \$85 a bottle or something, isn't it? But he was at Air Canada. Maybe it's cheaper at Air Canada.

**Mr. Jeff Leal:** How much was it?

**Mr. Peter Kormos:** It was \$85 a bottle or something, I remember, or \$120. The beer was just horribly expensive. Last time I was there, I shared it with my two cousins. We sipped out of that little Dixie cup.

Parliamentary assistant, if the existing law can convict not just the person who buys a ticket above face value but the person who attempts to purchase tickets with the intention of reselling them at a profit, why can't it go after these resellers right here and now—and not just TicketsNow, but every single one of them. Why can't it? It doesn't want to, does it? It doesn't want to. Do you understand?

The law as it exists would allow the investigation, prosecution and conviction of a reseller, related or not, who purchases or attempts to purchase tickets with the intent of selling them at a higher than face-value price.

There's a Liberal argument that I'm going to get to in a minute.

What is Bill 172 all about? What's the matter with you guys? What were you thinking? Were you? Were you really intent on addressing the problem? Or is this another feel-good, we-feel-your-pain announcement in the midst of 76% of Ontarians saying that they want to see another party in power?

Let me tell those folks right now who don't like getting dinged by resellers, this bill will not end the resale business. It will add nothing whatsoever to the existing legislation.

There are certain exemptions, exceptions, in section 3 of the existing Ticket Speculation Act, and that is, where a proprietor of a shop or a hotel stand—so if you've got a stand in a hotel, you can resell tickets, if you've got a shop for the purpose of resale. But then they have a maximum commission. You see, what the existing law does is imposes—but this only applies to a very limited number of retailers: a hotel or a shop. But I say that you could expand this to include all resellers. And then the commission: on a ticket of up to \$1.99, it's 25 cents—you can't even get a streetcar ticket or a subway ticket in this town for that, or anywhere else; \$2 to \$2.99, it's 35 cents—you're still in for a streetcar ride; \$3 to \$3.99, 45 cents; \$4 and up, 50 cents. Now, you do the calculation, and that's approximately 12.5%.

So I say to you, Speaker, why are we mucking around with this silly bill, with this bogus bill, when the law is already there, and there in a much fairer way? Because it caps the amount of commission that a person has to pay. As I say, I'm insisting that people who want to go for whatever reason to see Lady Gaga, God bless her, or people who for whatever reason—of course, young people want to go see Justin Bieber. If you want to go to see Justin Bieber, good for you. If you want to go do that, I say go to Hugh's Room down on Dundas Street—a much smaller venue, better show, top-quality artists. But if you're disinclined and you want to go to a big, big concert venue—I used to go to them back in the 1960s, 1970s. I don't remember them very well, for the obvious reasons.

*Interjections.*

**Mr. Peter Kormos:** Well, come on, now. Bob Dylan and the Grateful Dead at Rich Stadium? Please, give me a break. You wouldn't remember that, either, but I know it was fun. Jerry Garcia was something, let me tell you.

So you've already got a system, a structure in place that caps the commission at 12.5% by certain groups of resellers. The problem is that the government has no more intention of expecting the enforcement of the law, as amended, as it does now. Perhaps the parliamentary assistant, if and when he comments on this, and I suspect he will—and I'm eager to hear what he's got to say—could explain why. Because, you see, if something's prima facie against the law in the civil courts, you can also get injunctions. In other words—

*Interjections.*

**Mr. Peter Kormos:** Listen, please, to the parliamentary assistant, through you, Speaker. This government, this Attorney General, could be getting injunctions against resellers—

**Interjection:** Why?

**Mr. Peter Kormos:** Because they're in breach of the statute as it exists. You know darn well they could, Speaker. They haven't done it. They haven't lifted a finger.

Protection of consumers, my foot. Prohibition of scalping, my—I guess I'll stick with feet—my foot. It's just not here. The government can spin this, and I know the parliamentary assistant, who's very skilful in his comments, is going to talk about getting consumer protection and fairness—please. Zip, zero, nada, zilch; it's not here.

It seems to me that updating—and as I told you, in 1989, the fine was increased from \$50 to \$5,000. The government proposes as a corporate fine some—what is it?—\$50,000 in the amendment? It's \$50,000.

Let's address the issue, if the government indeed wants to address it. I'm not convinced they do. At the same time, I understand that there's a combines investigation going on—there was a media report—of the relationship between Ticketmaster and TicketsNow. Let's see what they have to say about that.

That's why I'm eager to see this go to committee. I'd like to see and hear Ticketmaster's version. I'd like to hear what they've got to say. I'd like to see what TicketsNow has to say. I'd like to hear what some of the other resellers have to say. And if Mr. Fink is around, I'd very much like to hear what he's got to say. That's Allen David Fink, who, in 1966, was scalping tickets in front of Maple Leaf Gardens, presumably—obviously—to a Maple Leafs game.

This bill warrants committee. The committee doesn't have to be lengthy. It doesn't have to be weeks. I'm eager to sit on that committee. I know the parliamentary assistant would be handling this bill through committee. He would be in charge of it. He would be whipping the government caucus. I also know he would be fair and reasonable because he would feel much freer in committee to say what he really thinks than he does here in the chamber, because committees are a little bit of a different beast than the chamber.

**1800**

At this point I'm so excited about this bill going to committee, even though I insist it means zip. In fact, it aggravates the situation and may well be unfair to Ticketmaster because it singles them out. Again, it purports to create an offence that already very much exists in a much broader sense and may not meet the constitutional standard set by Judge Haines back in the Queen and Fink case of 1967, Ontario Reports 2, page 137.

I think there are problems here. We're going to vote for this bill on second reading only on the vaguest, minimal principle just because we're eager to see it get to committee so that the government can be exposed for that

little man behind the curtain that it, in fact, is at this point in its history.

Good for Gordon Campbell.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 38, the question that this House do now adjourn is deemed to have been made.

## ADJOURNMENT DEBATE

### EMPLOYMENT PRACTICES

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Beaches–East York has given notice of his dissatisfaction with a question to the Minister of Labour.

The member for Beaches–East York has up to five minutes.

**Mr. Michael Prue:** On the last occasion, I had an opportunity to ask the Minister of Labour a question on the issue of tip-outs. I asked him about some of his past correspondence that he had written under ministry letterhead to a server who lived in the riding of Scarborough Southwest and who had had an opportunity to deal with the member from Scarborough Southwest as well as the minister.

The reality of the situation for servers is that employers hold all the cards. If a server refuses to share the tips that he or she gets on a given evening or during the course of their job—weeks or months long—then they, in all likelihood, will be terminated; they will lose their job. If they agree to the tip-out, then they will lose somewhere between 30% and 100% of the tips. In reality, that is, many times, between 15% and 75% of their take-home wages.

There is no redress that any server in this province has if monies are withheld by employers who simply take it and don't give it to them at all, by employers who take the Visa receipts, particularly in higher-priced restaurants, and at the end of the month tell the server, "I'm sorry, these times have been tough. I'm not going to remit to you any of your tips at all." There is absolutely no redress from the Ministry of Labour. And there is no redress whatsoever to those poor servers who are charged on their tips—for any breakage that might occur, whether it occurs or not; on the uniforms they are required within some of the restaurants to wear; and on the Visa transactions that people go in and want to pay with. You know, here we've got, really, multi-millionaire guys taking money off people who make \$8.90 an hour.

The ministry responded callously and brutally to the servers when this question was asked last spring: "Tips are not wages. The manner in which tips are split between employees and employers is determined by the two parties."

The Minister of Labour was asked, does he continue now to tell us whether he still supports the rip-off of servers? What we got was a diatribe of nonsense from the

minister. I am not holding my breath that I'm going to get anything but the prepared statement from his parliamentary assistant today, because I'm sure it's all written out, and he will read it carefully as he always does.

But the minister was incredible, and his answer was as incredible as it was ridiculous. He said, "I think I speak for all of us when I say that our waiters and waitresses, our bartenders and hostesses do an amazing job" and then blah, blah, blah about the service they provide. How is that answering the question of the tip-outs? He concluded by saying, "If any restaurant employee, hotel employee, any employee in Ontario feels that they have been mistreated, I do ask that they contact the Ministry of Labour so our officials can investigate."

They have contacted the Ministry of Labour. They have contacted the member from Scarborough Southwest, who is the parliamentary assistant. They have contacted the minister. And all they're told is, "We can't do anything because tips aren't wages."

What we are asking the minister quite simply to do is—is he going to, with the stroke of a pen, change that law? I put in a bill, Bill 114, that all members in this House voted for, and I don't care whether that bill passes or the minister does something equally or under his own name or under the Liberal Party banner. I want the rip-off to end, and I want to know what this minister is going to do. He's known about it for years. I want to know what he's going to do, and not have him tell me that waiters and waitresses do a good job. Of course we know that. Does he support—this is the question and this is the whole thing. Does he continue to support the rip-off of servers, as his earlier correspondence has said, and that he himself will not answer in this House, or is he willing to do something to end the egregious practice, which has been banned in other jurisdictions in this country and in the United States? It's a pretty simple question: What is the minister going to do? And I don't want to hear that waiters and waitresses are good people.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. The parliamentary assistant, the member for Scarborough Southwest, you have up to five minutes.

**Mr. Lorenzo Berardinetti:** Again, I want to thank the member for engaging in the debate on this issue.

First of all, I want to acknowledge the hard work that our waiters and waitresses do. They're on the front line of a successful hospitality and tourism industry in Ontario, and I know we have all been on the receiving end of the important service that they provide.

As the minister said the other day in response to the member's question, our government takes very seriously the rights of all employees of Ontario. That is why the Ministry of Labour works hard every day to ensure that workers' rights are protected under the Employment Standards Act.

With respect to the issue the member has raised regarding the practice of tipping out, I want to reiterate that the Employment Standards Act ensures that every employee in this province is protected by our Employment Standards Act. There are specific rules for the pay-

ment of employees' wages, and the Ministry of Labour enforces those rules.

Often, tips are a matter that is agreed upon between employees and employers; and we expect that employers treat their employees with respect. Employers understand that their success depends on service staff who are competent, caring and suitably compensated. Good service is good for them and good for the Ontario service sector and tourism industry.

Restaurant workers, including servers, cooks and cleaning staff, are protected by the standards in the Employment Standards Act, such as the hours-of-work limits, daily and weekly rest requirements, vacation, and leave-of-absence entitlements. Any employee who has a question about their rights or entitlements, or who believes they are being mistreated by their employer, should contact the Ministry of Labour's employment standards information centre or visit our website.

All claims that are filed with the employment standards program are investigated. Ministry staff work hard every day to ensure that Ontario workers' rights are protected under the Employment Standards Act.

We have made significant investments in employment standards over the past few years to ensure that this good work continues. This government has done more to enforce the Employment Standards Act than the two previous governments combined. We've adopted a multi-pronged approach that consists of increased outreach, education, enforcement and prosecution, along with more employment standards officers than ever before.

Our government is well aware that we are living in tough economic times. It's not easy for some of our province's lowest-paid workers to make ends meet. That is why we have raised Ontario's minimum wage rates every single year since we took office. Minimum wage in Ontario is now \$10.25. That's the highest minimum wage in Canada. It was the right thing to do, considering that workers went nine long years with no minimum wage increases whatsoever.

We are very proud of our record in raising living standards for Ontario's most vulnerable workers, including restaurant servers. Again, I want to thank the member for initiating this very important discussion, and I look forward to the ongoing debate as this matter moves through the legislative process.

1810

## PLANT CLOSURE

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Haldimand–Norfolk has given notice of his dissatisfaction with the answer to a question by the Minister of Agriculture, Food and Rural Affairs. The member for Haldimand–Norfolk: You have up to five minutes.

**Mr. Toby Barrett:** Yesterday, I felt I received little but misdirection. There were some boasts of government investment when I asked about government inaction on

the closure of the Smucker's cucumber tank farm in Delhi and Bick's processing operation in Dunnville.

The decision by the J.M. Smucker Co. of Orrville, Ohio, to close these operations means an end to hundreds of full-time positions and hundreds more part-time and seasonal employment. In Delhi, we are talking about the possible end of a state-of-the-art, 73-acre tank farm established in 1998 by US-based Robin Hood Multi-foods. It has 600 vats. They can brine 60,000 pounds of cucumbers. It's one of the most modern tank farms in North America. I attended the grand opening not that many years ago with a former ag minister, Noble Villeneuve.

Its value is unquestioned. In fact, when Smucker-Bick's bought the holdings of Robin Hood in 2006, the investment just in Delhi was worth about \$12 million. It meant an awful lot more to the offshore local farm workers, many of them Mexican and German Mennonite. They enjoy steady employment. Thanks to that bridge that cucumbers provide between asparagus and strawberries earlier in the summer, it takes you through to the tobacco and apple season. There's going to be a month-long gap right in the middle of the summer season. The tank farm provided contracts for 200 growers. No more contracts. Presently, it's estimated that they provide farm employment for about 300 seasonal workers.

Meanwhile, over in Haldimand county, where Bick's consolidated its vegetable processing in Dunnville after closing down production in Scarborough—that was in 2001. According to the Dunnville Chronicle, the processing there employs up to 260 full-time and part-time employees, and this does not include numerous farmers who provided product for a facility that's 385,000 square feet. This was the last major industry Dunnville had. It's the largest employer in the county after Imperial Oil, OPG and US Steel. We have concern with respect to US Steel—I'll be talking about that in a few minutes. And we know that this government will be eliminating 600 jobs at Nanticoke OPG.

It seems to be a recurring theme. Smucker's is planning to close down these local facilities and their related jobs, as well as a jam and jelly facility in Ste. Marie, Quebec, while the company—and this is a familiar tune—plans to expand processing in Orrville, Ohio, and in Ripon, Wisconsin. I understand that much of our local agricultural activity will be moving to Wisconsin in the year 2012.

There was a letter to the editor of the Dunnville Chronicle. A fellow named Jon Sims-Davies indicates that pickles from India are being promoted at \$1.49 a jar while domestically produced Bick's sit on the shelf at \$3.49. He talks at length about concerns with respect to hygiene and quality.

J.M. Smucker will be closing down the Dunnville vegetable processing and the Delhi tank farm by the end of next year. We're concerned about the Obama buy-America policy, whether this is somewhat behind this: driving investment and driving jobs south.

My question, as I indicated earlier, is a request for this government to pick up the phone. I made mention of this in the Legislature on September 30 and tried to make it very clear the devastation this will have in the Dunnville and Delhi area. Farmers in Delhi produce not only cucumbers but also, for Smucker's, cauliflower, tomatoes, peppers, beets, onions.

Again, the concern, the question: What progress is being made with respect to this? Where are we on this file? Is anybody trying to pull things together? There's great potential for a new facility—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you.

The Minister of Agriculture, Food and Rural Affairs: five minutes.

**Hon. Carol Mitchell:** I want to thank the member for Haldimand-Norfolk for his question.

As I said yesterday, we certainly understand that any plant closing has a significant impact on employees, families and the community, and we know that our agri-food sector is key to the strength and the vitality of our province.

Just to put it in context, Ontario's food processing sector is about a \$33-billion industry. It directly employs 110,000 Ontarians, and it buys almost three quarters of Ontario's farm production. So it's a significant sector in our Ontario economy.

I want to speak specifically to the investments made by our rural economic development fund, and specifically I want to talk about a grant that was extended to Smucker's. It was a grant for \$2.2 million. And we had been working very hard with Bick's. We were very disappointed to hear that Smucker Foods had made the business decision. They then returned the grant money that we had already sent to them.

So I say to the member from across the way: We have been working very diligently to support, specifically, Smucker's, and we will continue to work very hard, and we have demonstrated that at every step. Two hundred and ninety million dollars: We've seen a rejuvenation within the processing sector. That represents 6,200 jobs. It's significant.

Another opportunity I want to speak to is specifically on that area and how dependent it is upon local product. The member spoke about CanGro. There was an opportunity that arose from CanGro. Specifically, it was Niagara Natural Fruit Snacks. It's a case in point, where one sized down and another saw an opportunity. A new business grew out of that closure, and it was another food processing firm, and we were able to work with them. They received rural economic development funds. What they produce is natural fruit snacks, and they are wonderful. They taste like you have just picked a fruit off the tree and you are eating it in a snack. They have been very successful. I can tell you that the farmers are quite excited about having the ability to have so many of their fruits being processed in this manner. It stores well, and it's selling well. It's a wonderful alternative.

I know that as companies restructure, it causes some—

**Mr. Lou Rinaldi:** Anxiety.

**Hon. Carol Mitchell:**—anxiety within the community. But what I can say to the member across the way is, he mentioned CanGro; we made an investment there. He mentioned Smucker's; we made an investment there. Unfortunately, they actually sent that money back to us. But I think that speaks to the good working relationship that OMAFRA has with our food processing sector. We know how important it is, and we're on the ground working with them. The two examples he gave yesterday are two examples where we made investments.

But we've done even more. When the member talked about buying pickles from India, it speaks to specifically why it's important to "buy Ontario." That's why, as a government, we've invested \$65 million to get people to buy local food. I'm very pleased to say that today it's recognized. It's no longer a trend; it's a shift. That's significant, because that means there is more retail shelf space, and that means there is more Ontario product going forward, and that means there are more jobs.

We recognize that there's much more work to do. Our farmers recognize that the product they sell can compete across the world. That is why we're working with our processing sector, and that is why we have made such significant investments: because we know, being the second-largest sector in the province of Ontario, we can do so much more because of the quality of our food.

People want to buy local food. They want to buy local food because they know it's safe.

So I say to the member, I'm standing in your late show to answer your question again. We're working with both those companies. We've made investments. We're going to continue to support our agriculture, and we're going to continue to support our processors.

1820

#### LABOUR DISPUTE

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Haldimand–Norfolk has given notice of his dissatisfaction with the answer given by the Acting Premier. Member for Haldimand–Norfolk, you have up to five minutes.

**Mr. Toby Barrett:** I really do appreciate and thank the Legislature for this time. I did indicate my dissatisfaction with the answer to my question, first to the Acting Premier and then on to the labour minister.

In fact, neither the Minister of Finance nor the Minister of Labour, in my view, provided anything near an answer to my question of what the government is doing now, today, tonight, to bring resolution to this labour roller-coaster that workers at US Steel, both Hilton and Lake Erie Works, have been forced to endure.

It was earlier this year that I was asking for a late show due to unanswered questions with respect to the steelworkers down at Lake Erie Nanticoke, the US Steel plant down there. As we know, US Steel is the largest steel maker in the United States. They took over Nanticoke's Lake Erie Works, and acquired Stelco Inc. in

2007 for \$1.2 billion. This was Canada's last domestically owned steel mill. Dofasco, Algoma and Stelco have all been purchased by foreign companies. We have a US company purchasing Canadian plants, and those Canadian plants are now vulnerable to foreign competition from the United States. Under President Obama's buy-America regime, we see a trend here: competition from US plants owned by the same company, US Steel. US Steel indicated then they have to wait for the economy to come back and the price of steel to return.

We saw what happened down in my area: Steelworkers with Local 8782 saw 1,100 laid off; 157 were locked out until last spring. They were locked out for a 10-month period altogether. I would visit the plant gates, usually at night, last winter. You would hear coyotes. You would see the odd turkey during the day, occasionally deer. There was just nothing going on down there, and that's the anchor for our regional economy. Thankfully, workers in that area headed back to work. There was an agreement in April.

I do note, however, that the issue of the 47 workers who belong to the same union local as the other workers at US Steel, 8782, legally work for another company, the former Heckett that's now called Harsco Metals—that's unresolved. They've been locked out since March 2009. They've been locked out for 15 months now.

At Hilton Works US Steel, déjà vu all over again: Close to 1,000 workers, again, many from my area, are being threatened. We have a heritage with that company in Hamilton going back to 1910.

We'll talk a bit of money here: Taxpayers doled out \$150 million during Stelco's bankruptcy protection before US Steel received federal government approval for a takeover based on job and steel production commitments, commitments that have yet to be met. I continue to question what input this Ontario government has had with the federal level to ensure protection of Ontario jobs. I've spoken to the federal government. I've been unable to receive any confirmation of anything in this regard.

While the finance minister told me today, "We will continue to work with the federal government," he was negligent on any details whatsoever as to what work that exactly entails. The labour minister did chime in on the supplementary and said that, "If there is any chance or hope of keeping the plant going, of assisting those workers, we will be there for those workers." I would suggest that the government be there now, be there tonight, not sometime in the future.

The current labour contract, as I understand, in Hamilton—that would be Local 1005 and US Steel—expired at the end of July. There has been a provincial conciliator who couldn't bring both sides together and issued a no-board report. I would like to hear some of the details of that this evening, because the clock is ticking. Will a lockout in Hamilton permanently close the blast furnace? It has already been shut down. Media reports indicate that US Steel is bringing—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. The parliamentary assistant, the member for Timiskaming–Cochrane: You have up to five minutes to respond.

**Mr. David Ramsay:** First and foremost, I'd like to say to the member that we very much feel for the families and the workers in what has happened in Hamilton, in that ongoing situation with US Steel. No one at present, as the member knows, is being laid off, and all of the 300 workers have been reassigned to other jobs. However, it is still unfortunate that when these types of situations occur, families and workers' lives have been disrupted. The whole community has been impacted.

Job creation and economic growth remain a priority for this government. Our investments are creating a generation of highly skilled, highly trained people who will make Ontario globally competitive through our skills to jobs action plan and Employment Ontario, which includes our rapid re-employment and training services and our Ontario skills development program.

The Ontario government has always had two main objectives in the 2004-06 Stelco restructuring: to ensure the long-term viability of the former Stelco, and to protect the pensions of the retirees and current employees. We have met both of those objectives.

The government is proud to have played a role in Stelco's successful 2006 restructuring. We were active participants in discussions regarding Stelco throughout the entire 26-month process to bring about financial restructuring, and we provided a note, or a loan, if you will, for \$150 million. The funding provided under this note went directly towards reducing the pension deficit and has helped bridge the important gap in coming to a final acceptable restructuring plan. The province will allow

US Steel Canada to eliminate the pension deficit over a 10-year period, and if the pension deficit is fully eliminated within 10 years, the loan will be 75% forgiven; so there's an incentive there. If the company is in good financial shape and able to fully eliminate the deficit within 10 years, warrants received by the province as consideration for our \$150-million note will help to ensure that Ontario taxpayers receive value for their contribution.

I want to commend the Minister of Finance, the Minister of Economic Development and Trade and the Minister of Labour for all the work that they are doing on this situation. We also have one of our highly skilled mediators assisting all the parties at the table.

We'll continue to do everything we can to assist the parties to find an agreement. Our focus is always on working with the parties and helping to bring them together to work towards a final agreement. We believe that agreements reached at the table are the most productive, stable and fair. Our record speaks for itself.

Last year, more than 97% of negotiations in Ontario were successful without a work stoppage. This is in stark contrast to the Conservatives, who turned the labour climate into chaos, and the NDP, who ripped up hundreds of direct collective agreements.

Ontarians don't want to turn the clock back to this. We'll keep working together and moving forward to find labour peace.

**The Deputy Speaker (Mr. Bruce Crozier):** There being no further matter to debate, I deem the motion to adjourn the House to be carried. This House is adjourned till Thursday, November 4, at 9 of the clock.

*The House adjourned at 1829.*

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Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
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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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Continued from back cover

**Climate change**

Mr. Phil McNeely .....3237  
Hon. Linda Jeffrey .....3238

**Notice of dissatisfaction**

The Speaker (Hon. Steve Peters).....3238

**DEFERRED VOTES / VOTES DIFFÉRÉS**

**Time allocation**

Motion agreed to .....3239

**INTRODUCTION OF VISITORS /  
PRÉSENTATION DES VISITEURS**

Mr. John O’Toole.....3239  
Mr. Khalil Ramal .....3239

**MEMBERS’ STATEMENTS /  
DÉCLARATIONS DES DÉPUTÉS**

**Municipal elections**

Mr. Steve Clark .....3239

**Non-automobile modes of transportation**

Ms. Helena Jaczek.....3239

**National 4-H Month**

Mr. Ernie Hardeman.....3239

**Beyond the Boundary**

Mrs. Amrit Mangat .....3240

**Take Our Kids to Work Day**

Mr. John O’Toole.....3240

**Cancer care**

Mr. Khalil Ramal .....3240

**Energy policies**

Mme France Gélinas .....3240

**Fédération de la jeunesse franco-ontarienne**

M. Phil McNeely .....3241

**Political contributions**

Mr. Bill Mauro .....3241

**REPORTS BY COMMITTEES /  
RAPPORTS DES COMITÉS**

**Standing Committee on Regulations and Private  
Bills**

Mr. Michael Prue .....3241  
Report adopted .....3241

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

**Cell Phone Safety Act, 2010, Bill 128, Mme Gélinas /  
Loi de 2010 sur la sécurité des téléphones  
cellulaires, projet de loi 128, Mme Gélinas**

First reading agreed to.....3242  
Mme France Gélinas .....3242

**MOTIONS**

**Private members’ public business**

Hon. Gerry Phillips .....3242  
Motion agreed to .....3242

**Dante De Monte**

Mr. John Yakabuski .....3242  
Mr. Rosario Marchese .....3243  
Mr. Mario Sergio.....3244

**STATEMENTS BY THE MINISTRY  
AND RESPONSES / DÉCLARATIONS  
MINISTÉRIELLES ET RÉPONSES**

**Woman Abuse Prevention Month / Mois de la  
prévention de la violence faite aux femmes**

Hon. Laurel C. Broten .....3245

**Air quality**

Hon. John Wilkinson.....3246

**Woman Abuse Prevention Month**

Mrs. Joyce Savoline .....3246

**Air quality**

Mr. Toby Barrett .....3247

**Woman Abuse Prevention Month**

Ms. Cheri DiNovo.....3247

**Air quality**

Mr. Peter Tabuns .....3247

**PETITIONS / PÉTITIONS**

**Ontario Society for the Prevention of Cruelty to  
Animals**

Mr. Ted Chudleigh .....3248

**Ontario Society for the Prevention of Cruelty to  
Animals**

Mr. Michael Prue .....3248

**Multiple sclerosis treatment**

Mrs. M. Aileen Carroll.....3248

**Parkinson’s disease**

Mr. John O’Toole .....3249

**Replacement workers**

Mme France G linas..... 3249

**Child custody**

Mr. Pat Hoy ..... 3249

**Ontario Society for the Prevention of Cruelty to Animals**

Mrs. Julia Munro ..... 3249

**Diagnostic services**

Mme France G linas..... 3250

**Kidney disease**

Mr. Jeff Leal ..... 3250

**Ontario Society for the Prevention of Cruelty to Animals**

Mr. Norman W. Sterling..... 3250

**Multiple sclerosis treatment**

Mrs. Joyce Savoline..... 3250

**Veterans**

Mr. Robert Bailey ..... 3250

**ORDERS OF THE DAY / ORDRE DU JOUR****Ticket Speculation Amendment Act, 2010, Bill 172,  
Mr. Bentley / Loi de 2010 modifiant la Loi sur le  
trafic des billets de spectacle, projet de loi 172,  
M. Bentley**

Mr. Ted Chudleigh ..... 3251

Mr. John O'Toole ..... 3253

Mr. Peter Kormos ..... 3254

Mr. David Zimmer..... 3255

Mr. Gerry Martiniuk ..... 3255

Mr. Paul Miller ..... 3255

Mr. John O'Toole ..... 3256

Mr. Peter Kormos ..... 3256

Second reading debate deemed adjourned..... 3264

**ADJOURNMENT DEBATE / D BAT SUR  
LA MOTION D'AJOURNEMENT****Employment practices**

Mr. Michael Prue ..... 3264

Mr. Lorenzo Berardinetti ..... 3265

**Plant closure**

Mr. Toby Barrett..... 3265

Hon. Carol Mitchell..... 3266

**Labour dispute**

Mr. Toby Barrett..... 3267

Mr. David Ramsay..... 3268

# CONTENTS / TABLE DES MATIÈRES

Wednesday 3 November 2010 / Mercredi 3 novembre 2010

## ORDERS OF THE DAY / ORDRE DU JOUR

### Time allocation

Hon. Monique M. Smith .....	3217
Mrs. Joyce Savoline .....	3217
Ms. Cheri DiNovo.....	3219
Ms. Lisa MacLeod .....	3223
Debate deemed adjourned.....	3227

### INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. John Yakabuski .....	3227
Mr. Michael Prue .....	3227
Hon. Harinder S. Takhar .....	3227
Mr. Frank Klees .....	3227
Mr. Paul Miller.....	3227
Hon. Dwight Duncan .....	3227
Mr. Charles Sousa .....	3227
Hon. Gerry Phillips .....	3227
Hon. Monique M. Smith .....	3227
Mr. Reza Moridi.....	3227
Hon. Rick Bartolucci.....	3227
Mrs. Liz Sandals .....	3227
Mr. Dave Levac.....	3227
Mr. Norm Miller .....	3227
Hon. Linda Jeffrey .....	3227
Hon. Rick Bartolucci.....	3227
Hon. Christopher Bentley.....	3228
The Speaker (Hon. Steve Peters).....	3228

### Birthday of Deputy Clerk

The Speaker (Hon. Steve Peters).....	3228
--------------------------------------	------

### Report, Chief Electoral Officer

The Speaker (Hon. Steve Peters).....	3228
--------------------------------------	------

### Member's birthday

Mr. John Yakabuski .....	3228
--------------------------	------

### Visitor

Hon. Madeleine Meilleur .....	3228
-------------------------------	------

## ORAL QUESTIONS / QUESTIONS ORALES

### Federal-provincial fiscal policies

Mr. Tim Hudak .....	3228
Hon. Dwight Duncan .....	3228

### Federal-provincial fiscal policies

Mr. Tim Hudak.....	3229
Hon. Dwight Duncan.....	3229

### Political contributions

Mr. Michael Prue .....	3230
Hon. Dwight Duncan.....	3230

### Political contributions

Mr. Michael Prue .....	3231
Hon. Dwight Duncan.....	3231

### Government's record

Mr. Norm Miller.....	3231
Hon. Dwight Duncan.....	3232

### Hazardous waste

Mr. Peter Tabuns .....	3232
Hon. Brad Duguid .....	3232

### Children's aid societies

Mr. Yasir Naqvi .....	3232
Hon. Laurel C. Broten .....	3233

### Taxation

Ms. Lisa MacLeod .....	3233
Hon. Sophia Aggelonitis .....	3233

### Insurance rates

Mr. Peter Kormos .....	3234
Hon. Dwight Duncan.....	3234

### Post-secondary education

Mrs. Liz Sandals.....	3234
Hon. John Milloy .....	3234

### Labour dispute

Mr. Toby Barrett .....	3235
Hon. Dwight Duncan.....	3235
Hon. Peter Fonseca.....	3235

### Winter highway maintenance

Mr. Gilles Bisson .....	3235
Hon. Kathleen O. Wynne .....	3235

### Workplace safety

Mr. Pat Hoy .....	3236
Hon. Peter Fonseca.....	3236

### Air transportation

Mr. Frank Klees .....	3236
Hon. Kathleen O. Wynne .....	3236

### Education funding

Mr. Rosario Marchese .....	3237
Hon. Leona Dombrowsky .....	3237

*Continued on inside back cover*