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**Journal  
des débats  
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**Monday 15 November 2010**

**Lundi 15 novembre 2010**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 15 November 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 15 novembre 2010

*The House met at 1030.*

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

*Prayers.*

### INTRODUCTION OF VISITORS

**Hon. Sophia Aggelonitis:** I'm very happy to welcome to the House our new page, Alexandra Oleiche, and her mom and dad, Fida and Zein Oleiche, who are here today.

**M. Phil McNeely:** C'est avec grand plaisir que je souhaite la bienvenue à des représentants et représentantes de l'Association des enseignantes et des enseignants franco-ontariens. Dans la tribune nous retrouvons Carol Jolin et Richard Leblanc de ma circonscription d'Ottawa-Orléans, et Julie Yelle et Joselin Accimé d'Ottawa.

**Mr. Steve Clark:** I'd like to introduce family members of my legislative intern Tom Maidwell, who are visiting Toronto from Northumberland, in north east England. I'd like to introduce his mum, Debbie Maidwell; dad, Andrew Maidwell; gran, Margaret Maidwell; and grandpa, Alan Maidwell. They attended Tom's graduation at the University of Toronto last Friday. Congratulations to Tom, and welcome to Queen's Park.

**M. Gilles Bisson:** J'aimerais introduire les membres de l'AEFO qui sont ici aujourd'hui du comté de Timmins-Baie James : de la ville de Hearst, Paul Barile, qui est enseignant à Hearst, avec Michelle Côté, qui est ici aussi; de la ville de New Liskeard, Julie Goulet; et de Timmins, Angèle Souckey avec Anne Vinet-Roy. Bienvenue à Queen's Park.

**Mr. Dave Levac:** Today, in the Legislature, a delegation from an organization called Diabetes in Ontario Schools is here with us and will be in the House to hear question period: Ms. Shana Betz, Gabriella Simo, Yasmine Hooey, Preet Dhatt, Tim Kwiatkowski, Stephanie Winsor, Lauren Wallace, Kaitlyn Wallace, Robert Murakami, Jeanne McKane, Olivia Murakami, Ella Murakami, Lisa Winters-Murphy, Mary Anne St. Pierre, John Wallace, Michael St. Pierre, Michelle St. Pierre, Mandy Conlon, Ashley Conlon, Diana Mann, Robert Mann, Leanne Irwin, Samuel Irwin and Avery Irwin.

Of those, 15 are children with type 1 diabetes, and they're here to visit us today.

**M. Peter Shurman:** Je suis heureux aujourd'hui de vous présenter trois enseignants et enseignantes dans la

galerie ouest des membres : M<sup>me</sup> Frédérique de Launière, enseignante à l'École secondaire catholique Nouvelle-Alliance à Barrie; M. Théophile Rwigimba, enseignant à l'école Patricia-Picknell à Oakville; et M. Jean-Gardy Dumoulin, enseignant à l'école publique L'Équinoxe à Pembroke.

**L'hon. Leona Dombrowsky:** J'aimerais souhaiter la bienvenue ce matin aux représentants de l'Association des enseignantes et des enseignants franco-ontariens—l'AEFO—qui participent à leur journée de lobbying à Queen's Park aujourd'hui.

**Mr. Yasir Naqvi:** Please welcome various officials from the Ministry of Education and educators from the Russian Federation, who are visiting Queen's Park today. They're accompanied by Ann Mollon, who lives in the great riding of Ottawa Centre.

**Hon. John Gerretsen:** Annually, Christina Blizzard, a renowned columnist for Sun Media, organizes a group that's headed by the Queen's alumni association to meet here at Queen's Park. They're all in the press gallery. They're accompanied today by the Queen's alumni staff officer, Ben Seewald.

I'll just list their names; they'll be meeting with all the various government officials today, and I'm sure that a good day will be had by one and all: Ayesha Shah, Kiefer Cheng, Taylor Huff, Lindsay Kline, Sacha Gudmundson, Jenny Yang, Priyanka Desai, Ayra Reyla, Erin Morawetz, Maki Ikushima, Caroline Garrod, Karicia Quiroz and Brenna Crosby.

I know you'll be hosting a reception for them later on, Speaker. I'd like to welcome them.

**Hon. Rick Bartolucci:** In the press area today, we have the co-anchor of CTV News, Tony Ryma from Sudbury, and his son Nicholas from Sudbury. Welcome.

**Hon. John Milloy:** I'd like to welcome Catherine Frei, a child and family advocate from my riding, as well as Shevaun and Steve Voisin, who are also from my riding and who are down to visit Queen's Park today.

**M<sup>me</sup> France Gélinas:** J'ai de la visite aujourd'hui. J'aimerais vous présenter M. Conrad Mazerolle, qui vient de mon comté. Je suis bonne amie avec sa mère, Eva Mazerolle. Avec lui est M<sup>me</sup> Chantal Noël de Sudbury, également de l'AEFO. J'aimerais leur souhaiter la bienvenue à Queen's Park.

I also want to welcome all of the parents, grandparents and children living with type 1 diabetes who have joined us at Queen's Park today.

**Mr. Tony Ruprecht:** I have the great pleasure to introduce to the House a wonderful group from Vietnam.

They are musicians and they're on a Canada tour. I had the great pleasure of seeing them and listening to them on the weekend, and I'm delighted they're here to visit us. They are: Linh Khanh, Ha Thu, Tho Quang, The Dan, Tu Anh, Anh Soang and Nhan Thahn.

Congratulations to them to visit Canada, and welcome to the Legislature.

1040

**Hon. Christopher Bentley:** I would like to welcome teacher Adam McNiff and the grade 10 civics class from Oakridge Secondary School of London, who will be joining us at Queen's Park today.

**M. Jean-Marc Lalonde:** J'ai le plaisir de vous présenter trois personnes de ma région de l'Association des enseignantes et des enseignants franco-ontariens: Marc Lepage de Casselman, François Boudrias de L'Orignal et Philippe St-Amant de Trenton. Bienvenue à Queen's Park.

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to welcome my brother Joe Peters to the Speaker's gallery. Welcome back, Joe.

## ORAL QUESTIONS

### ONTARIO ECONOMY

**Mr. Tim Hudak:** My question is to the Premier. Premier, your economic experiments have gone badly off the rails, and now you appear to be scrambling. As you know, Premier, by law you are supposed to deliver the update on your economic plan by November 15, which is today. We've been given no notice that that is actually happening. So, Premier, did you miss the legislative deadline for your fall economic update because the news is that bad, because you have no plan whatsoever, or because your priority was handing out \$30 million in scholarships to foreign students for which Ontario families cannot apply? What is your priority, Premier, and why did you forget about the Ontario economy?

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

**Hon. Dwight Duncan:** Earlier this morning, I filed a letter with the table. The fall statement will be this Thursday, and I look forward to hearing from the opposition.

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

**Mr. Tim Hudak:** Back to the Premier—and I'm sorry the Premier didn't respond to my question. It has been some time since I've had a chance to pose a question to the Premier, given his international travel. I hope he'll answer this one.

The Santa Claus parades are already happening. The legislative deadline was actually today, Premier, to put forward your plan. You appear to be scrambling—and then you announced this morning, on the day it is due, that now it is going to be Thursday.

One of the things in your last economic plan was an HST tax grab that you said would create 600,000 jobs. The evidence is in since you brought in your greedy HST

tax grab: Ontario families have seen 41,000 private sector jobs disappear since July 1. So, Premier, did today's deadline simply creep up on you, or do you have no clue whatsoever on how you can give Ontario families a break instead of hitting them with the HST tax grab?

**Hon. Dwight Duncan:** The requirement to have the statement today was the result of the Fiscal Transparency and Accountability Act, which this government brought in because the Leader of the Opposition and the government he was part of had their last budget at Magna. I'll also point out that that budget had a \$5-billion hidden deficit, which this government eliminated in its first two years.

The statement will be Thursday. I look forward to debating the Leader of the Opposition on that issue—on a range of issues—but I don't want to go back to a time when governments take statements and budgets out of the Legislature, and high hidden deficits.

It's about integrity in government. That rests on this side of the House, not on that—

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

*Interjection.*

**The Speaker (Hon. Steve Peters):** I just remind the member from Simcoe North that the Speaker would like to hear both the questions and the answers.

Final supplementary?

**Mr. Tim Hudak:** Quite frankly, Minister, some act. If the deadline was today and then you scramble to put out some release that it's Thursday, teachers would give you a failing grade, if they're allowed to put grades on report cards anymore in Dalton McGuinty's Ontario.

Let me ask the Premier this as well. Premier, since your last so-called economic plan, you've had six or seven arbitration decisions that have gone against your plan for a wage freeze in the public service. Obviously, your wage restraint plan has gone badly off the rails, and we're likely billions of dollars behind with that plan. Even the president of the Ontario Hospital Association has lost faith in you, saying, "The process has failed. What's the government's plan now?"

Premier, do you have no idea whatsoever how you're going to make good on your promise? Are you making it up on the fly, or will we actually see something in your update when it finally comes before the Legislature?

**Hon. Dwight Duncan:** Just in response, let me say a few things. Since the bottom of the recession in May 2009, 180,000 new jobs for Ontarians. As a result of our tax plan for jobs and growth, nine out of 10 Ontarians are paying less income tax now than they were before that plan.

There's no doubt that there are challenges in getting the budget back into balance, but I'll remind the member opposite: We rejected their approach. We don't want kids to lose 10 million days of school.

Let me talk to you about some of the positives. Almost half of the settlements that have been arrived at since the budget was tabled have arrived at zero and zero. The average settlement has come down; it's below the private sector average.

It's about moving forward in a positive direction for a better economy for all Ontarians, especially our—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Order, member from Durham.

New question.

#### ONTARIO ECONOMY

**Mr. Tim Hudak:** Back to the Premier—and the finance minister's answers, quite frankly, resemble a government that is making this up on the fly. You have not brought forward your plan today and, with due respect to the finance minister and his so-called job figures, quite frankly, I don't think creating jobs in Korea through your Samsung giveaway should count towards jobs. We want to see jobs here in the province of Ontario for Ontario families.

Let me get back to the Premier. While you were travelling, the Fraser Institute came back with a study that showed that you were the worst fiscal manager of all the Premiers in Confederation, dead last, because of your runaway spending, your tax increases and your lack of a plan to get the budget back into balance. So, Premier, I'll ask you a question that the finance minister did not answer. You've had six arbitration settlements that have ruled against your so-called wage freeze. Will your economic statement have a new plan, or have you given up altogether?

**Hon. Dalton McGuinty:** I thought the Minister of Finance spoke to that at some length.

I always appreciate the observations and opinions offered by my colleague opposite, but I think that, from time to time, it's important to introduce some objective assessments of the state of the economy.

Just recently, the Royal Bank of Canada had this to offer: "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 ... which will be the fastest annual growth in 10 years in the province."

There's no doubt whatsoever that the global economy remains—the outlook remains uncertain. We have, to a very large extent, historically hitched our economic wagon to the wagon of the United States of America, but we're doing more things to lay a stronger foundation for growth, including modernizing our tax system and investing in new electricity systems. It would be nice to have the support of the member opposite when it comes to doing that important work.

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

**Mr. Tim Hudak:** Clearly, the Premier's speaking notes and the so-called facts he cites are way past their best before date.

Quite frankly, Premier, you should know this number: Families have now seen 41,000 private sector jobs leave the province of Ontario since you brought in your greedy HST tax grab. Ontario families are paying more through your so-called smart meters, which are nothing more than

tax machines. Hydro bills are going through the roof. Ontario now has the highest tuition in all of Canada, and instead of providing relief to families of Ontario taxpayers, to their daughters and sons, you're giving away generous scholarships to foreign students at \$40,000 a year, to which Ontario students cannot apply. We would change that and put Ontario students first.

Premier, will there be some kind of relief for Ontario families in your economic statement?

**Hon. Dalton McGuinty:** As I like to say, the facts are not unimportant, and here are a few facts. Since the depths of the recession, the American economy has recovered 10% of jobs lost. Here in Ontario so far, we've recovered 76% of jobs lost, and we have some specific plans in place to help create new jobs.

That includes our investments in clean, green, renewable energy: Solar Semiconductor, 200 jobs in Oakville; Canadian Solar, 500 high-tech jobs in Guelph; Silfab, 200 jobs in Mississauga; Solar Source, 200 jobs in Windsor; Siliken, 175 jobs in Windsor; JNE Consulting—I just announced this last week—300 jobs in Hamilton; Fronius, 100 jobs in Mississauga.

**1050**

The fact is, we are moving forward to create more jobs. Again, it would be nice to have the support of the member opposite.

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

**Mr. Tim Hudak:** We could probably begin listing all the jobs that have been lost under Premier McGuinty from his high taxes and runaway hydro rates but, quite frankly, we'd probably be here all day and then some.

The Premier seems to think things are shipshape, that we're sailing along smoothly in our province. This shows how dramatically out of touch Premier McGuinty has become after seven years in office.

That's why families want to see a plan to provide them with some relief to spend on their priorities, not the priorities of Premier McGuinty. They want to see a spending restraint plan that will make sure we don't balance your spending today on the shoulders of our children and grandchildren in the future with the runaway deficits and debt under this government.

Premier, I don't want to think you're making this up on the fly. I want to think that you knew today was the deadline, so please tell me that Thursday's plan will address the real needs of Ontario families.

**Hon. Dalton McGuinty:** I'll just repeat the statement offered by the Minister of Finance: We look forward to introducing the fall economic statement. It's an important document and bill which we will be introducing inside this Legislature. It will follow hard on the plans that we already have in place, which my honourable colleague not only refuses to support but refuses to even acknowledge. Let me just give you one specific example.

We inherited an electricity system that was in a desperate state of disrepair. We could barely meet electricity demand needs in 2003. We were not going to go ahead and put in place temporary diesel generators, so we've

invested billions of dollars in new transmission, billions of dollars in new generation. We are in the process of shutting down coal-fired generation. We will not return to the day when our children had to suck in dirty coal-fired generation emissions. We're going to move forward with clean air, clean jobs and a reliable electricity system that will be there for our hospitals and our schools—

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

#### SMART METERS

**Ms. Andrea Horwath:** My question is to the Premier. With each passing day, it becomes clearer and clearer that this government's smart meter program is running well over budget. The government insists that the project is going to cost ratepayers about a billion dollars, but Hydro One documents suggest that they're spending that much for their portion alone, and they're only installing one fifth of the meters.

Will this government reveal the cost of the smart meter scheme today?

**Hon. Dalton McGuinty:** I know that the Minister of Energy will have more to say on this momentarily, but I would ask my honourable colleague to accept a reality. It doesn't matter where you look around the world today; in every progressive jurisdiction where they have their eye on the ball when it comes to the growing demand for electricity and the potential exponential increase in that demand when it comes to plugging in electric cars in the future, they have in place smart meters. They're there for their businesses and they're there for their homes. They help us better manage our electricity uses. It's just part and parcel of a definition of a progressive jurisdiction, and they're embraced by our environmentalists, which surprises me all the more that my honourable colleague opposite is not standing with us when it comes to putting in place smart meters in Ontario homes.

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

**Ms. Andrea Horwath:** This is money out of people's pockets. The cost of installing a smart meter in northern Ontario and other rural areas is up to 10 times greater than in urban areas. Hydro One customers will soon be paying \$4 a month just to cover the cost of installing a smart meter that's going to drive their bills up.

The government insists that this project is on budget. Why won't they reveal all of the costs that are related to the smart meter program today?

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

**Hon. Brad Duguid:** I don't know what the leader of the third party is talking about, but the rollout of smart meters is on time, it's on budget, and it's going smoothly. The time-of-use initiatives are working in homes right across this province. There's still a lot more time-of-use to be rolled out, and that's going to take place over the course of the next 24 months.

This is what Toronto Hydro said: They've indicated their rollout has gone very smoothly. It's still early, but these are some of their observations: They've observed

that 9,000 time-of-use customers have seen a diminishment in costs—that indeed, overall, on average, the costs to consumers have gone down.

The bluster of the NDP is absolutely incorrect. They stand in fear of modernizing our energy infrastructure. We need to modernize our energy infrastructure, full stop; we need to get the job done. It takes a little bit of courage to do that. It's obvious the—

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

**Ms. Andrea Horwath:** The government could clear this up right now. We've asked Ontario's auditor to look into this deal. He says that it's not up to him; he says that he has to be asked by the Premier.

Why won't this government, why won't this Premier, instruct the Auditor General to conduct a careful cost-benefit analysis of this very ill-conceived program?

**Hon. Brad Duguid:** My question is, why does the NDP insist on us falling so far behind other jurisdictions? Other jurisdictions around the world are also investing in smart meters: Sweden, Germany, the United Kingdom, Austria, Spain, France, Italy, New Zealand, Ireland, Malta, California, Texas, Maine, New York, Ohio, Virginia, and Florida. Why do you want Ontario to be behind them?

We're proud to have Ontarians out in front of the rest of the world. We are global leaders when it comes to modernizing our energy infrastructure. We are global leaders when it comes to attracting renewable energy investment, investment that the NDP no longer supports. We're building a strong, clean energy economy here in this province, and we'll do it with or without the support of the NDP.

#### SMART METERS

**Ms. Andrea Horwath:** My next question is to the Premier.

Families across Ontario are worried about smart meters costing them more. That's the reality here in Ontario. Shelly McCrae in Courtice writes, "I cannot believe how much our electricity bills have increased since we began using the so-called 'smart meter.' It is getting difficult to pay our \$300 to \$400 monthly bills."

When will the Premier finally tell Ontario families, like the McCraes, the total cost of his smart meter experiment?

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

**Hon. Brad Duguid:** You just have to look around the world and see what other jurisdictions are doing. They're trying to catch up to us because they know Ontario is onto a good thing. They know Ontario is out in front of the rest of the world. They know that we're global leaders in this area—that's something the NDP don't have: the courage. When you're in government you need to lead, and we're leading and the people of Ontario are leading the world in this area.

Let me just quote from the Tory government's smart meter implementation plan, which says the rollout will

play an important role in Great Britain's transition to a low-carbon economy: "They will help us meet some of the long-term challenges we face in ensuring ... an affordable, secure and sustainable energy supply."

The rest of the world gets it. Why do the NDP fail to understand the importance of modernizing our energy infrastructure? Ontarians deserve a modern energy system. That's what we're trying to deliver. We're determined to do that with or without the support of the third party.

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

**Ms. Andrea Horwath:** Instead of looking around the world, this government should look at the people of Ontario and start understanding their struggles for a change.

Joe Burns from Chatham writes this: "I had this new smart meter installed by Hydro One and just got our Hydro One bill. It went from \$180 to \$360." People like Mr. Burns deserve to know just how much this experiment is costing. Why won't the Premier give Ontario families the full story and release all smart meter cost details right now?

**Hon. Brad Duguid:** That's exactly it: It's about time the leader of the third party started to tell the full story, because I can guarantee that if she passed that bill over to us, we could find exactly what that issue is all about.

Smart meters—time of use—do not cause bills to go up by that amount. The preliminary work done from Toronto Hydro—because they're still in the process of implementation—indicates that there is a modest decrease, on average, to the bills—not a huge decrease, a modest decrease; we're very straightforward about that. But it's going in the right direction. It's helping Ontarians shift their use off of peak time to non-peak time and it's bringing savings to the system.

The NDP don't understand the importance of that, but we do. We're going to continue to modernize our energy system. We're going to continue to give Ontarians the ability to shift their use from peak to non-peak times.

1100

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

**Ms. Andrea Horwath:** Linda Gerrie writes: "As soon as my smart meter was installed last summer, my bills doubled ... I am approaching 65 and will no longer be able to afford my hydro bills ... so what will I do?"

Like all Ontarians, Ms. Gerrie has every right to know just—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. My apologies for interrupting. I'd just ask the government side to please come to order. I'm finding it difficult to hear the honourable member ask her question.

*Interjection.*

**The Speaker (Hon. Steve Peters):** Minister of Economic Development.

Please continue.

**Ms. Andrea Horwath:** Like all Ontarians, Ms. Gerrie has every right to know just how much this government's smart meter experiment is costing. Why is the Premier

refusing to release the financial details of his not-so-smart-meter boondoggle?

**Hon. Brad Duguid:** It's time for the NDP to start standing up for renewable energy. It's time for the NDP to start standing up for conservation. I remember a time when members from the NDP used to believe in that. Let me quote the critic for the environment when he said this: "Don't ignore the economic opportunities that are presented by conservation and renewable energy—not to mention the enormous costs if we do nothing." Right now that's the NDP policy—do nothing. We will not do nothing. We're going to move forward with Ontarians. We will modernize our energy infrastructure, we will modernize our meters, we will convert those old meters to smart meters, we will give Ontarians the opportunity to conserve, and we will build a stronger, more reliable and cleaner energy system as a result, even if it is over the opposition of the third party.

## WASTE DIVERSION

**Mr. Toby Barrett:** To the Minister of the Environment: Ontario Electronic Stewardship has delayed the release of its report by seven months. Once they did release the report, Ontario families learned the bad news: They paid \$45 million in eco taxes for televisions and computers that were neither diverted nor recycled. The target for collecting electronics was missed by 59%. You only had 2% of the target for recycling electronics—only 2%, Minister. Why was your response to this abysmal performance merely to send a sternly worded memo?

**Hon. John Wilkinson:** I always find it interesting when the party opposite, which created the Waste Diversion Act, gives us lectures about how it should be applied. On this side of the House, we are keeping hazardous material out of our landfills. That's exactly why we have a plan to ensure that all Ontario residents, if you have waste electronics in your house, can take it back for free and are assured that it will not get into a landfill and that it will be safely reused or recycled. Reuse comes before recycling. I am happy we have a program that says if there are waste electronics and they can be reused by our community, that is better than recycling them.

I have said and have written Ontario Electronic Stewardship and told them—they have shared with me they've failed to meet their targets. We expect them to do so; and they have diverted in the first year some 17,000 tonnes of hazardous electronic waste and they've improved that by some 110% this year, but they need—

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

**Mr. Toby Barrett:** Minister, this is awkward—2%? I have a goat that could do a better job of recycling than that. Your program for electronics is similar to your eco tax scheme that you surprised Ontario families with the same day you brought out the HST. Just like that program, Ontario families pay, but you aren't meeting your own environmental targets. In fact, you missed the environmental targets even after you lowered them. Admit

it, Minister: This is just another greedy tax grab dressed up in green clothing. What's your plan, Minister, when you miss your targets next year? Will you send yet another tersely-worded memo, perhaps all in caps?

**Hon. John Wilkinson:** I find it interesting that this industry-funded program that is run by industry misses their targets—an industry-funded program set up by your previous government—and somehow, it's our fault.

Here's what you need to know, because I know you're the Progressive Conservative environmental critic. There are three Rs: reduce, reuse and recycle—and reuse is better for the environment than recycle. So it is very important that waste electronics, if they can be reused by our community—it's far better that we do that than recycle.

I have told Ontario Electronic Stewardship that if they fail to meet their targets, their job is to make sure that they meet those targets. That's why I require them now to send me quarterly reports. I've also told them that they need to have a consumer on their board. That is something that your party, when you created the act, did not think was important.

On this side of the House—

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

#### EMPLOYMENT PRACTICES

**Mr. Michael Prue:** My question is to the Minister of Labour. On July 16, 2009, Bruce Katkin wrote to the minister asking why his ministry allows bar and restaurant owners to steal the tips of servers. On July 30 last year, Mr. Katkin got a response from a constituency assistant, asking for his address so that the minister could provide a response. On September 24 last year, Mr. Katkin asked when a response would be coming. On October 9 last year, he was informed that the ministry staff would be providing a response shortly. On Friday, following the Toronto Sun editorial, Mr. Katkin was finally contacted by the ministry; they wanted to know his address again.

Some 16 months have passed. Why won't this minister answer this constituent and the question?

**Hon. Peter Fonseca:** I want to thank the member for the question. All correspondence that the Ministry of Labour receives is taken very seriously. If the member and his constituent have not gotten a response, I will take it upon myself to ensure that that response is provided to that constituent.

That being said, when it comes to employment standards in the province of Ontario, we have increased the number of resources by over \$10 million, we have added a significant number of employment standards officers and augmented the office in Sault Ste. Marie to be able to provide services to constituents, like the one who the member mentioned.

We take these issues very seriously. We want to ensure that all workers of Ontario get the information that—

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

**Mr. Michael Prue:** This is all about the tip-outs. Bill 114 has received a groundswell of support from the public, the media, all Liberal MPPs and the many thousands of servers across this province. Every day, there is another radio show, newspaper column, editorial or TV show on this very topic. No one is opposed to this bill.

Mr. Katkin wanted to know what the minister would do about the extortion of money from restaurant servers. He has been patient, waiting 16 months for an answer. Will the minister commit to this House that he intends to call the bill in committee, give it third reading and ban this practice in the province of Ontario forever?

**Hon. Peter Fonseca:** I first want thank the member for having introduced his bill and the debate that has taken place around this very important matter.

As I've said before, our hospitality industry and our tourism industry in the province of Ontario is one of our greatest economic drivers. The success of that industry depends on those servers, those bartenders, those hostesses, these chefs and other staff who work within that industry.

We, as a government, also understand that many in that industry have a base as a benchmark: the minimum wage. That's why our government since day one has increased the minimum wage year over year, to the point where, amongst all provinces, we have the highest minimum wage in Canada. We will continue to move forward with initiatives that help the hard-working men and women of Ontario.

I will ensure that the member gets—

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

#### POST-SECONDARY EDUCATION

**Mr. Yasir Naqvi:** My question is for the Minister of Training, Colleges and Universities. During the past week, we have been hearing a lot about the new Ontario Trillium international scholarship program. I've been watching in dismay as the official opposition postures that this new scholarship will take opportunity and funding away from Ontario students. I'm also surprised at the suggestion that scholarships for international students are somehow akin to sending money overseas, when it would actually be spent at our universities and in their communities.

**1110**

We know that students are concerned about tuition fees and how they will afford to pay for post-secondary education. You will recall that I asked you to address these concerns here less than two weeks ago. Minister, what is the McGuinty government doing to support Ontario students?

**Hon. John Milloy:** I appreciate the honourable member's question, and I think it's important that we point out that it is important that we attract the best and the brightest to Ontario's universities, both from within Ontario and from around the world.

I'm very pleased that our government spends, every year, over half a billion dollars on grants and scholarships for Ontario students. At the same time, we are part of a global competition for the best and the brightest around the world, which is why the Trillium scholarships will help attract them here.

This is about jobs for Ontario. International students—  
*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. The member from Nepean is interjecting so loudly that she doesn't even hear the Speaker cautioning her.

Please continue.

**Hon. John Milloy:** International students inject about \$1.5 billion into our economy, and studies show that about 80% of these best and brightest from around the world stay in Ontario and contribute to our economy.

The Trillium scholarship has been supported by every single student group—

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

**Mr. Yasir Naqvi:** Our universities are known throughout the world for the high quality of their education programs and the calibre of their graduates. Ontario universities attract students from around the globe to study medicine, business, science and other academic disciplines.

When these international students complete their studies, some become ambassadors for Ontario as they return home to other parts of the world. But, as the minister said, many wish to stay in Ontario after they graduate. They wish to contribute their skills, talents and education to what might become their new home. At the same time, Ontario needs these highly educated graduates to contribute to our prosperity and to meet labour demands.

Could the minister tell these aspiring Ontarians what the government is doing to retain more highly educated international students after they graduate from universities in Ontario?

**Hon. John Milloy:** To the Minister of Citizenship and Immigration.

**Hon. Eric Hoskins:** Attracting the best and brightest talent in the world is a priority of the McGuinty government, and we recognize that in an open Ontario, a highly skilled workforce is essential to ensure that our province remains strong and prosperous. That's why our government is taking action to ensure that when international students come to Ontario, they stay in this province when they graduate.

Our expanded provincial nominee program will make it even easier for international students to remain in Ontario after they have obtained an advanced degree from an Ontario university. International students, for example, who have earned a master's or a Ph.D. degree in Ontario no longer need an offer of employment to apply to be fast-tracked for permanent status.

These changes are part of our Open Ontario plan to build a stronger economy by creating opportunities for international students to contribute to Ontario.

## POST-SECONDARY EDUCATION

**Mr. Steve Clark:** My question is for the Premier. It might be time for the Premier to ban McGuinty Liberals from using Twitter until they can stop themselves from making false statements.

On November 9, your press secretary, Jane Almeida, posted a message saying that the Ontario Undergraduate Student Alliance supports your choosing foreign students over homegrown talent. The student alliance says it does not.

Is the McGuinty Liberal campaign to confuse Ontario families not just about hiding the real cost of your expensive energy experiments, but about your scholarship scheme too?

**Hon. Dalton McGuinty:** To the Minister of Training, Colleges and Universities.

**Hon. John Milloy:** I'm quite happy to quote from a release here from the Ontario Undergraduate Student Alliance, which "firmly believes in the need to expand international enrolment, as these students add to the diversity of perspectives and experiences in the classroom, enhance the broader cultural diversity on campus, and contribute significantly to ... economic prosperity...."

"With all that these students bring to our universities and to our province, the conversation should be about what we must do to provide the supportive learning experience" they need.

"Students agree that more needs to be done to improve the accessibility and affordability of higher education. OUSA has applauded recent improvements in financial assistance for domestic students and will continue to advocate for and support investment in all students."

I'm very proud to have the support of not only OUSA but the College Student Alliance and the Canadian Federation of Students, all of whom have expressed—

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

**Mr. Steve Clark:** Thank you, Speaker—

*Interjections.*

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

**Hon. Dwight Duncan:** He got out-tweeted on that.

**Mr. Robert Bailey:** The only twits are over there.

**The Speaker (Hon. Steve Peters):** The member from Sarnia will withdraw the comment—no, stand and withdraw.

**Mr. Robert Bailey:** I withdraw.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order. Minister of Community Safety.

Supplementary?

**Mr. Steve Clark:** I'm glad that standing up for Ontario students has got such a rise out of the government today.

Premier, last week you yourself posted a message on Twitter that said that your decision to hand \$40,000-a-year scholarships to foreign students was not about international students versus homegrown talent. We stand for Ontario students and families who say that it is. As an

example, one of my own kids, attending post-secondary education, was a Governor General's medalist, the best of the best, and she received no provincial scholarship.

The fall economic statement, whenever it comes, will confirm that Ontario has limited resources, but you choose to hand it to foreign students when Ontario's brightest and best receive nothing. How do you fall so far out of touch?

**Hon. John Milloy:** As I pointed out earlier, we invest over half a billion dollars in grants and scholarships for Ontario students. When that member was in power, when his party was in power, they cut student aid by 41%.

Let me share—

*Interjection.*

**The Speaker (Hon. Steve Peters):** The member from Leeds–Grenville knows the standing orders and that if he's not satisfied with the answer, which he can't hear as he is interjecting—I would encourage him to listen to the answer. If you're not satisfied, you can file for a late show.

Minister?

**Hon. John Milloy:** I'd like to share another quote here: "I believe in my heart we have to do some of these things to invest in the province and to get the best and the brightest to come here.

"We need these big brains from all over the world to help fuel our economy, to come here to develop new ideas and do it here in Ontario. To help us launch the next RIM, BlackBerry-type idea here, to have those jobs here. They've been doing this for decades at Harvard."

The member may recognize that quote. It is from John Tory.

## DIABETES

**M<sup>me</sup> France Gélinas:** Ma question est pour la ministre de la Santé et des Soins de longue durée.

This morning I had the great pleasure to meet with children who have type 1 diabetes, their parents and some of their grandparents as well. The proper management of diabetes is essential for ensuring the health of these children, but today, children in Ontario face a patchwork of services. There are no consistent policies for how diabetes is dealt with in our schools. Is the minister ready to adopt a health support services policy similar to what exists in New Brunswick, which would define the standards and the procedures required for the provision of health support services to students living with type 1 diabetes and attending our schools?

**Hon. Deborah Matthews:** Kids who have been diagnosed with diabetes face real challenges, and I am so pleased that our government saw fit to actually fund insulin pumps for kids with diabetes. I have seen first-hand the difference that that innovation makes for our children. It means that they can participate like kids. It means that they can actually be kids when they are kids, and it's making a real difference for kids right across this province today.

Is there more to do? Absolutely. I'm very, very encouraged by the progress that we're making when it

comes to treating diabetes and preventing diabetes, and engaging schools in that is part of the solution.

**1120**

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

**M<sup>me</sup> France Gélinas:** The pumps don't mean too much to a four- or five-year-old who doesn't know the difference between 3.5 and 35 blood sugar. Somebody has to be there to help them. Right now in Ontario schools, some schools do some work, some do nothing and some, frankly, put barriers to the health of those kids.

Over the last 12 years, diabetes rates have doubled in Ontario, with one in 10 Ontarians now living with the disease, and the numbers keep rising. Study after study tells us that the social determinants of health—poverty being number one—are the best indicators of diabetes, yet the minister has failed to invest in prevention like she fails to provide the kids with type 1 diabetes with the support they need to attend school safely. Why is the minister refusing to implement the well-known best practice and failing to provide Ontarians, including 7,000 children living with diabetes, with the tools they need—

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

**Hon. Deborah Matthews:** I want you to know that I'm working closely with the Minister of Education to look at this issue, because we do know that kids dealing with diabetes are pretty special kids and they deserve special care. Our work on prevention, our work on getting kids moving in school, daily physical activity, other initiatives around healthy eating in the schools—

**Hon. Kathleen O. Wynne:** After-school programs.

**Hon. Deborah Matthews:** —after-school activities: We are taking important steps to improve the health of kids to prevent diabetes. But those children who have been diagnosed with diabetes do need special care, and as I say, I'm working closely with the Minister of Education to ensure that schools are a healthy place for kids with diabetes.

## SMALL BUSINESS

**Mr. Kevin Daniel Flynn:** I've got a question this morning for the Minister of Economic Development and Trade and small business. Ontario's 379,000 small and medium-sized businesses are the engine of Ontario's economy. Ninety-nine percent of all businesses in Ontario are either small or medium-sized. They employ nearly 2.9 million Ontarians and they account for \$250 billion in annual economic activity. That makes their success vital to the strength of Ontario's economy.

I've heard from a number of small businesses in my riding that obviously are pleased with the upswing in the economy, but they could still use some help. I ask the minister: What is this government doing to help the small and medium-sized businesses in the province of Ontario?

**Hon. Sandra Pupatello:** I'm delighted to receive this question from the member from Oakville, who is a strong small business supporter, a long-time supporter for the initiatives that our government has taken to help small business.

In addition to the 57 offices that we have across Ontario for the express purpose of helping new businesses get launched and grow those that exist and the 12 regional offices that do more of that, there have also been significant initiatives on the tax policy side, which we know businesses appreciate. For the first time we have seen a significant decrease in the small business corporate income tax that they pay—a 20% decrease—and a total elimination of the small business surtax. We're the first province in Canada to do this. We see a number of initiatives coming along to help in the change of our tax system: for example, a \$1,000 tax credit going out this week to thousands of businesses across Ontario. They will see that provincial business input cost reimbursed to them—

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

**Mr. Kevin Daniel Flynn:** I'd like to thank the minister for her response. Obviously small and medium-sized businesses are some of the hardest-working Ontarians around. They are the backbone of our economy.

She outlined a number of very exciting tools that will provide much of the help that small and medium-sized businesses in my constituency are looking for. However, one of the concerns I hear most from my constituents wasn't addressed in the minister's answer. While many of my constituents would prefer to spend their time growing their business and serving their customers, many have told me that their ability to do so is constrained by the time and money it takes to get through all the paperwork and the red tape that's often associated with owning a business. Is this government doing something to reduce these burdens for our small and medium-sized businesses, and what exactly are they doing?

**Hon. Sandra Pupatello:** I know that the member from Oakville will be delighted to learn, as other members of the House are, that, as of last year, the Ministry of the Environment, for example, has totally eliminated their backlog for certificates of approval required by that ministry—a backlog which, frankly, existed previous to the last government. Those are significant inroads that we're making to turn the tables, to make it easier for businesses to do business with government. When they interact with us, we want it to be easy.

The best indicator of this is the passage of the Open for Business bill, which passed in this House just this month. We are now speaking to businesses so they can understand how those 100 amendments in that one piece of legislation will help them do business better, smoother, more streamlined and less costly, with more time for them to do the business that they want to do, which is to hire more people, make more product and give more service. That is what we're doing. The Open for Business bill is probably the best indicator of how we are moving forward to interact with businesses in Ontario and make it easier for them to do more business in this province.

## ADOPTION

**Ms. Sylvia Jones:** My question is to the Minister of Children and Youth Services. Minister, do you support the creation of permanency plans so families looking to adopt and crown wards waiting to find their forever family can move forward with the adoption process?

**Hon. Laurel C. Broten:** I'm very proud to talk about the work that we are doing to find forever families for kids in Ontario. Since 2003, the number of adoptions under our government has grown by 62%. We know that there is a great deal more work to do, and we are working to find better outcomes and permanent homes for kids.

I had the opportunity to recently visit Kawartha-Haliburton CAS, and I'll give you some insight as to the range of activities that are being pursued to find permanency options for kids and families. They're looking at adoption, and they're doing very well on that front.

They're also looking at legal custody, which is a way to acknowledge kids who have relationships with their birth families but want that forever, permanent home. There, I met a mother who had adopted a number of kids, who had legal custody and who was fostering a number of kids, all of them finding a forever family in her home, but doing that—

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

**Ms. Sylvia Jones:** I have another number for you: Only 8% of crown wards in Ontario have a permanency plan in place. That means 92% of Ontario child crown wards do not have the option of finding a forever family. These children do not have an opportunity to get adopted because they don't have a permanency plan, and there's no central agency in Ontario similar to the ones in place in British Columbia and in Alberta.

Minister, why are you allowing Ontario children to fall behind to the point where children have to depend on luck to get adopted?

**Hon. Laurel C. Broten:** It is quite something to hear this come from the other side of the House. Children in this province languished in a lost decade when that government was in charge, and they did nothing to find forever families for kids.

But if we're interested in numbers, let me give you some numbers: Last year alone, CASs worked to find permanent families for over 5,200 children in care; 3,800 were supported to live with kin, with their own families, with their extended family, and 170 with legal guardians; 1,000 aboriginal children were placed, as is their custom, with their relatives to care for them; and 1,000 kids were placed for adoption, an increase of 21% over the year before.

We take the expert panel's recommendations very seriously. We're working with the commission to promote sustainability, and this year in the funding formula—

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

## AIR-RAIL LINK

**Ms. Andrea Horwath:** My question is to the Premier. We're learning today that Metrolinx is preparing to enter into a sole-sourced agreement to purchase Japanese diesel trains to run along Toronto's Union-Pearson air-rail link.

Why is the McGuinty government allowing Metrolinx to proceed without any Canadian content requirements whatsoever for these trains and before the completion of a \$4-million electrification study?

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

**Hon. Kathleen O. Wynne:** It's a pleasure to confirm the reality that Metrolinx's procurement process is not complete; they're in the process of undergoing that negotiation. They are having a board meeting tomorrow, and they'll be completing those negotiations and talking to their board members about it. I'm not going to speculate on what Metrolinx is or is not going to do.

The point I want to make is that we're building an air-rail link. We're going to have a premium train service from Pearson airport to Union Station. I would expect that the New Democratic Party would actually be supportive of that. I would expect that the NDP would be supportive of more public transit, that they would understand that in order for Toronto to be a world-class city, we need to have that air-rail link, but apparently they are not supportive.

1130

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

**Ms. Andrea Horwath:** No matter how you look at it, this train purchase makes no sense whatsoever. Without Canadian content requirements, there will be no jobs created here in Ontario. Emissions from dirty diesel trains will be greater than those emissions that are currently coming from cars that they will take off the roads. The trains will require a costly overhaul, eventually, to become compatible with future electrification of the line.

The Metrolinx board does meet tomorrow, as the minister already has said, and they're going to be receiving an update on that air-rail link. My question to the Premier and the minister is, will the McGuinty government immediately instruct the board to slam the brakes on this foolish, foolish train proposal?

**Hon. Kathleen O. Wynne:** No, we're not going to stop building the air-rail link from Pearson to Union. I think that would be a very, very bad idea. Where there are procurement and Canadian content rules, obviously, those will be followed.

The point is, we are talking about convertible cars; we are talking about cars that will run with the highest quality diesel and will be convertible to electric. That's a reality that the member opposite consistently forgets to mention.

We are going to build this air-rail link; we are going to provide a service that will allow people to go quickly and efficiently from Pearson to Union Station. That is absolutely in the best interest of this city and the economic development of the GTHA.

## ANTI-BULLYING INITIATIVES

**Mr. Khalil Ramal:** My question is for the Minister of Education. Minister, parents in my riding of London-Fanshawe are very interested in what their children are doing at school, but, just as important, they want to make sure that students are in a safe environment. Bullying is a problem that happens everywhere, and parents want to know what we as a government are doing to make sure that our schools are safe in the province of Ontario.

Minister, as this is Bullying Prevention and Awareness Week, can you tell me what you're doing, as the Minister of Education and also as a government, to make sure we have a positive environment in our schools?

**Hon. Leona Dombrowsky:** I'm really happy that the honourable member has reminded the people in this assembly that it is Bullying Prevention and Awareness Week. Certainly, we want to thank the member from Kitchener-Waterloo again for all of her efforts in bringing this forward.

With respect to bullying in schools, we do recognize that we have a very important responsibility to do all that we can to comfort parents and have them understand that when their kids go to school, they are safe. That is why we have put in place a safe schools strategy. The purpose of this strategy is to enable school communities to focus on prevention. We know that when they put that effort up front, when they talk about prevention strategies before the bullying occurs, that can be most effective.

I had the opportunity this morning to be in a school where the students are absolutely excited about this initiative. It's sweeping across—

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

**Mr. Khalil Ramal:** Thank you, Minister, for sharing this information about the important steps that the government has taken towards keeping our schools safe. Bullying is indeed a very serious problem, and I'm pleased to hear that this government is acting swiftly on it.

Parents want to be involved with their children, whether inside the school or on the playground. Can you tell us, Minister, what kinds of steps you are taking to make sure to involve the parents in the safety environment in the schools?

**Hon. Leona Dombrowsky:** Again, because this has been such an important issue and we have listened to parents, that is why we did introduce the Keeping Our Kids Safe at School Act, which came into effect in February of this year.

This act requires that for all school board employees—not just teachers, but any board employee—who would witness an act of bullying or have an act of bullying reported to them, that must be reported directly to the principal. It also requires the principal to follow through on that report, and that the victim's parents be notified in the event that there has been this type of unfortunate situation occur at a school. We believe this is very, very important information. Parents deserve to have it.

We've also provided training for the staff, because we're saying now that it goes beyond teachers; it goes to all staff in a school. We have provided training for all staff to make our schools safer places—

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

#### HYDRO RATES

**Mrs. Joyce Savoline:** My question is to the Minister of Energy. Many of my constituents have been asking me questions about the government's time-of-use energy billing. They are wondering why, while they will be working diligently to conserve energy, they will be paying more due to this government's flawed smart meter time-of-use billing system.

Why is this government penalizing Ontario families and seniors for doing their part to conserve energy?

**Hon. Brad Duguid:** I think those very same constituents should be asking the member opposite why her leader wants to jack up the cost of time-of-use by imposing a duplicate system of billing that's going to impose huge administration costs on local distribution companies. If they really cared about the cost of time-of-use, they wouldn't be coming forward with the unthought-out ideas that the Leader of the Opposition has come forward with. We've looked at their ideas, and there's no question: Their ideas would jack up the cost of time-of-use.

It's time for that party and that leader to recognize the facts. The fact is, time-of-use, on average, is bringing bills down so far. It's early in the implementation, but all data suggest that, on average, costs are coming down for consumers.

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

**Mrs. Joyce Savoline:** It's clear to me that on that side of the House, the left hand doesn't know what the left hand is doing.

The reality is that Ontario families are doing their part; it's this government that isn't. This government is particularly penalizing those who are at home during the day, such as seniors and parents with small children. It's ludicrous that this government believes that our seniors should be waiting until 9 p.m. to do their laundry or run their air conditioner.

Why doesn't this government listen to Ontario families and seniors, who are expressing hardships, and stop using this one-size-fits-all practice?

**Hon. Brad Duguid:** Let's cut through the political rhetoric and go to somebody who's an expert on these issues; that would be our Environmental Commissioner, Gord Miller. This is what he had to say about your proposal: "It has been proposed to let people choose whether to pay a flat rate for their electricity, or have time-of-use pricing. I believe this would be short-sighted." Time-of-use "is about saving future costs for Ontarians.... By reducing peak demand (which should come about through customers' response to time-of-use prices), we avoid having to build more" expensive "power plants and transmission lines."

Listen to this; this is also what he says, and the member opposite should get this as well: "Going back to the same-old-same-old that did not work is not the answer."

We need to modernize our energy system. We will modernize our energy system.

**Hon. Margaret R. Best:** Who said that?

**Hon. Brad Duguid:** That quote came from Gord Miller, the Environmental Commissioner of the province of Ontario.

#### ABORIGINAL HOUSING

**Mr. Gilles Bisson:** My question is to the Premier. Premier, earlier this year, families were evacuated from their homes in Attawapiskat due to a major sewer back-up. As a temporary measure, the Department of Indian Affairs installed a temporary trailer complex, similar to what you would find at a construction site for workers at a remote site such as De Beers or any other site. These construction trailers are made up of about 90 rooms.

In these 90 rooms, we have 90 families, many of them with small children. What is really appalling is that, not only are the conditions not safe when it comes to the safety of the children, but we're finding that there is not even a fire alarm system that works in those particular trailers. There are standards in this province, and that would not be allowed anywhere else—at a construction site or in a town somewhere—in Ontario.

What are you prepared to do to make sure that these kids are protected according to the rules here in Ontario?

**Hon. Dalton McGuinty:** To the Minister of Aboriginal Affairs.

**Hon. Christopher Bentley:** It's absolutely essential that wherever our children happen to be, they receive the protection that they need. I think the member has raised a very important issue.

He does correctly say and suggest that matters which pertain to First Nations are the constitutional and, I would say, other responsibility of the federal government. I think the first thing that we're going to be doing is checking up and finding out what the federal government has done to investigate this particular issue.

I suspect my friend has already raised it with the federal government, a very important issue. I suspect he has, and I want to work with him to find out what the answer is; I want to find out what the answer is. Otherwise, it's an important issue. We must make sure that children are protected wherever they happen to be.

1140

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

**Mr. Gilles Bisson:** I want to remind you, Minister, that Ontario signed Treaty 9. I also want to remind you that these are citizens of the province of Ontario. I want to remind you that the federal government is missing in action. One only needs to go onto a reserve anywhere in this province, specifically in the Far North, to find out the deplorable situation that First Nations find themselves in because of a federal government that doesn't care, that has never been there and is not about to change anything.

So my question is to you: What is the province of Ontario prepared to do, as a signatory of Treaty 9, to ensure that these kids are safe and that we start making life better for them?

**Hon. Christopher Bentley:** We comply with our treaty obligations, but as my friend will know, as we work hard to make sure that First Nations, whether they're on- or off-reserve, have economic opportunities, as we improve their health, as we improve the child welfare approach in this province, we cannot, as a people, make up for a federal government that does not fulfill its constitutional responsibility. If we assume all the responsibility—my friend will know this—all that we're doing is keeping people at the same level they are today instead of building.

We need to make the improvements that we're making and get the federal government to live up to its constitutional treaty and moral responsibility, consistent with the UN declaration that they said that they were adopting just this past week, finally.

#### CRIME PREVENTION

**Mr. Reza Moridi:** My question today is for the Minister of Community Safety and Correctional Services. In my riding of Richmond Hill, the prevalence of violence is gaining more exposure in the media and is causing concern among my constituents. Gang violence has been negatively affecting Ontario for several decades. Both gangs and guns are a threat to the safety of our communities in Ontario.

I know that keeping Ontarians safe is a priority for this government. Can the minister tell my constituents how this government is working to fight crime in Ontario?

**Hon. James J. Bradley:** It's an excellent question. You will know that during Crime Prevention Week, we announced our continued support for the safe and vital communities program, for instance. The program was launched by the government in 2004 to help community partners reduce crime in their own neighbourhoods. It is open to community-based, not-for-profit organizations, First Nations Chiefs and band councils, with the support of local police. This year, we are providing 44 crime prevention projects right across the province.

Since 2004, our government has helped community agencies and chiefs and band councils to carry out 195 projects across Ontario. We happen to believe that fighting crime should be a multi-faceted approach, and it's essential to proactively work with our youth to demonstrate the positive and constructive ways to stop violence. We need to work with our teachers, our police, our parents and our constituents to create the kind of safer Ontario that the member seeks.

#### VISITORS

#### VISITEURS

**Hon. Leona Dombrowsky:** On a point of order, Mr. Speaker: I would like to welcome to the assembly today

the 385 Madoc army cadets from my riding in Prince Edward–Hastings. They just arrived. There are 50 here today with their leader, Tom Simpson.

**Hon. Christopher Bentley:** Is it a point of order to recognize that on Friday evening, there was a fundraiser in support of those who have undergone organ donation, and there was a race pulling a sulky and the Speaker of this Legislature was victorious in that race? Is that a point of order?

**The Speaker (Hon. Steve Peters):** It's not a point of order, but it was for a good cause. It was for a very good cause. Make sure, if you have not signed your organ donor card, to sign your organ donor card. It was a great night.

I think we should point out that the Attorney General came in last in that race, I think.

**L'hon. Madeleine Meilleur:** Monsieur le Président, avec votre permission, j'aimerais vous présenter Benoit Mercier, qui est le président de l'AEFO de l'Ontario. Merci d'être ici.

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 38(a), the member for Beaches–East York has given notice of his dissatisfaction with the answer to his question given by the Minister of Labour, concerning the practice of tip-outs. This matter will be debated tomorrow at 6 p.m.

#### MEMBER'S BIRTHDAY

**The Speaker (Hon. Steve Peters):** Happy birthday as well today to our good friend David Caplan, the member from Don Valley East.

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

*The House recessed from 1145 to 1300.*

#### MEMBERS' STATEMENTS

#### GOVERNMENT'S RECORD

**Mr. Norm Miller:** Across Ontario, many high school students are anxiously awaiting their mid-term reports. Similarly, Ontarians have been waiting to see the government's mid-term report in the form of the fall economic outlook and fiscal review, as required by the Fiscal Transparency and Accountability Act. The outlook was to be released on or before November 15. That's today.

I note that Mr. Duncan filed a letter with the Legislative Assembly indicating that the delay was to incorporate the latest StatsCan provincial economic accounts and labour force survey. Those reports were released November 4 and 5 respectively; that's 10 days ago. I'm trying to envision the circumstances under which any in-

formation contained in those reports would have required an entire rewrite of the fall economic outlook.

The whole situation is a little like a teacher setting a deadline for an assignment and the student failing to produce the homework. Unfortunately, the McGuinty government must score an F for failing to produce the report.

This is not the first time that the McGuinty government has received a failing grade. They've repeatedly failed Ontarians with their tax-and-spend ways, the introduction of the harmonized sales tax, the eco tax and increases in hydro costs, to name only a few.

Most recently, Premier McGuinty received a failing grade as the worst Premier in the country. Clearly, it's time for a change.

*Interruption.*

**The Speaker (Hon. Steve Peters):** I'd remind our guests that we certainly welcome your presence here in the Legislature. As much as you may want to participate, you have to be elected; and you'll have that chance next October. You just have to sit back and, even if you don't like something you hear, you have to sit on your hands.

#### WALK FOR MEMORIES

**Ms. Helena Jaczek:** Every five minutes that go by, one person is being diagnosed with Alzheimer's in Canada. Every decade that passes, the costs associated with Alzheimer's disease double.

On Sunday, October 24, I had the honour of attending Bloomington Cove's Walk for Memories, a fundraising event hosted by Bloomington Cove, which is a long-term-care facility in my riding of Oak Ridges–Markham. The walk also served as a kick-off event to Long-Term Care Week, which is sponsored by the Ontario Long Term Care Association. The proceeds of this event went towards programs and services that support individuals and families who are coping with Alzheimer's disease.

The walk was a wonderful success. We were joined by families and friends of individuals with Alzheimer's and strolled Main Street in Stouffville, a particularly historic and scenic route in my riding.

I would like to give my thanks and congratulations to everyone who donated their time and money to this worthy cause. I would like especially to recognize the efforts of Janet Iwaszczenko, administrator of the Bloomington Cove long-term-care facility, who has given so much of her time and effort to make this event a reality.

I'd also like to thank Lois Cormack, the president of the board of directors of the Ontario Long Term Care Association and of specialty care, who also attended, for her leadership in this important health care sector, who is such a strong advocate for individuals with Alzheimer's and their families.

#### NATIONAL ADDICTION AWARENESS WEEK

**Ms. Sylvia Jones:** I rise today on behalf of Tim Hudak and the Progressive Conservative caucus to recognize National Addiction Awareness Week. This year's

theme is Celebrating Healthy Choices, as it promotes addiction-free lifestyles for individuals, families and communities.

As a member of the Select Committee on Mental Health and Addictions, I had the opportunity to not only learn about addictions from front-line health care and support organizations, but to hear how addiction issues impact individuals and their families. We learned from parents who slept by their front door to prevent their son from slipping out to buy more drugs. We learned from First Nations communities who struggle to treat a large percentage of the population's addiction to alcohol and prescription drugs. We learned from those with both mental health and addiction issues, also known as concurrent disorders, who are told they have to first deal with their addiction before they can get mental health treatment.

It was from listening and learning from these individual experiences with mental health and addictions within the system that the committee came to a consensus on 23 recommendations that would get Ontarians with mental health and addictions issues the help they need.

Many suffering from mental health and addictions issues suffer in silence. I stand here today as we recognize National Addiction Awareness Week and continue to advocate for the adoption of all 23 recommendations from the select committee's report, so those suffering in silence can finally be heard.

#### OFFICE OF THE OMBUDSMAN

**Mr. Rosario Marchese:** In a few minutes, I will be introducing a private member's bill. This bill will expand the mandate of the Ombudsman to include organizations delivering crucial public service to our most vulnerable Ontarians: hospitals, long-term-care facilities, retirement homes, school boards and children's aid societies.

Parents, children, patients and the elderly have nowhere to turn when the system fails them. They need help. This government needs to let the Ombudsman in.

I would like to take a few moments to thank everyone in the gallery who has come here today to support this bill. This is an important issue to many. We have guests here today from Courtland, London, Sudbury, Waterloo—from all over the province. We have representatives from ImPatient For Change; Protecting the Children; Voices of Innocent Families in Ontario; Canadian Maltese Charitable Service Trust; Canada Court Watch; Child and Families Advocating for Accountability; Fix CAS; After Foster Care, the Foster Care Council of Canada; Protecting Canadian Children; and Protecting the Innocent. The individuals who are here I wanted to name and to thank: Gina Konjarski, Lillian Forkohoule, Andrew Skinner, Michelle Lafantasie, Neil Haskett, Brian Caldwell, Lori Meadows, Elliott Frankl, Cybele Sack, Chris Carter, Mickey O'Reilly and Heather Freeborn.

I hope I haven't forgotten some, but I'm sure I have. I want to thank you for coming today.

### COUNCIL ON AGING OF OTTAWA

**Mr. Yasir Naqvi:** I'm pleased to rise today to recognize a great organization in my community and offer a special recognition of their 35 years of service for our seniors.

The Council on Aging of Ottawa is a bilingual, non-profit voluntary organization dedicated to enhancing the quality of life for all seniors in Ottawa by working directly with seniors, their extended families, public and private care providers, service agencies and the government. The council receives support from the Ontario Ministry of Health and Long-Term Care, the city of Ottawa and the United Way Centraide Ottawa for this important work.

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This work can be summed up in five categories of action: to investigate through work groups, research consultations and partnerships; to communicate important information on issues and services to seniors and the broader community; to educate the community, agencies and policy-makers through workshops, publications and dialogue; to coordinate with other organizations and agencies for better outcomes for seniors; and to activate, by using all of these tools to advocate with policy and planning bodies, service agencies and community members, inspiring action for the well-being of seniors.

The council has addressed many important issues in this way, such as elder abuse, healthy lifestyles, seniors' benefits, hospital discharge planning, daycare and community services, friendly visiting, self-advocacy, living at home, and peer counselling.

I would like to acknowledge and thank the president of the Council on Aging, Dr. Lise Chislett, and vice-presidents Kathy Yach and Dr. Hugh Armstrong. Congratulations on your service to the seniors in Ottawa.

### CANADIAN FORCES

**Mr. John O'Toole:** November is a time of reflection and remembrance of those who have served our country in conflicts, past and present, around the world. Their sacrifices mean we can stand in this very chamber and speak freely of events.

As we remember those who have fallen, let us not forget those who continue to serve our country overseas in Afghanistan and beyond. They need our support, and that is why I'm pleased to honour the Rose of Durham volunteers who recently held their Coffee to Kandahar Tea, which raises money to purchase Tim Hortons gift cards for our troops serving overseas.

I'd like to commend Evelyn Murphy, the Rose team leader; Mary Taylor, a dedicated volunteer; and Lieutenant Colonel John Conrad, who accepted their gift on behalf of our soldiers overseas. These volunteers ensure that our troops receive the comfort and support from home that they deserve.

We must never forget, and we must remember to support, those who continue to stand on guard for us. All of us, I'm sure, thank the volunteers in our Legions and

our auxiliaries. Especially, I'd like to thank the Rose volunteers.

### EVENTS IN TIMISKAMING-COCHRANE

**Mr. David Ramsay:** I'd like to update members of the House on a couple of very exciting projects that are having a good impact on my riding. One that I've talked about before is the redevelopment of the old gold workings west of Matachewan, in the Kirkland Lake Gold break area. There are now 100 workers on site there. A raise borer machine is there now, starting the pilot holes of the new shaft, and that is very exciting. Of the 100 workers that are on site, 25 to 30 come from the Matachewan First Nation, so it's a good example of a company like Northgate Minerals working very well with its neighbours.

Further north is a mine, north of my riding, in Detour Lake that is having an impact on the town of Cochrane. There are going to be several offices and related buildings that are going to be situated in Cochrane. That's going to bring high-quality employment and highly educated people into the area, which is going to be very good for that community.

In both areas, I'm working with the Minister of Northern Development, Mines and Forestry, because the sweet headache there is, how are we going to accommodate all the workers in these towns? We're going to have to find ways to assist these communities that have been struggling over the years—these single-industry towns—to redevelop themselves. It's a nice challenge to have, and I look forward to working with my colleagues on making that happen.

### REGIONAL FOOD DISTRIBUTION ASSOCIATION

**Mr. Bill Mauro:** On October 29, I had the pleasure of announcing \$237,000 of funding from the northern Ontario heritage fund toward a great cause. The Regional Food Distribution Association and their chair, Larry Brigham, have been working tirelessly for some time to achieve their goal of enhanced storage facilities to serve their clients in a region stretching from Marathon in the east to Kakabeka and Dryden in the west.

The newly named Paterson Family Food Centre will also accommodate a commercial kitchen and training facility for food handling and preparation, creating five to 10 jobs in the process. The renovation of a 15,000-square-foot building on Syndicate Avenue could not have been done without great partnerships and the strong support of community groups and organizations.

In addition to our government's funding, other contributors include the Paterson Foundation, the Fort William Rotary Club, the city of Thunder Bay and the municipalities of Greenstone, Marathon, Dryden, Nipigon, Neening and O'Connor. Donations from the public, from church groups and from corporations have also helped the RFDA's efforts.

Additionally, I would like to thank the entire board of the RFDA: the chair, Larry Brigham; vice-chair, Kelly Hicks; treasurer, Eileen Pelletier; secretary, Cathy Oleschuck; Rolland Manning; Peter Doig; Keith Bunn; June Gaw; Yvonne Romas; Marcelle Paulin; Michael Gallagher; and Laren Beach.

I want to personally thank all volunteers, past and present, who have contributed so much time and energy to this project. Their effort has enhanced the ability of the RFDA to better serve those in need in our communities. Where would our communities be without the contributions of our volunteers?

### PROSTATE CANCER

**Mr. Ted McMeekin:** I want to shed some light on a shocking statistic: One in six men will be diagnosed with prostate cancer in their lifetime. Having been one of those surviving this cancer has not only made me far more proactive about my own health, but more involved in raising awareness and understanding of men's health issues in general.

It was with this awakened sense of purpose that I decided to participate in Movember, a global health movement seeking to raise awareness and funds for the number one cancer affecting men, prostate cancer. The idea of Movember was sparked in 2003 in Melbourne, Australia, and has since expanded to countries around the world. Participants start Movember clean-shaven and then grow a moustache for the entire month to symbolize a collective effort to change the face of men's health. Some \$7.8 million has been raised in Canada, and that money goes to research, screening, treatment options and support services.

After 37 years, I decided to come completely clean. It's growing back, so I'm getting there. As I champion this cause by leading my own Movember team, McMeekin's Moustaches, I challenge my honourable colleagues to lead their respective communities in this great fight and to join together in the Movember effort.

### INTRODUCTION OF BILLS

#### OMBUDSMAN AMENDMENT ACT (DESIGNATED PUBLIC BODIES), 2010

#### LOI DE 2010 MODIFIANT LA LOI SUR L'OMBUDSMAN (ORGANISMES PUBLICS DÉSIGNÉS)

Mr. Marchese moved first reading of the following bill:

Bill 131, An Act to amend the Ombudsman Act to give the Ombudsman power to investigate designated public bodies / Projet de loi 131, Loi modifiant la Loi sur l'ombudsman pour donner à l'ombudsman le pouvoir d'enquêter sur les organismes publics désignés.

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

*First reading agreed to.*

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

**Mr. Rosario Marchese:** The bill amends the Ombudsman Act to give power to the Ombudsman to do anything it may do under the act, in respect of a governmental organization, in respect of a hospital, long-term-care home, school board, children's aid society or retirement home.

### UNIVERSAL CHILDREN'S DAY

### AND NATIONAL CHILD DAY

### JOURNÉE MONDIALE DE L'ENFANCE ET JOURNÉE NATIONALE DE L'ENFANT

**Hon. Monique M. Smith:** I believe we have unanimous consent that up to five minutes be allotted to each party to speak on Universal Children's Day and National Child Day.

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

**Hon. Laurel C. Broten:** It's a privilege to rise today to mark the United Nations' Universal Children's Day and Canada's National Child Day, which is this Saturday, November 20.

C'est un privilège pour moi que de prendre la parole aujourd'hui afin de célébrer la Journée mondiale de l'enfance des Nations Unies et la Journée nationale de l'enfant au Canada, qui se dérouleront ce samedi 20 novembre.

For the past half-century, this day has been dedicated to celebrating childhood and promoting the welfare of kids around the world. In Canada, we've been celebrating National Child Day since the early 1990s. It is a reminder that it is our duty as citizens to protect the basic human rights of all kids in our country year-round. It is also an opportunity to recognize how children enrich our lives through their curiosity, their innocence, their thirst for knowledge and their resilience.

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Earlier today, I had the pleasure to meet and talk with some very inspiring young people at a lunch hosted by the Provincial Advocate for Children and Youth. As always, in my meetings with young people across this province, I was struck by their enthusiasm and their desire to contribute to the social good.

Our children represent our strength of purpose and the promise of the future. It is our shared responsibility to respect their rights, whether it is to be heard, to be protected or to be provided with opportunities to reach their full potential. This government takes their rights and their needs seriously.

Les enfants sont le reflet de notre forte détermination en même temps que la promesse d'avenir.

Our young people are the leaders and architects of tomorrow. We need to hear from them and we need them to help us make a better Ontario. That is why we're

working with youth to develop a plan called the youth policy framework. This plan will help us better understand how young people grow and develop and what they need to succeed along the way.

I'm particularly excited that we are moving forward with this plan in this, the United Nations International Year of Youth, and its timely theme of generating much-needed dialogue and mutual understanding with youth. Around the globe, individuals and governments are reaching out to youth to help them tackle the challenges and seize the opportunities that will help to make our world a better place.

This government is working hard to provide the opportunities and supports needed to help all of our young people thrive and succeed, especially our most vulnerable. This year marks the second year of our poverty reduction strategy—our province's plan to lift 90,000 kids and their families out of poverty in five years. Our plan includes programs like the Ontario child benefit, which is helping low-income families provide for their kids; it includes our student nutrition program, which is helping more than half a million kids across the province start their school day with a healthy breakfast or snack; it includes Healthy Smiles Ontario, our new program that will allow 130,000 kids to get regular dental checkups in their communities free of charge; and it includes our summer jobs for youth program, which gives at-risk youth valuable work experience that will contribute to their communities and build a strong workforce for Ontario—and we funded 4,700 jobs for youth this summer.

This government cares about our children's education. In September, we introduced full-day kindergarten for 35,000 four- and five-year-olds in 600 Ontario schools. Full-day learning gives kids a stronger foundation for success throughout all of their school years. We have increased accessibility and affordability of post-secondary education and created thousands of new spaces in colleges, universities and apprenticeships.

Our accomplishments are many, but there is still much to do. Today is a day to celebrate kids who are succeeding but also to remember and recognize kids who are struggling. Today is a day to reaffirm our commitment to continue our good work for kids across Ontario to ensure that they are treated as equals, listened to, respected, protected and supported in all that they do.

I urge all members of this assembly to reflect on how we can better serve and help children and youth in Ontario together, because, in the words of former South African president and Nobel Peace Prize winner Nelson Mandela, "There can be no keener revelation of a society's soul than the way in which it treats its children."

Please join me in celebrating National Child Day by recognizing our collective role in supporting and nurturing Ontario's children and youth today to help ensure a better tomorrow for all Ontarians.

**Ms. Sylvia Jones:** On behalf of Tim Hudak and the Progressive Conservative caucus, I'm pleased to rise today to acknowledge National Child Day.

I'd first like to thank all the young people who joined us today at the luncheon hosted in the Speaker's dining room and encourage them to continue to raise awareness for children's rights. I was struck by one of the speakers, who said, "We look up to MPPs as leaders, and we hope that, with sharing our stories today, you will listen." Rest assured that I heard the stories; I heard the challenges. Quite frankly, it brings it closer to home, as we review government policies and new legislation, that we have to keep in mind what actually happens on the ground.

I was fortunate to participate in a similar celebration last year on the 20th anniversary of the Universal Children's Day. We can all talk about the enormous strides that have been made to protect children from exploitation and harm, but we also have to be very aware that there are still children in need, children reaching out for services. We need to be aware of that as legislators as we review policies and procedures and as we look at children's aid societies across Ontario that are struggling, that are reaching out to the Minister of Children and Youth Services, saying that they cannot provide the services that they are legislatively obliged to provide without additional funding. We need to be cognizant of that as we review our policies and our economic situation in Ontario.

It is reprehensible to me, quite frankly, that children are on waiting lists for mental health services. We would never allow it if they had diabetes or another illness, and yet with mental health and addictions issues somehow it has become acceptable to say, "Your child can wait. Your child needs to wait and that's okay." I don't think that's okay. I think we can do a much better job here in ensuring that the services are being provided on the ground, and we should be constantly vigilant that our most vulnerable people and people who, quite frankly don't have the ability to have a voice in this chamber get to be heard.

It was a pleasure to join the youth ambassadors today at the lunch. I hope you continue speaking out and advocating, because it's an important role that you play. We will continue to listen and try to react and respond.

**Ms. Andrea Horwath:** It's my pleasure to be here to speak on behalf of New Democrats, because we are very proud to speak in favour of the United Nations Convention on the Rights of the Child. We know that today in the provincial Legislature, in your own space, Speaker—and I want to thank you for that—there was an opportunity to have a luncheon with the independent child advocate, staff from his office, as well as some of the young people themselves. It was a very lovely opportunity.

The provincial child advocate, their staff, and in fact all of the agencies and international groups that serve children and youth, and the young people themselves, need to be commended for focusing on a goal that we all share, which is meeting the needs of the children and always working in the best interests of the child.

Members will recall that last year was the 20th anniversary of the November 20, 1989, declaration. The

Convention on the Rights of the Child is the first legally binding international instrument to incorporate the full range of human rights: civil, cultural, economic, political and social rights. It was developed to ensure that the world recognized that children have human rights too.

The convention sets out these rights in 54 articles and two optional protocols. It spells out the basic human rights that children everywhere have: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life. The four core principles of the convention are non-discrimination, devotion to the best interests of the child, the right to survival and development, and respect for the views of the child. Every right spelled out in the convention is inherent to the human dignity and harmonious development of every child. The convention protects children's rights by setting standards in health care, education, and legal, civil and social services.

By ratifying the agreement, Canada and its provinces and territories have agreed to hold themselves accountable for this commitment before the international community to develop and undertake all actions and policies in light of the best interests of the child. UNICEF, the well-respected children's arm of the United Nations, is guided in its work by the provisions and principles of the Convention on the Rights of the Child. Built on varied legal systems and cultural traditions, the convention is a universally agreed set of non-negotiable standards and obligations. They are founded on respect for the dignity and worth of each individual, regardless of race, colour, gender, language, religion, opinions, origins, wealth, birth status or ability, and therefore apply to every human being, everywhere. These standards are both independent and indivisible. We cannot ensure some rights without or at the expense of other rights.

In Ontario, as privileged a jurisdiction as it is, there is much more work to be done. There continue to be children and youth in this province who do not have equal rights to an education—we heard about that in question period today—to health care, to good nutrition and to child care. I think in particular of the children with mental health challenges and other special needs such as autism, where waiting lists for treatment are far too great and families not adequately supported. I hear from these families virtually every day as the critic.

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Unfortunately, hunger and poverty continue to hamper the quality of life and potential for children and their families as well. In the greater Toronto area alone, 1,187,000 people turned to food banks to eat in 2010; 34% were 18 years of age or younger; 15% of children go hungry at least once a week according to the most recent profile from the Daily Bread Food Bank on who's hungry.

As legislators, we need to listen—really listen—to what we hear on the ground in our communities and work together to fill the gaps and improve services. Early intervention is the most cost-effective strategy for ad-

ressing many of these concerns. One in five children suffers from some form of mental illness, but of that one in five, only one in five will ever get help. The second-leading cause of death among children and youth after accidents is suicide. In Ontario, two children commit suicide every single week, and young people suffering from eating disorders have a mortality rate of 10%—and some say that's a conservative figure. Mental illness takes the life of more children than cancer does, yet services to deal with these children's mental health issues remain far from adequate. Building a responsive system is incumbent upon all of us.

I very much enjoyed speaking to the young people today and hearing what their thoughtful words were to guide us in our decision-making. Their input informs us and inspires us to stay on track, supporting their best hopes for the future and ensuring that our decisions are made in the best interests of the child. We heard from a young woman who talked about the sense of not having her voice heard in her own family, the sense of feeling invisible. She told us at the luncheon that when you feel invisible, you tend to do things to hurt yourself or to hurt others, and that's how she responded to her situation at home. We heard another young man who had a learning disability. In fact, we heard from a young man who was on the autism spectrum, and he told us about his difficulty in getting a proper assessment, and then after he got proper assessment, getting the proper supports to be able to meet his potential in educational institutions in this province. Of course, we also heard from another young man who said that even though he had been in the system, in care, all his life, he, in many ways, felt privileged because he knew that there were other children who didn't have as much as he had, and that, in some ways, made him feel a little bit guilty.

Those young people who come here every year and who you have hosted on occasion have a lesson for all of us, which is: If we don't pay attention to what they say, we really are not creating the kind of future that we can all be proud of.

**The Speaker (Hon. Steve Peters):** I'd like all members to join me in welcoming the youth who are visiting from across the province today, in the west gallery. This is as part, as we've heard, of the United Nations Convention on the Rights of the Child and National Child Day. It's a real pleasure to have you here. I hope you've enjoyed your opportunity to visit Queen's Park today.

## PETITIONS

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

**Ms. Sylvia Jones:** This petition is from an individual from Guelph, actually.

“Whereas the Ontario Society for the Prevention of Cruelty to Animals 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 then-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 support this petition, and I’m pleased to affix my name to it and to give it to page Connor to take to the table.

#### CHILD PROTECTION

**Mr. Gilles Bisson:** I rise with pleasure to read this petition. It’s a petition to grant the Ombudsman oversight of children’s aid services. It reads as follows:

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

“Whereas Ontario is one of the few provinces that does not have independent oversight of child welfare administration; and

“Whereas eight provinces now have independent oversight of child welfare issues, including child protection; and

“Whereas all provincial Ombudsmen first identified child protection as a priority issue in 1986 and still Ontario does not allow the Ombudsman to investigate people’s complaints about children’s aid societies’ decisions; and

“Whereas people wronged by CAS decisions concerning placement, access, custody or care are not allowed to appeal those decisions to the Ontario Ombudsman’s office;

“Therefore we, the undersigned citizens of Ontario, petition the members of the provincial Parliament of Ontario to enact legislation in support of the Ombudsman of Ontario to have the power to probe decisions and investigate complaints concerning the province’s children’s aid societies (CAS).”

This was gathered by Anna Tessier of Iroquois Falls, and I’ve signed the petition.

#### SOCIAL ASSISTANCE

**Mr. Shafiq Qaadri:** This petition was brought to me courtesy of members of OCAP, the Ontario Coalition Against Poverty. I had the privilege of meeting with about 25 protestors in my office on Friday. This is a petition to the Legislative Assembly of Ontario.

“We, the members of your community, are disgusted by the decision of your government on March 25 in the 2010 provincial budget to scrap the special diet allowance;

“Whereas the special diet is money that people on welfare (OW) and disability (ODSP) rely on in order to buy healthy food and make ends meet. For years, people have been forced to choose between two essential needs, housing and food, as a direct result of inadequate OW and ODSP rates;

“Whereas, on March 25, 2010, this government put forth the most anti-poor budget since Harris in 1995. In cutting the special diet, you have chosen to be only the third government in Ontario’s history to cut social assistance. This is a brutal move that will make hundreds of thousands of people hungry, sick, at risk of being evicted or homeless;

“Whereas, in 1995, the Tory government cut welfare by 22% and froze disability rates. Today, that cut in income is equivalent to approximately 55% with inflation and the cost-of-living increase for the last 15 years. The Liberal government campaigned against the Tories on a platform of poverty reduction and reversing the Harris cuts. But since 2003, little has been done to account for inflation, let alone reverse the Harris cuts, and in fact, people on social assistance today are worse off than they were in 1995. This is shameful.

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

“That Parliament bring back the special diet allowance immediately and that you finally reverse the 1995 Harris cuts by raising OW and ODSP rates to where people can live with health and dignity.”

I send this to you via page Joshua.

#### VETERANS

**Mr. Robert Bailey:** This petition is to the Legislative Assembly of Ontario, gathered primarily by Wilma McNeill from Sarnia–Lambton.

“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 will send that down with William.

#### REPLACEMENT WORKERS

**M<sup>me</sup> France Gélinas:** I have this 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, the undersigned, petition the Legislative Assembly of Ontario to enact legislation banning the use of temporary replacement workers during a strike or lockout."

I fully support this petition, will affix my name to it and ask page Jake to take it to the Clerk.

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#### BRITISH HOME CHILDREN

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

"Whereas, between 1869 and 1939, more than 100,000 British home children arrived in Canada from group homes and orphanages in England, Wales, Scotland and Ireland; and

"Whereas the story of the British home children is one of challenge, determination and perseverance; and

"Whereas due to their remarkable courage, strength and perseverance, Canada's British home children endured and went on to lead healthy and productive lives and contributed immeasurably to the development of Ontario's economy and prosperity; and

"Whereas the government of Canada has proclaimed 2010 as the Year of the British Home Child and Canada Post will recognize it with a commemorative stamp;

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

"Enact Bill 12, a private member's bill introduced by MPP Jim Brownell on March 23, 2010, an act to proclaim September 28 of each year as Ontario home child day."

As I agree with this petition, I shall sign it and send it to the clerks' table.

#### VETERANS

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

"It has often been said: 'If we don't remember the past, we are doomed to repeat it.' 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?

"We must not forget our Canadian men and women who have made the supreme sacrifice in Afghanistan.

"I urge the Legislative Assembly of Ontario to declare November 11, Remembrance Day, a statutory holiday in Ontario; lest we forget."

I'd just like to add that these accumulate over 4,500 signatures in this petition collected by Wilma McNeill.

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

**Mr. Gilles Bisson:** I have petitions here from Lynn Perrier from Thornhill, as well as Ray Boutin and Lise Labonté from Timmins, and they read as follows:

"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 give this petition to Jake, who will bring it down to the table.

#### CEMETERIES

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

"Whereas the Ontario Historical Society, founded in 1888, is a not-for-profit corporation, incorporated by the Legislative Assembly of Ontario April 1, 1899, with a

mandate to identify, protect, preserve and promote Ontario's history; and

"Whereas protecting and preserving Ontario's cemeteries is a shared responsibility and the foundation of a civilized society; and

"Whereas the Legislature failed to enact Bill 149, the Inactive Cemeteries Protection Act, 2009, which would have prohibited the relocation of inactive cemeteries in the province of Ontario; and

"Whereas the Cooley-Hatt Cemetery (circa 1786) is located in the Niagara Escarpment plan within Ontario's greenbelt plan in Ancaster, city of Hamilton; and

"Whereas this is one of the earliest surviving pioneer cemeteries in Ontario, with approximately 99 burials, including at least one veteran of the War of 1812;

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

"The government of Ontario must take whatever action is necessary to prevent the desecration of any part of this sacred burial ground for real estate development."

As I agree with this petition, I shall sign it and send it to the clerks' table.

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

**Ms. Sylvia Jones:** I have a petition to the provincial Parliament.

"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 support this petition and am pleased to affix my name to it and give it to page Kyle to give to the table.

**DIAGNOSTIC SERVICES**

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

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

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

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

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

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

**MULTIPLE SCLEROSIS TREATMENT**

**Mr. Jim Brownell:** I have a petition that reads as follows:

"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, universally practised procedure that is low-risk and at relatively low expense;

"Whereas, while more research is needed, MS patients should not need to await such results;

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

"That the Legislative Assembly of Ontario allow people with multiple sclerosis to obtain the venoplasty that so impacts their quality of life and that of their family and caregivers."

I shall sign this and send it to the clerks' table.

**ONTARIO PHARMACISTS**

**Mr. John O'Toole:** Mr. Speaker, I'm very pleased on your behalf to introduce a petition. Thank you for the opportunity. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government is cutting front-line health care at pharmacies, which would mean higher prices, less service and even store closures for us" in rural Ontario;

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

"Stop the cuts to front-line health care," especially our pharmacies, now, Premier McGuinty.

I'm pleased to sign and support this and hand it to one of the new pages, William.

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS

**Mr. Gilles Bisson:** I have yet again a petition, this time from Gisele Baka and Clara Davidson of Timmins. It reads as follows:

“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’ve signed that petition.

1350

ORDERS OF THE DAY

BROADER PUBLIC SECTOR  
ACCOUNTABILITY ACT, 2010

LOI DE 2010 SUR  
LA RESPONSABILISATION  
DU SECTEUR PARAPUBLIC

Resuming the debate adjourned on November 2, 2010, on the motion for second reading of Bill 122, An Act to increase the financial accountability of organizations in the broader public sector / Projet de loi 122, Loi visant à accroître la responsabilisation financière des organismes du secteur parapublic.

**The Speaker (Hon. Steve Peters):** Pursuant to the order of the House dated November 4, 2010, I am now required to put the question.

On October 26, 2010, Ms. Matthews moved second reading of Bill 122, An Act to increase the financial accountability of organizations in the broader public sector. Is it the pleasure of the House that the motion carry?

All those in favour will say “aye.”

All those opposed will say “nay.”

In my opinion, the ayes have it.

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

A recorded vote being required, I have received a note dated November 15 from the government House leader that this vote be deferred until deferred votes tomorrow.

*Second reading vote deferred.*

TICKET SPECULATION  
AMENDMENT ACT, 2010

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

Resuming the debated adjourned on November 4, 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 Speaker (Hon. Steve Peters):** Further debate.

**Mr. Wayne Arthurs:** I’m pleased to enter into the debate on Bill 172, An Act to amend the Ticket Speculation Act. I want to start by referencing that the last time this was in the Legislature—I’m not sure exactly what day that was—it was the fifth day of second reading and the member from Oxford had finished speaking to the bill at that point in time. The legislation was led off for second reading by the Attorney General; I believe that was either October 16 or 21. So it’s been before us now—I see it was October 21. This will be the fifth day, I understand, over the past month. There was a bit of a break between the time we recessed for the constituency week over the Remembrance Day period and today. We’re now back to it.

This particular piece of legislation is relatively simple, certainly in its intent. Obviously, the enforcement of these things becomes more challenging, I think, in part, but it’s relatively simple. It’s to provide a level of fairness and to ensure Ontarians that when they are purchasing tickets, particularly online, they have an opportunity to purchase those tickets at a fair market price as advertised when they make those calls or when they make that entry online; an example being, without getting into any specific show or individual, you can go online when it says, “Tickets go on sale at noon hour.” There’s 16,000 tickets or 20,000 tickets or 25,000 tickets, depending on the venues. And adults and young people go online to get tickets and three minutes after noon hour the tickets are sold out.

One has to figure, how do you sell out 25,000 tickets in three minutes, even online? But at the time they make that online request they’re immediately redirected to a secondary seller—a secondary seller who wants two and three times the face value for that ticket. And that secondary seller is a directly affiliated company with the company that was selling the ticket at the base price. So that \$100 ticket for the concert show that a young person wants to go see, or the \$50 ticket, is now going to cost \$150 or \$300 if they buy from the reseller. But the reseller is in effect an affiliate company. What really has

happened is that the primary company has only released a small fraction of the number of available tickets at that 12 o'clock time frame and the balance of those tickets have already been shifted over to a secondary company. And you as a purchaser, unaware, are being directed to that other company, that reseller, and assuming that all those tickets that were available have been snapped up and that the reseller has a small quantity and they're going to let you have them at this premium price. And because you or a young person in your family or someone else wants to go see this particular show or concert, as the case might be, you think you may be getting a bargain, even though you're paying the inflated price, because of the fact that you're assuming all the tickets have been snapped up and you've got one last opportunity. Well, that's not a fair practice; I would go as far as to say that that's not even an honest practice. This legislation, Bill 172, is clearly intended to stop that practice from occurring.

When the Attorney General spoke to this, he spoke specifically to these types of matters, that legislation has been introduced in other jurisdictions because of complaints in those jurisdictions, and we've seen the complaints here in Ontario. This legislation is being introduced to ensure that Ontarians, when they are taking advantage of the culture, sports and entertainment available to us, get things done fairly and honestly in their ticket prices.

We only have to take a look here in this great city of Toronto. It just happens that although my riding spans between Toronto and Durham region in Pickering—it's Pickering–Scarborough East—I'm actually a member of the Toronto caucus within our caucus, and thus I have a particular affinity to the city of Toronto. Some of my constituents in Pickering may not like that idea much, but when you look at the entertainment forums we have here in the city of Toronto, when we look at the cultural and sports opportunities that exist, it's particularly important, because of the amount of money that's being put through the system and because of the fact that we're trying to generate a tourism business around entertainment—and it's strong already—that those who are purchasing tickets to see plays and shows and sports entertainment here in Ontario are treated fairly and honestly. This particular legislation is going to be a big help in doing that.

We have the Open for Business approach that the government announced in its last budget. This is an element, although not a specific piece of legislation on that, of being open for business. If you want to do business in Ontario and if you want to come here, we want to ensure that you are being treated fairly, that you are getting your due, that you're getting an honest approach to the business environment. If we're not doing that, if we don't do the things necessary under legislation to ensure that people have the opportunity for sports and cultural events—and that's sometimes the disposable income. It's what draws people to this province and to this city, their disposable income. If they don't think they are getting a fair shake, if they find out they're not getting a fair shake, it certainly doesn't encourage them to con-

tinue spending their money here—our money, if we're local, or the tourists we have—and it certainly doesn't encourage those who want to invest in this province to make investments here. It's just one small example of what we can do to ensure that this province is and remains open for business.

We don't need to have major ticket sellers—and I don't think there's a particular need, at least on my part, to reference names. I think those out there who use ticket sellers, the main ones, know the names. It's like dialling for pizza: 967-1111. If you think about who you buy tickets from online, you know who the big players are. It's those big players, frankly, who have caused this to occur. They have been party to this. They are not alone in that, but they've been party to it. We need to ensure that they understand, from the standpoint of just not doing it, that it's not good business practice, but they have to understand there will also be consequences if they choose not to act now and certainly if they don't act in accordance with the law, once the legislation, if passed, is in place.

Now, any time one puts in place legislation of this nature, there is obviously a need and a requirement to ensure that there are penalties attached to it, so that there will be not only voluntary compliance—because, ideally, people respect the laws that are in place—but there will also be enforcement provisions. In this particular case, the enforcement provisions include fines, and those individuals who are convicted of this particular offence are liable to fines of a maximum of \$5,000, and a corporation is liable to a maximum fine of \$50,000.

Now, these are punitive fines, and they are intended to be. They are not punitive, I would suggest, to the extent that they would be putting out of business a large ticket seller or reseller, but they have to be substantive enough to send a clear message that behaviour of this nature, if it occurs, is unacceptable within the legislative framework that we have here in the province of Ontario.

The bill itself is not extensive, and it doesn't need to be. The members, I know, have read through the legislation. It can be found on a very few pages of paper because it doesn't have to be unnecessarily complex. It has to be reasonably straightforward.

#### 1400

“Primary seller” means the person or the business who is engaged in the business of selling tickets as the principal putting the tickets forward. It includes “the owner of the place to which a ticket provides admission”; the promoter of the event is included for that purpose, “and any agent or broker of those persons.” Those are considered the principals.

There are secondary sellers as well, but it's broad enough to capture this issue of being able to move the ticket sales from the primary seller, if you go online as an example, and that's the price, the tickets aren't available, you get redirected elsewhere—they're still considered to be part of the primary selling group. So you can't be, in effect, gouged—and there's not a much better word that could be used, “gouged”—by seeing the prices for a

ticket double and triple from what the face value is, simply because the company chose not to allow all the tickets go for sale under the primary account when people go online, but instead have moved offline, off to the side in another venue, thousands and thousands of those tickets.

One only needs to do the math. If we see venues where there are 20,000 and 25,000 people attending a concert and you start multiplying that by hundreds of dollars, you can see the fiscal impact, the potential profit margin available to these companies if they move these tickets elsewhere, as opposed to the real cost of putting on the venue and attracting the talent necessary to make these particular things happen.

I know that, like many in this room—many, or most of us—who have families, children and/or grandchildren—in my case, it's now the grandchildren that we hear from most frequently. I see their Facebook stuff, where they're all excited about a new band coming to town, a new young group of some sort, most of whom I don't know. I know that my granddaughters in Oshawa—I think that Hedley is the band of choice these days. As soon as tickets came on sale, my daughter was online looking for tickets for Hedley for the granddaughters to attend the concert in the Durham area.

You're always pleased when you know that they do that and they're going to get some entertainment and do the things they want to do. But it would also be nice to know that they'll be able to buy those tickets, that they'll be able to purchase them at a price that can be afforded. It would be nice to know if the young person is sharing in that cost—if they have part-time jobs or are at school, mom and dad might say, "Look, I'm happy to support you in doing that, but I can't afford to buy your \$75 ticket or your \$100 ticket to this particular venue," if there are two or three young people in the family. But the parents are saying, "I'll share the cost with you. If you can save some money through your allowance or a part-time job, I'll pay for half the cost of that ticket, but I can't pay the whole thing."

What a disappointment it is to that young person who goes online, sees the tickets advertised for \$50 or \$75 to a band that they find that they would like to see, a talent that they're really attracted to, and suddenly, they're redirected from that website to somewhere else. The tickets aren't \$50 now; the tickets, because they're with a reseller, are now \$150. How disappointed are they going to be? They don't have that kind of money. They don't have it in their savings. Mom and dad committed to paying half the price of a small ticket, and now that has gone up three times. It's that kind of unfairness to Ontarians that this legislation is clearly intended to correct.

The issue was drawn to our attention, as I said earlier, as it has been drawn to the attention of others in other jurisdictions over the past year or more, probably, at this point in time, because it has been seen to be cropping up in various jurisdictions. Some jurisdictions have already been able to get legislation in place or take the necessary actions. We're in that process now with the introduction

of legislation not more than a couple of months ago, but certainly, if I go back to—actually the introduction of the legislation was as early as the end of April 2009, but then, shortly thereafter, once the summer came, we were into our summer recess period. The legislation was introduced for second reading in the latter part of October, and now we're into the middle of November, with our fifth or sixth day of debate. Soon, I think, if this Legislative Assembly will conclude its debate on the matter, as many members in this place who wish to speak to it have that opportunity, we'll be able to move, presumably, to committee for any additional inputs that may be required or desirable at that point in time, and then bring it back to this place, ideally for third reading debate and the ultimate adoption of the legislation so that it can be put into place with any regulatory necessities that will come with it.

Ontarians work hard. Ontarians have come through a difficult period of late with the economy, as have other jurisdictions throughout the world. Ontarians want to be able to raise their families, they want some disposable income, and they want to enjoy the culture and entertainment and sports venues that this great province has to provide to them. As part of that struggle that they continually go through, no less so of late, the last thing they need is that with the disposable income they might have left, when they're making those conscious choices about what they want to do with that small amount of disposable income to enjoy the culture that we have here in the province, to enjoy the sport and entertainment venues—the last thing they want to have happen is that that hard-earned money is effectively being gouged away from them by inflated ticket prices for these venues because of the fact that a promoter, a primary seller, has chosen to set up a strategy effectively where those costs are going to double or triple. All that does is take money out of the system.

It takes money out of the system that supports culture and entertainment here in Ontario because that money, in all likelihood, will be spent a second time. It's more likely that if people can buy those tickets at the fair face value that's put out there with the additional disposable income—if they think they got a fair deal, they'll go somewhere else. They'll go to another venue. They'll go to another show. But if they're being gouged, if suddenly those ticket prices are ramped up to such a degree—doubled and tripled—they're not going to take that second opportunity. They're not going to go to that second show; they're not going to go to the other sports event. They're going to say:

"I spent all I can. Every time I tried to purchase a ticket and thought I was getting fair value, I found out that I was just going to be paying two and three times that amount. I'm not going to do that anymore. I'm just going to stop bothering to look. I'm not going to encourage my young people, my family, my children to do those kinds of things because I know what's going to happen to them. They're going to get all excited about the possibilities of seeing their favourite new band, their favourite new entertainer, at a price they think they can

afford or they can share with their parents, and they're going to find out that those costs have escalated dramatically. And they're going to turn off. They're going to turn off to the opportunities that exist here in Ontario."

I spoke at the beginning a bit about Toronto—just very briefly, since my riding, as I said, bounds Toronto and Durham region—and the great venues we have here right in the city, the entertainment opportunities we have, the growing centre of entertainment and culture. The last thing we want to do is to diminish that in some fashion, and we don't want to see it diminished by discouraging people from taking part in those opportunities because they have been priced out of the marketplace in an unfair fashion.

We know there are different arrangements in the province by which tickets are sold, but this particular piece of legislation is to deal with those sectors where ticket sales are being redirected and inflated with no value added. That's a big part of it. You can't put a ticket up for sale and say, "I want three times as much," and there's no value added in that. It's simply, "We've decided the best way to make money is to hold back a bunch of tickets, move them sideways, to redirect you over there almost automatically," and make you feel, "If I don't grab this ticket today at three times the value, I'm not going to get to see that particular event or the young person in my family is not going to get the opportunity to see that event, and they really want to go." This is something they've been looking for. This is the birthday present. This is the Christmas present. This is the graduation present. You really feel obligated to pay that inflated value because of the fact that you've made that commitment. You don't want to go back to that young person and say, "I'm sorry about your birthday present, I'm sorry about the graduation present, I'm sorry about the Christmas present. You could have gone. It was just going to cost me a lot more." You don't want to do that, so, more often than not, the parent will hit that enter button, and put in that credit card number and pay the price, not knowing that they could have had that same ticket at the fair value price, the market price, from exactly the same promoter in the absence of the capacity to do what's happening out there right now.

**1410**

I'm looking forward to the balance of the debate on this particular piece of legislation. I know when this is done—and presumably it's going to committee—that the members of the committee and the public who may have a direct interest will want to provide insight if the legislation could be strengthened in some fashion—I know that committees are always anxious to have that discussion—and subsequently to see it back here in this place at the earliest opportunity. As we reach toward the Christmas season, obviously it may be difficult to have it back here before us before that time period, but the debate in this place hopefully gets out to the public and those ticket sellers understand what's coming down the pike. They will act in their own interest in the absence of the legislation, and the legislation will enforce what needs to be done and provide a manner of compliance

through a fine structure for those who choose not to comply with the legislation once it's in place.

I, as a consumer, on behalf of myself and my family in particular, in that sense, as each of us would be, want to ensure that I'm getting fair value, that I'm not being gouged and that I can continue to support culture, sports and entertainment in this great province of Ontario and particularly for me here in the city of Toronto

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

**Mr. Ted Arnott:** I listened with some interest to the member for Pickering–Scarborough East in his presentation this afternoon on Bill 172, the Ticket Speculation Amendment Act. He gave a very interesting talk about this bill from his perspective, and of course he echoed many of the comments that are being made by the government members with respect to this legislation.

We all know, I think, that the Ticket Speculation Act currently prohibits the reselling of tickets above the face value of a ticket, but we all know that scalping continues to persist outside of many sporting events in particular and, I assume, many rock concerts and so forth where tickets are in short supply and in high demand. I just want to ask the member this question: If the government is incapable of enforcing the existing Ticket Speculation Act, how are they going to enforce the provisions of Bill 172, the Ticket Speculation Amendment Act?

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

**Mr. David Zimmer:** Let me tell you a story which sets this legislation in context. Imagine your child has come to you and said, "Mother or Dad, there's a concert I want to see," and you want to give your child a ticket for that concert. Your child says, "This has been advertised widely" and the tickets are X dollars. You put a call in and find out that within a day or so of the tickets going on sale there are no more tickets on sale at that primary location, and you're directed to a secondary outlet. You call the secondary outlet, and it's a price that's much, much higher. That's not fair.

The mischief that this legislation is intended to get at is those tickets for a concert or a sports event that are advertised, there are lots of tickets available, they cost X dollars, and then when you go to buy them, you find out that there are only a limited number of tickets at X dollars and really the price is X plus Y. That's a sort of misleading advertising. This legislation is a piece of consumer protection legislation. It's directed against that. It eliminates that differential between the primary and the secondary market.

What the legislation does not do and is not intended to do is to prevent those people who have tickets and, for whatever reason, find they can't use them on the night of—they can resell those tickets at the same price they purchased them. So those people are protected. But it's to get at this mischief of the difference between the primary and the secondary market. That's good consumer protection legislation. The people of Ontario in these tough economic times deserve that.

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

**Mr. Jerry J. Ouellette:** Quite frankly, I'm overwhelmed at the number of calls I'm getting in my office about this issue. I can't believe we're spending five hours of debate time to talk about tickets and ticket scalping. My Lord, haven't we got something better to do in the province of Ontario? Yes, we do, and we should be talking about it right here, and a lot more things. Is this a, "Let's get off the agenda and let's talk about something that's not really that important" so the public at large out there have something to say about it—well, I don't know. I haven't had any calls. I've never used a scalper, but I've got to tell you, if there's people out there who are utilizing those services and they think that's the way to go, then maybe that's what should be happening in the province of Ontario.

I'm not so sure we're going to oppose the legislation because I'm not sure of the depth and the in-depth content that we're dealing with here that's going to be so important to so many people in the province that we have to stand up and vote against it.

Anyway, I just think that there are a lot better things that we could be debating. I know the ticket scalping issue can be, for those individuals, a very contentious issue, and if you want to hear what I really feel about it I can certainly tell you. I've never used a scalper, and if there's a service out there—I don't know if my kids ever have; I couldn't tell you offhand. I've been approached at a number of football games; upgrade, downgrade and that sort of thing on your tickets or hockey games etc. But realistically, I don't see it as being a major problem in the province that we need to be contending with at this time.

**The Acting Speaker (Mrs. Julia Munro):** The member for Timmins–James Bay.

**Mr. Gilles Bisson:** I wasn't going to get up but I want to applaud the comments made by my colleague from—

**Interjection:** Oshawa.

**Mr. Gilles Bisson:** Oshawa—I'm very good with the ridings.

I agree with him. I haven't got a single phone call on this issue. I normally get calls, emails or letters, but we've got about five hours of debate so far.

I'll tell you, we are being scalped in Ontario, and I want the member to know that he was remiss in not pointing out that people are scalped by this government every time they get a hydro bill in this province. All you've got to do is look at your hydro bill and see you've been scalped by the HST, you've been scalped by the new—what do they call those?—smart meters, and you're getting scalped every time you go and pay for services in our municipalities or across this province.

Scalping: Yes, we need legislation, but I want to say to my colleagues that the best legislation I know of to stop scalping in this province is to get rid of this government in the next election, vote Andrea Horwath, vote often, vote early and elect a New Democratic government. That will be the end of scalping.

**The Acting Speaker (Mrs. Julia Munro):** The member for Pickering–Scarborough East has two minutes to respond.

**Mr. Wayne Arthurs:** I'm really pleased to be back after the week away to see that the official opposition and third party have come to life over this issue.

The member from Oshawa has got the GM Centre in downtown Oshawa with thousands and thousands of seats there. They run some great shows. I was mentioning that Hedley was there recently, I think, and two of my granddaughters were there.

This issue is not about the one-off scalping that occurs outside the venue where they try to upgrade you or downgrade you—"You got there a little late. I've got some tickets; you can buy them cheaper." This is about the redirecting of thousands and thousands of tickets from a primary seller when you go online to a secondary seller in which the prices are doubled and tripled, and you don't know you're being scammed. At least when you go to the GM Centre and the guy outside is trying to sell you tickets, you know you're being scammed, unlike some other venues where you're not sure. Having said that, this is different. This is not this one-off scalping.

I want to thank the members from Wellington–Halton Hills, Willowdale, Oshawa and Timmins–James Bay obviously for their comments and their interest in this particular matter today. This is a matter of interest to families and young people. Our phones aren't ringing off the hook over it and they shouldn't necessarily. But it is a matter when there are tens of thousands of dollars or millions of dollars being scammed from Ontarians who want to attend sports events, cultural events, entertainment events and they don't know that they're being scammed out of their money by virtue of this process that's currently in place.

This legislation will help to ensure that. It certainly will be much easier to manage and monitor than the one-off scalping at the venue by virtue of the scale of the activity that's going on, and it certainly would be our hope that those large ticket sellers will be getting the message with or without the legislation. This practice is simply unacceptable.

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

**Mr. Ted Arnott:** I'm pleased to have this opportunity this afternoon to speak for approximately 20 minutes on Bill 172, An Act to amend the Ticket Speculation Act. I wanted to thank the member for Oshawa as well for bringing some life to this debate. I'm going to bring it back down to a somewhat quieter level probably, but I do appreciate this opportunity to speak this afternoon on the bill that was introduced in this House on April 29, 2009, some 18 months ago.

**1420**

It's interesting that this bill has sat on the order paper for a year and a half. Obviously the government, when it brought forward the bill, would have wanted people to think it was responding to a matter of extreme urgency in the province of Ontario, that there was a serious issue that had to be dealt with. Legislation had to be brought

into the Legislature and passed through the House so that a significant problem would be solved. Of course, we see a bill that has sat there now for 18 months.

The Attorney General has brought forward the bill and talked about the need to address this issue. Our party's critic to the Attorney General, the member for Halton, who does a fine job in that capacity for our caucus, has offered some of his response and opinion. I know that our caucus is going to continue to have discussions on this issue.

Let's look at the explanatory note in the bill: "The bill amends the Ticket Speculation Act to provide that it is an offence for related primary and secondary sellers to make available for sale in Ontario tickets for admission to the same event. An individual who is convicted of this offence is liable to a maximum fine of \$5,000; a corporation is liable to a maximum fine of \$50,000. The Attorney General is given the power to make regulations exempting any person or class of persons from the act and prescribing conditions attaching to an exemption."

The bill itself is a page and a half, if you look at the bill as it is printed by the Legislative Assembly.

I think it's important to look at, from the opposition perspective, some of the comments that we are hearing from some of the organizations that will be affected by this piece of legislation. Ticketmaster, I'm advised, responded to this bill the day it was introduced. They said that they were "disappointed with the intention of the Ticket Speculation Amendment Act, 2009, especially insofar as the proposed changes do nothing to enhance consumer protection. Ticketmaster has worked to enable the fair and secure distribution of tickets in Canada for more than 20 years," and they indicated that they would "welcome a thorough and public examination of how ticket distribution actually works. Ticketmaster would support an initiative that protects those consumers electing to purchase in the resale market—a market created and fed by consumer demand for scarce event tickets. Enhanced technologies such as paperless ticketing are poised to reshape the ticketing and live entertainment business and consumers stand to benefit greatly, for example, from the opportunity to electronically validate any resold tickets they choose to purchase."

So of course, Ticketmaster is affected by this legislation. They are responding with comments that would lead you to wonder whether or not the government has its act together with respect to this issue.

"As previously explained, Ticketmaster does not own or control the tickets to Ontario events that are sold through Ticketmaster or TicketsNow. We sell tickets to the public on behalf of our many sports team, venue and promoter clients, and we host a resale marketplace where Ontarians interested in the resale marketplace can safely purchase tickets from third parties. We are committed to providing a transparent, secure marketplace that assures the many Ontarians that use our Ticketmaster and TicketsNow services that the tickets they buy are genuine and redeemable, and that their personal and financial information is secure. We do not divert tickets to TicketsNow or provide preferential access to the third parties who

resell tickets on TicketsNow. Like other online marketplaces and ticket resale in general, TicketsNow is fuelled by the public's demand for scarce event tickets."

There is the comment from Ticketmaster. I would hope that if this bill goes to committee, organizations and companies like Ticketmaster would have a chance to come forward and to provide their feedback on this bill. Certainly they have a story to tell as to how they administer their business, and I would suggest that it's up to the government and it is incumbent upon the government to listen.

The member for Oshawa made a number of interesting points a couple of moments ago on a two-minute hit, as we call it, and I'd like to follow up on what he said. In the last week, when I was privileged to be in my riding for constituency week and attending the Remembrance Day events and observances, attending at many of the Legions, I had a chance to talk to hundreds of people. Not one person brought up the issue that has been raised by Bill 172. You would think, if you had the chance to speak to hundreds of people over the course of a couple of days, that there might be one person who would express concern about an issue like this. Not one did. It makes you wonder, if someone is tuning in today or if someone is visiting in the visitors' gallery, listening to this debate: Would they be scratching their heads and wondering, "What on earth are they doing in the Ontario Legislature talking about this when there are so many other pressing problems that are facing the province of Ontario and the people of Ontario?"

We found out today that the government has deferred and delayed its fall economic statement that it was due to bring into this House today, at the latest. In fact, legislation compels the government to do this. A bill that they passed, the Fiscal Transparency and Accountability Act, I believe it's called, that was one of their hallmark pieces of legislation in their first term, compels and requires the government to bring forward a fall economic statement before November 15. It is written in the legislation as such. It's amazing that the government would ignore its own legislation.

Today, of course, the Minister of Finance tabled a letter with the Clerk to indicate that they would not be bringing forward the fall economic statement today. They weren't ready to go. In fact, they're waiting for a little bit more information, and they plan to bring it into this House on Thursday.

It's pretty clear to me that the reason they don't want to have it brought into the House today, in accordance with their own legislation, the law that they passed with a great deal of fanfare back in perhaps 2004, is because they don't want the opposition to be able to respond to the fall economic statement in a meaningful way. They don't want us to have the opportunity tomorrow to have question period and to ask the minister questions, to get more details and to try to get him to give a more complete and further explanation of what the government's mid-term budgetary policy would be. They wouldn't want us to be able to do that again on Wednesday; they wouldn't want us to be able to do it again on Thursday.

What they would hope to do is have this fall economic statement on Thursday afternoon. Hopefully, there will be some government members here, but, of course, there usually isn't the greatest turnout of members during a Thursday afternoon session, as we know. That is the rule and that is the reality.

The fact is, they don't want us to be able to talk about the financial position of the province over the course of this week. The House is only sitting for four more weeks and then we're scheduled to rise after that. Of course, we'll have the chance to go home to our ridings just before Christmas.

But the fact is, the province of Ontario is in a fiscal crisis. The media haven't written a lot about it, but occasionally there have been articles. The deficit is close to \$20 billion; that's the most recent number that we've seen. We wonder if the \$20-billion deficit is understating the reality. The government has said that they will bring forward a balanced budget plan, and they claim and promise to balance the budget by 2018. But if you look at the details and the fine print that is associated with that so-called plan that is in the most recent provincial budget, brought forward by the government this spring, it indicates that the only way they can balance the budget by 2018 is if they control spending to less than a 2% increase per year. This government has never come even close to that. For the government to hold spending at less than 2% a year would require a level of restraint that this government is totally incapable of doing. In fact, they're not interested in doing it. This government is, and they are quite proud of it, here to spend. They are here to spend money on public services—that was certainly their mantra in their first term—and they believe that that's their mandate.

The fact is, we need expenditure control. We need to have a greater effort to control spending. We need to have a laser focus on the expenditure side of the ledger. We need to find waste and eliminate it. This is what this government either doesn't understand or is totally incapable of pursuing by way of a policy.

Again, I heard a lot of other concerns from my constituents over the last week. I heard about hydro rates; I heard about smart meters. This government's plan to force the people of Ontario to go to time-of-use pricing for hydro is not going over well with my constituents. There's still a substantial number of my constituents who are out of work, and many who are underemployed, who have lost a good-paying job and have had to accept a lower-paying job, hoping for a better future. But there's obviously a great deal of economic dislocation and anxiety related to those situations in many households across Wellington county and across Halton region.

I continue to hear expressions of concern about the high level of tax in the province of Ontario, and this government certainly has added to the level of tax and the tax burden with the introduction of its HST. Of course, we heard, when the HST was being debated in the Legislature, the claims of the Minister of Revenue of the day that manufacturers would pass along the savings, that goods would actually become cheaper once the HST

was introduced. Clearly, that hasn't happened. We also of course were told the cheques would be in the mail. To the extent the cheques were received by constituents, the money is long gone, and in many cases people can't afford to pay their hydro bill.

**1430**

Two or three weeks ago, I had the opportunity to bring forward a private member's resolution to call attention to the needs of the hospitals in my riding. The Groves Memorial Community Hospital in Fergus has an ambitious plan to move forward with a brand new hospital. Our community raised \$15 million in pledges and cash in the bank. We are ready to go, to move forward to the next stage of planning for our new hospital. We would hope to have the government's approval to do that. We know we're not going to get a new hospital next year. People in my riding are very realistic about that, but at the same time people expect and hope that the government will give us the approval to move forward to the next stage. That's certainly a big issue in my riding. In my conversations with constituents over the last number of weeks, people have talked to me about it many times. People were very disappointed that the government voted down my motion a few weeks ago in this regard. Certainly, also, the hospital in Georgetown has a need for a small capital grant, and they hope to have some indication from the government as to whether or not that might be forthcoming any time in the near future. They have approval for a CT scanner and they're looking forward to raising the money to install that important diagnostic service in their hospital, at the same time doing a renovation to the emergency department and making sure that they can accommodate the CT scanner. Again, they need answers from this government.

I continue to call upon the government to release its long-term capital construction plan for hospitals. I have asked through freedom of information to receive this information. I would have expected to have it by now. I hope to have the chance tomorrow at the estimates committee to ask the Minister of Health some additional questions about this subject, because it's not just my communities that are waiting. In fact, when I was discussing my issue with a number of members on the day that my private member's resolution was debated, a significant number of government members said to me, "I've got a hospital project too in my riding." Many of them said that; and they're all looking for answers. I think it's important that you give communities a better understanding of where they are on the list—

*Interjection.*

**Mr. Ted Arnott:** —at the same time health care has to be the number one priority. Yes, I would encourage you to ensure that the health care needs of the people of the province are met. Certainly that should be the number one priority of any government; it would be if we were in government. If we form the government in a year's time, I'm sure it will be, too.

Getting back to this bill, I know that many members of the Legislature will still have a chance to speak to this

bill because in fact the government doesn't have a great deal of legislation on the order paper at the present time. This bill is scheduled to be called for debate on a number of occasions this week. Again, one would question the priorities of the government when there are so many issues that are of importance to the people of Ontario and yet Bill 172 seems to be the number one thing on the agenda this week.

I think it's important also to point out some of the concerns that our caucus has with respect to this bill. We understand consumers' outrage. We support consumer protection, market fairness and consumer choice, but we have questions and reservations as to whether or not this bill will in fact improve consumer protection. This legislation appears to target one group of ticket sellers and ignore others such as brokers and scalpers. It will drive the market underground, where there is even less consumer protection. I have yet to hear any of the government members, in the course of this debate, indicate how this bill will be enforced, especially given the fact that, as we all know, there is a great deal of ticket scalping today. It takes place outside sporting events in the province of Ontario almost every time there's a greater demand for tickets than there is supply, and it's certainly the same thing for concerts. Whenever I've attended a concert, there's a great deal of selling of tickets on the sidewalk just outside the venue, and it appears that the existing law is not being enforced.

We would again question whether or not this bill will in fact create fairness, because the Ticket Speculation Act prohibiting the reselling of tickets above the tickets' value is currently not being enforced. It would appear that this is another example where the Liberal government has important legislation on the books but is not enforcing it. Contraband tobacco of course is another very good example. I would again call attention to the fact that this bill appears to be another effort to take up the time of the Legislature and to some degree divert attention from the bigger problems in the province of Ontario. This bill sat on the shelves for about 18 months, from the time it was introduced on April 29, 2009, until this month. It seemed to be dusted off at an opportune time to divert attention away from Liberal scandals. It was brought up, in fact, during the midst of what we call the eHealth 2.0 scandal to divert attention away from the Liberals' waste.

We believe that this bill will do very little, if anything, to address consumers' outrage, and the Liberals are using this bill to waste valuable time in this House to avoid taking responsibility for the scandals that have already wasted billions of Ontarians' hard-earned taxpayer dollars.

We see that, once again, the government is bringing forward legislation that appears to be intended to divert attention away from some of the more significant problems that the province of Ontario is facing. We see government calling Bill 172 for debate on a number of occasions this week, really, when there are all kinds and all manner of significant problems in the province of Ontario, whether it's jobs and the economy, whether it's

the budgetary crisis, whether it's hydro rates, smart meters, the lack of jobs, the need to cut taxes, health care, education, protection of the environment—all the important issues that people in their day-to-day lives would expect the provincial government to be dealing with, and coming forward with meaningful progress. Certainly, my constituents would expect that, as we sit here in the next four weeks, we would be deliberating the serious problems that they know exist in their communities. In fact, what we see here today is that we're standing here debating Bill 172 for the majority of the afternoon and probably for a number of the other sessions this week. We would question the government's priorities in that respect and in that regard.

I would expect that the government will want to send this bill to committee, again, to continue to drag on the debate. I suppose that there will be an opportunity for some of the interested parties and the various organizations that have an interest in this to have their say. But I would encourage the government, if it is going to pursue that approach, to at least listen to the organizations that are coming forward.

What we see now, in the seventh year of this Liberal government, is a government that, in many cases, has lost its footing. It has lost its way. It has become panicked because of the low poll numbers. There is a chance, I suppose, that there will be significant movement on this issue. Most majority governments—certainly, their record in the last seven years is that they've been unwilling to listen, in many cases, after they've set their position in stone. But, in fact, we see now that there is an opportunity, perhaps, for groups and organizations who are opposed to the bill—if they bring forward a significant measurement of public opinion, then the government, perhaps, will reconsider some of the issues and the positions it has taken.

In conclusion, our caucus will continue to carefully monitor this issue. We would again call upon the government to bring forward more meaningful legislation in this House that addresses some of the fundamental problems that the province is facing. Again, I come back to the jobs and the economy challenges, the issue of hydro, the issue of high taxes, the issue of health care, education, community safety and protection of our natural environment. All of these issues are significant to my constituents in my riding, and people would expect the government to be bringing forward meaningful policies and legislation that will address their concerns in respect of those issues. They would be less likely to be impressed with a lot of time being spent on Bill 172.

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

**Mr. Bob Delaney:** I couldn't disagree with the member opposite more. I have to think of the people who are buying tickets that are scalped wholesale, scalped on an industrial scale. What about their hard-earned wages? Aren't the hard-earned wages of somebody who works at nearly a minimum job and would like to see their favourite singer or their favourite sports team—aren't they important? I think they are. It's important to them. It's

important to a lot of people who may overpay simply because they say that that's always the way it's been, but it doesn't have to be that way. They'll overpay now because that seems to be the world as we know it. I think it's our duty as legislators to say that because a wrong has been perpetuated for as long as people could generate tickets wholesale using a computer, we should just accept that. I don't believe that.

1440

In our time in this Legislature, we've said collectively that it's wrong to overcharge for payday loans, but if it's wrong to overcharge for payday loans, why is it right to overcharge for theatre tickets, concert tickets and sports event tickets? I think if it's wrong, it's wrong. If it's wrong for payday loans, it should be wrong if what we're talking about is a theatre ticket.

I have a lot of respect for the people who buy those tickets. If you're a party in that wholesale scalping, what you're doing is not merely to the people who pay it but to the ushers, the attendants, the people who do the cleaning. You're taking the money out of their pocket too, and that's wrong. That's what this bill is intended to do. This bill is intended to correct a wrong that's inflicted on a lot of people who don't have a loud voice, and their voice is in here in this Legislature, and we're going to pass this bill.

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

**Mrs. Christine Elliott:** I listened with great interest to what I thought were very thoughtful, balanced comments that were made by the member from Wellington–Halton Hills. He sort of dealt with it in both the specific and the general context.

In terms of the specifics of the Ticket Speculation Amendment Act, he rightfully pointed out that there are a number of stakeholders who are quite concerned with this legislation. They don't believe it's going to bring about the necessary consumer protection, and in fact it might even have the opposite effect: It may exacerbate some of the problems that we're already seeing because it may drive ticket speculation even further underground and actually get people going more to ticket scalpers and to other people that we want this legislation to do away with and to prevent. But the general concern that he mentioned is also a concern that I would share, which is that this government is not really moving forward with the issues that really matter to the people of Ontario.

We had the opportunity back in our ridings this past week to speak to our constituents. What I'm hearing from my constituents is that they're concerned about things like finding a long-term-care placement for their parent or loved one; they're concerned about the complete failure of the aging-at-home strategy because it's so vastly under-resourced that we have people who are in serious jeopardy with respect to health matters living in our community. We have people with special needs who are not getting the attention they need, either in our schools or trying to find jobs. They're not being supported adequately financially and they're living lives of poverty.

Why aren't these the issues that we're talking about here in this Legislature? Why are we talking about the Ticket Speculation Amendment Act? There are many more things that should be occupying our time, but, quite frankly, this is a government that's just out of gas and out of ideas. That's why we're dealing with it. We should be moving on to more important things.

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

**Mr. Jeff Leal:** I did come in late, but I was in my office listening to my good friend. I do consider him a good friend, my friend from Wellington–Halton Hills.

Just a little side story, Madam Speaker. In 1996, I was on the Memorial Cup organizing committee in the city of Peterborough. It's the only time to date that we hosted the Memorial Cup. I was on the organization committee, and I remember what was interesting about that. The last game was on Sunday between the famous Peterborough Petes and the less famous Granby Prédateurs. That was the first time in my life growing up in Peterborough that we actually had scalpers in front of the Memorial Centre. They were lined up. My goodness, they were lined up. There were about 24 of them. It was rather amusing going and seeing these 24 scalpers out in front of the Peterborough Memorial Centre. I think they had all the tickets from the Brandon Wheat Kings because they were eliminated in that Memorial Cup, with all due respect to that wonderful junior A franchise in Brandon, Manitoba. They were eliminated early on in the competition, so there were many of their supporters who still had tickets from the Memorial Cup package that great year, and 24 of them were all out front; they were scalping tickets. Then, as a good city councillor of Peterborough, I was certainly encouraging people not to take advantage of those scalpers who were out front. You know—

**Mr. Robert Bailey:** They were buying them from you instead.

**Mr. Jeff Leal:** The member from Sarnia said they were buying them from me. That was probably right, because I think I had some extra tickets that I was trying to perhaps give away. I was looking for members of the O'Toole family that day. I thought a few of them might be arriving to see the last game.

You know, the member from Wellington–Halton Hills, to come back to the debate, I think had some comments that were worthy. As you know, Madam Speaker, we send all the pieces of legislation to committee, and this bill will go to committee.

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

**Mr. John O'Toole:** The member from Wellington–Halton Hills, I thought, for the most part, stuck closely to our script on this. What is really saddening on this is that the amount of time it has taken here—I've looked up the minutes, how often this thing has been debated. Let's go back and recall that the bill was introduced in April 2009. You'd wonder why, by April 2010, nothing had been talked about. It was all a show in response to an event that happened that some people in the media thought to be an inappropriate use of scalpers.

Now, the member from Wellington–Halton Hills did read the official position of Ticketmaster, who I'm sure want to appear before the committee and clarify this. I've just read in Hansard that our critic believes that this bill does nothing. In fact, it goes on to say, and I'm quoting on the bill—this was debated by Mr. Chudleigh, whom I'm subbing for today. Normally he's the whip today. But the funny thing is, and here's the issue: He was speaking on November 3, and he went on to say that he understands this bill thoroughly, but it's not much to understand, because it's about half a page. For the people viewing here today, one side is French; the other side is English. Actually, the preamble is longer than the bill itself.

**Mr. Robert Bailey:** The title is.

**Mr. John O'Toole:** The title. But in fairness to Mr. Bentley, the Attorney General, what he said here is, "Let me say at the outset"—this is Mr. Chudleigh speaking; if he was here today, he probably would be saying it—"it 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."

This again is a government that has run out of ideas; the member from Whitby–Oshawa said it. We on this side are convinced that they can't get the budget numbers together in time, even though they promised in the legislation. Now—

**The Acting Speaker (Mrs. Julia Munro):** Thank you.

The member from Wellington–Halton Hills has two minutes to respond.

**Mr. Ted Arnott:** I want to express my appreciation to the members for Whitby–Oshawa and Durham for responding to my speech and expressing support for some of the sentiments that I had brought forward with regard to my comments.

I want to respond to the member from Mississauga–Streetsville and the member for Peterborough, who didn't find the speech to be quite as enlightening, I guess, as my colleagues on this side of the House. It was interesting that neither of those government members indicated that they had ever had a call, ever had an email, ever received a letter, or had ever been approached by a constituent to identify that this was a big issue and that the government needed to bring forward legislation to solve it.

Neither government member indicated how this bill would be enforced. Again, they talk about the value judgment that the government has drawn in terms of what is appropriate in terms of the sale of these tickets. They're trying to make a statement, apparently, but they haven't indicated how it will be enforced. The fact is that the government may pass a bill, but if it's not going to be enforced, what will change? What, in real life, will actually change?

I think that's something that the government is going to have to address during the course of this debate. If they're going to call this bill for debate for a number of days over the course of this week, I hope that some government member addresses the enforcement issue so that we can have a better understanding of how they

actually intend to ensure that this bill has the force of law behind it and, in fact, something will change as a result of this Bill 172, which clearly the government intends to pass.

**The Acting Speaker (Mrs. Julia Munro):** Further debate? The member for Mississauga–Streetsville.

**1450**

**Mr. Bob Delaney:** It is for me a pleasure to stand and speak to this particular measure. I take exception to the calls that I've heard that somehow or other this isn't important. I would consider that funds that I used to earn as a teenager, in an era before there were computers, and that I could spend to attend events—I thought they were important to me. I remember very well the events that I attended through the 1960s and 1970s and 1980s. What I remember is tickets being affordable. But right now, what we have is a situation in which a ticket vendor, Ticketmaster, can, almost at the moment that their tickets are released to the general public, flip enormous blocks of them over to a wholly owned subsidiary, TicketsNow. If you want to attend an event, even if you've lined up and patiently waited and you're at the front of the line, expecting that you can go in and say, "I'm number one. I get to buy the seat of my choice"—only to find out that the only things available are the ones up in the nosebleed section, the tickets up in the greys, in the bleachers. You think to yourself, "There's got to be something wrong there. I patiently waited." And some people will wait upwards of a day, because it's that important to them. Or they'll find out that the ticket that was advertised as \$50, \$80, \$100, \$120—which is real money today—is in fact \$350, \$500, \$1,000, \$1,500 on the secondary site. You think to yourself, "I never had a chance to get it on the primary site. Why do I have to go to the secondary site?"

A point I've made on a number of occasions is: When these tickets are flipped en masse to a secondary site, all done by computers, is the artist getting the return on the ticket price? Oh, no. How about the people who set up, take down and clean up the arena? Are they getting the return on a ticket that may sell for four, five, 10, 15 times its face value? They don't get a penny. Nobody gets a penny except the middleman, the ticket promoter. It's not as if there was an open competition to say, "If there are unsold tickets"—which there never are—"which middleman will submit the best bid to be able to turn around in the after-market"—because that never happens. They're all flipped to the same wholly owned subsidiary, and it's wrong; it's completely wrong.

I'm going to use an analogy that I've used before. We in this Legislature have talked about payday loans. In a payday loan, who is it who gets exploited? It's not the people who are well-heeled; it's not the people who have connections; it's the people who are at the bottom end of the scale, who are living from paycheque to paycheque. They'll bring their paycheque in, and maybe they haven't got or can't get a bank account. What are they paying? A huge effective interest rate on being able to cash a cheque. We've said that that practice is wrong; that practice has got to stop. Why? Because it simply takes from people who are vulnerable.

That's what ticket scalping does. Ticket scalping isn't, in this act, considered to be a couple of people who have gone out and taken their season's tickets and are standing in front of a concert venue or an arena saying, "Hey, who wants my tickets? I can't go to the game tonight." It's not. It's the wholesale flipping of not merely dozens or hundreds but thousands, often tens of thousands, of tickets from their face-value price to a price that's many multiples of that face-value price, so that someone who is coming in and saying, "I've saved up for this. I can afford two \$100 tickets to attend a concert by my favourite performer. Why do I have to pay \$500 a pop for them?"—the answer is, "You shouldn't, because all of that money is being retained by the middleman, and it's being retained in a practice that's nothing other than monopolistic." The practice is wrong and the practice has to be stopped. That's what this bill does.

It's a short bill, but it corrects a wrong. For all of us here, that's what we got elected to do. Every now and then, we have a chance to come to the Legislature and to stand up and say, "We have an opportunity today to correct a wrong, to make life a little bit better for people who have no other means of recourse," because the ticket buyer can't begin civil litigation against Ticketmaster or TicketsNow; the ticket buyer can't make an allegation of whether there is or isn't an improper business relationship between a vendor and an after-market vendor; and a ticket buyer isn't one who can say, "I can prove that you guys just used your own computer systems, which are linked, and flipped a whole block of tickets without ever offering them to the general public." They can't do that. They're entirely, completely at the mercy of whoever has the tickets. It's the law of supply and demand. If the tickets are flipped to an after-market vendor, then the only way you can get them is to pay through the nose, and that's wrong. That's what this bill sets out to correct.

This isn't just an isolated incident. It's not like it happened for a single concert last week. It's not like it's something that has been going on in just one or two instances. It's not like it's something that's restricted to a single type of event. It has been proven to be shockingly profitable. If you want to earn fair money in entertainment, then for heaven's sake, offer something to the end-user. If you're just part of the distribution channel and you're saying, "Owing to the laws of supply and demand and the fact that I've got the supply and you guys are the demand, I can charge you whatever the market will bear," you're taking money out of the pockets of the people who are at the low end of the scale, who help out in getting those arenas ready for the performers who show up and say, "Some of this should be ours. This represents value for our intellectual property, our performance, and we're not getting any of it. All that's happening is that a computer is flipping all of this value, many times more than we ourselves as the performers get, into the pockets of somebody; nobody knows who they are, and nobody knows where their office is. All they are is a website." Whether that website is called TicketsNow or Ticketmaster or some other thing, what

this piece of legislation aims to do is to say that if you're the vendor, you cannot have that tightly-knit relationship with your after-market counterpart, to whom you can flip entire blocks of tickets without ever offering them at all, or in any meaningful way, to people who have a legitimate right to be able to buy them for their face-value price. What you're doing is denying an entire class of consumer the opportunity to pay a fair and agreed price between the vendor and the performer. They say, "If we agree that our ticket price will range from \$75 to \$200 and whatever, people should be able to buy those tickets at that price. If what we were doing was any other type of retailing, the consumer would be up in arms."

Because the consumers of entertainment are often people who are young and who have worked very hard for the money for a long period of time, we often say, "Well, nobody squawked about it. Nobody has taken them to court, so why should we get involved?" We can always say that there's something else we should be doing. But on this particular Monday afternoon, I think this is a good use of the Legislature's time. I think it's time that we stood up as legislators and said, "We consider this to be wrong." We're going to pass this bill. No matter how long it takes, we're going to say to young men and young women, "This practice is going to end. We're going to give the Ministry of the Attorney General and we're going to give those who have the authority to enforce the law the tools to be able to break up that racket"—because that's all it is: It's a racket. When one does this, sooner or later, the law catches up to you. In the business of flipping huge blocks of tickets and making windfall profits for adding no value to the performance, the game is up, the racket is over, and it's time that we got down to it.

#### 1500

I'd like to refer to some of the points that the Attorney General covered off before because I think some of them are important, and they bear repeating. A little more than a year ago, other jurisdictions jumped up, and they started doing, lo and behold, the same thing. In Ontario, we had a Leonard Cohen concert that caused great consternation, and in the United States, it was Bruce Springsteen, the Boss, who was upset about tickets to his concert and prompted other performers to speak. The problem is that performers are hearing from their customers, who say, "Look, I'm a fan. I'd like to come and see you, and I'm willing to pay the face value of the ticket. But your \$100 ticket isn't a \$100 ticket; it's a \$300 ticket. It's just not right." I would agree with them: It's just not right. I agree with the performers. I agree with the fans.

They haven't sent us, as members of provincial Parliament, into this Legislature to stand up and say, "Well, it's the way things have always been done. Shouldn't we be devoting our time to other things?" No. We brought this bill forward, and now we're going to see it through to its conclusion.

Governments throughout North America are hearing about this, so we introduced this particular piece of legis-

lation. We had the benefit, during the past year, of making sure that the transactions that this particular legislation will catch are the transactions we want to catch—not every transaction, not a movement between a primary and a secondary seller where nobody's profiting, not a legitimate business transaction, not where there is no windfall profit, no captured block of income. We want to make sure that the transactions being caught, given technology, the quick movement and the relationships, are exactly the ones that we want to catch. We've had that last year, since the legislation was introduced, to make sure that we can work through some of the issues that were brought to our attention.

In essence, what is legislation? Legislation is, in legal terms, much the same as the business I was in before: It's software. It takes a little bit of time to test it. You've got to make sure it works. You've got to bring out your provisions and give people a chance to say, "Aha. I know how to break that." So we'll say, "Okay. That's what your beta test is for. Tell us how you would break it." When they come back and say, "The problem with your legislation is if you do this, this, this and that, you get around it," we say, "Great. That's what we really needed to know. Thank you very much." It gives us a chance to go back and make it better, to close those loopholes. It takes time to catch those loopholes, particularly when you're going to go where no legislation has gone before, and that's what this is doing.

Assuming this bill is passed in second reading, then it goes on to committee, which introduces some amendments to fine-tune a few of the provisions. In all the things that we've heard since the bill was introduced, when it goes into committee, we have a chance to test some of the other suggestions. For example, a movement of tickets from a primary to a secondary seller where it's for the convenience of the customer and not for profit is not going to be caught by this particular piece of legislation. This is something that the stakeholders said to us very clearly. They said that not every large-scale movement of a block of tickets necessarily represents industrial-scale scalping. Okay, fair enough. That was a reasonable suggestion, but people actually had to sit down and consider it in the context of the business that they're in.

Ticket scalping per se has been illegal in Ontario for some time. But when you started to see the sophistication of the Internet and the security of financial transactions over the Web, in or about the mid-1990s, by about 1998, we were actually seeing a fairly mature set of e-commerce protocols, and it became commercially viable to do e-commerce on a large scale. Certainly, when we moved into the 21st century, if you were operating using an Internet protocol using the Web as your interface, what you could do then is you could do almost a bait-and-switch. On one site, you could present a whole range of tickets and associated prices, and people would say, "As of such and such a date,"—let's suppose it's this date at midnight—"tickets go on sale."

So what have you got? You've got the devotees, fans, legions of fans of performers like Leonard Cohen or

Bruce Springsteen, or even of some classical music, where I now see blocks of tickets being offered on TicketsNow—you've got them sitting up at night saying, "Okay, midnight: 7, 6, 5, 4, 3, 2, 1; log on." And all of a sudden, there really aren't the tickets there. In fact, if you want to buy those tickets, at about three seconds after 12, it's, "Go to TicketsNow." So you go to TicketsNow, and the \$95 ticket is \$295, and the \$149 ticket is \$395. Give me a break. You're telling me that everybody who wanted to buy tickets at their face value actually got a fair, legitimate chance to buy tickets on a level playing field? Nonsense; absolute nonsense. That's the sort of stuff that really, really annoys concertgoers, and that's what we're here to fix with this particular piece of legislation.

What this bill does is it aligns the Ticket Speculation Act with anti-scalping laws in other Canadian provinces and in the US states. We're not alone in doing this. If you listen to some of the naysayers—who, by the way, will stand up and vote for the bill anyway—they'll talk to you and say, "Oh, there are other things that we should be doing." However, other jurisdictions in North America have also introduced ticket speculation laws. Our government says to Ontario consumers, "We think you deserve the same protection. We think you should receive the same fair treatment as consumers in other jurisdictions." I think that's a pretty good use of my time in the Legislature this afternoon. Ontarians have expressed their concern about their ability to have fair access to events at a fair price.

I have a very good friend who lives in the state of Illinois who did a story on just this issue. He actually followed a gentleman who lined up and waited outside for a chance to buy tickets to a concert. He was number one in line when the box office opened. He thought, "Wow; I'm going to have a chance to get right close to the stage. I want to be able to actually feel that performer. I want to be able to experience that performance up close and personal." He thought, "I'm going to have my choice of any ticket that I want because I was first, number one in line." Then, when the box office opened, the only things that were available to him were the tickets up in the bleachers.

This was long before this particular act was introduced. I remember talking to my buddy from Illinois, and he was talking about this story that he had written for one of the papers in and around the Chicago area. He said, "There's something wrong with this. There has to be something that our governments can do."

I'm a legislator. I'm proud to stand up and say that I'm part of a government that feels the same way as those ticket buyers who have waited in the cold, be it in the United States or be it in any Canadian province, especially in the province that we call home, Ontario. People who line up to buy tickets and invest the time and the money in doing it, if they feel that by being high in the line—if they're one of the first few buyers, they should be able to have access to the best seats in the house. That's what this legislation is committed to doing and that's what I think is right and fair. That's why I think it is a good

investment of our time in the Legislature here on this midafternoon in November.

Ontarians have said very clearly that it is unacceptable to them to allow a business model in which a company has an incentive to withhold tickets from the primary market and redirect them to a wholly owned subsidiary at a far higher price through another related company. The Criminal Code has words for that. I find that entire practice to be disgusting and I don't support it.

Ontarians work hard for their money. They work hard for it even if they choose to spend it buying concert tickets. That's their choice. As a legislator, I respect that choice, and I respect the value of their money. I'm committed to making sure that Ontarians are not getting gouged.

That is what this bill is all about. This bill is about fairness. This bill is about good business practices. This bill is an excellent investment of time by this House. I plan to support it. I'm sure the other parties will support it too, and I urge its passage.

1510

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

**Mr. Jerry J. Ouellette:** First of all, Madam Speaker, I would ask if you could direct the Chair to check the oxygen level in the room, because what are we doing here? Let the bells ring and the birds fly, we're talking about scalping in the province of Ontario. That's so important that it was introduced, what, 18 months ago? That's 18 months we've gone in the province of Ontario to debate and let those individuals pay the price, if they wanted to pay it.

If you don't want to pay the price, don't pay the price. Let's move on. We don't need to be standing here debating this. I can't believe that we're talking about this and how it's so important, and that's why individuals got elected—to come to Queen's Park to debate scalping tickets? I can see it now on the campaign brochures: "We fixed the ticket-scalping problem in Ontario." What a great thing to be able to say—just like banning the pit bulls. Haven't we got something more important? Or is this just another deflective tactic so the people of the province of Ontario can't talk about the real issues, the real concerns that are taking place out there—and that's what we should be debating.

This could have been brought in and folded into one of those omnibus bills as a small section. As mentioned time and time again, the size of the bill and how small it was—and quite frankly, the member did a good job. He was sent in with the marching orders to talk about the bill, to spend that 20 minutes on it. I don't see it as a huge factor in the riding or a huge issue in the province.

Quite frankly, Madam Speaker, I would ask if the question can be put, and we could move forward.

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

**Mr. David Zimmer:** Let me put this hypothetical to my Tory friends opposite and NDP friends opposite. Supposing down at the Rogers stadium, there was a very, very famous and prominent conservative politician from

the United States who was speaking, Sarah Palin, and they advertised tickets to hear Sarah Palin and the tickets were \$100, and all the Tories from across the way and all the Tories throughout Ontario rushed to their computers and they rushed down to Ticketmaster to buy one of those \$100 Sarah Palin tickets—

**Mr. Jeff Leal:** And a free trip to Alaska.

**Mr. David Zimmer:**—and a free trip to Alaska if they bought a \$100 ticket—

**Mr. Ted McMeekin:** Where they could see Russia from the porch.

**Mr. David Zimmer:**—where they could see Russia from her porch, and where they could speculate and daydream about successful Tories, if they could only listen to that speech and be inspired and learn something from Sarah Palin, the great conservative icon south of the border. And yet, Mr. O'Toole from across the way, Mr. Ouellette from across the way—I don't know about you, Gilles Bisson; I don't think you'd buy a ticket for \$100 for that—but you go to your computer and you go down to Ticketmaster, and guess what? All the tickets are gone, and Sarah Palin, in that great fundraising exercise, has said that they're now \$1,000 a ticket.

I say to my Tory friends opposite, this legislation may well be good for you, because you can get in and see Sarah Palin for 100 bucks. I don't know what you might learn for 100 bucks, but—

*Interjection.*

**Mr. David Zimmer:** And imagine how you'd feel if you dipped into your pockets, paid the \$1,000 a ticket, got there and then realized you were ripped off because you didn't learn anything. She couldn't tell you anything, and you've been dinged for \$1,000 when you could have got in for \$100.

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

**Mr. John O'Toole:** All of the loud tones over there really contribute nothing to the debate.

I think what's important is how little this bill actually does. A good example here is there is a variety of ticket resellers out there, including online markets such as TicketsNow, StubHub, craigslist, TicketNetwork, Razor-gator and dozens of others, including eBay. This bill will actually do nothing to correct that problem. In fact, the Competition Bureau of Canada and the competition bureau in the United States have both examined this issue and they have found no illegal activity occurring.

This bill does not fix the problem. If you look at somebody buying tickets today, for instance, on eBay, they could buy the tickets and pay, if they chose, an extraordinary price. But the big issue that's coming up in this new e-commerce world is that the tickets turn out to be a fraud; then you've got another problem. You seem to imply that you're fixing the problem and you're really not doing anything of the sort.

The member from Mississauga–Streetsville, in his remarks, read carefully from the minister's prepared text that he gave him to read. I understand that. He will do dutifully what he's told, as he always does, because that's what he's here to do—to carry the weight of the cabinet

in debate. He does that regularly. I didn't say "effectively;" I said "regularly."

I guess the point here is that there is a case where there is real gouging of pricing. If you were to go down to the next Leafs game—there's a team that doesn't have any trouble selling tickets; they have trouble winning games. But if you actually went down there—and the scalpers on the street were probably selling them for a season's ticket holder, not Ticketmaster. This does not fix that problem.

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

**Mr. Gilles Bisson:** My first comment is, my God, don't make fun of my Leafs, because we know they're a great hockey club, and sometime next century we will win the cup. I have confidence that that will happen. I've got to say, imagine if we actually—I'm actually a Montreal fan, I have to avow. But anyway, the Leafs or Canadiens, I'd vote for them anyway.

First of all, I just have to say, imagine if we were really opposed to this bill and imagine if it was really substantive. Then I would understand why we're into almost some seven hours of debate on this particular bill; I would understand that. But here is a bill that all members of the House are going to vote for, and the government is filibustering their own bill. The government is doing everything they can to keep the ball bouncing on this bill in the House so they can kill time. Why? They really don't have an agenda in this last year of government. They're trying to basically lowball everything that happens in this place in order to duck the bullets that they set for themselves when it comes to all kinds of other initiatives that people are hopping mad about.

What are people mad about? They're mad about the HST. You saw it this morning when the price of gas went up yet again. The price of gas was over \$1.10 per litre, on which we now pay additional taxes. Imagine that; we're paying a tax on a tax because of Dalton McGuinty when it comes to gas. Every time the price of gas goes up, you pay more HST. People are reminded daily about their excursions on the HST and the Dalton McGuinty government. Imagine when they open their hydro bills—same thing.

I just say to the members across the way that it's interesting that they're filibustering their own bill.

My good friend—I don't know the riding.

**Mr. David Zimmer:** Willowdale.

**Mr. Gilles Bisson:** Willowdale—makes comments in regard to Sarah Palin. Listen, you can scalp her tickets, you can give them away or you can give me a hundred bucks. There's no way that I would go to the Sarah Palin anything. But if I think that they've been sold out and that there are no tickets for the Conservatives, it's because all the new Conservatives in Ontario, who are called Liberals, have run to the CNE to watch her.

**The Acting Speaker (Mrs. Julia Munro):** The member for Mississauga–Streetsville has two minutes to respond.

**Mr. Bob Delaney:** You've got to come to the conclusion from the comments from the members from Oshawa and Durham that the Conservatives don't get it.

They think that once you introduce a bill, you know everything there is to know about what the bill covers and how people will react and what will happen when its measures are enacted—and you don't. When you introduce a bill, what you're there to do is listen, particularly when you're trying to break new ground and to do something with a bill that has never been done before. That's the case with this legislation. Conservatives think you're on your own.

They may feel the same way about health care, and they may feel the same way about post-secondary institutions for all that we know, but one thing we do know on this side is that you're not on your own. You've got a partner in your government, and no problem, big or small, no irritant, is insufficiently serious that we can't devote some time to it. This is a systemic problem that you can't solve on your own. You need to have your government here to give you a hand.

But the member from Willowdale gets it. He knows that this piece of legislation is about protecting people who need their elected representatives to speak for them and to do something for them that they're simply not able to do for themselves, and that's what we're going to do.

**1520**

The member from Durham says that the Competition Bureau saw no illegal activity, but the market knows that they've been scalped, scammed, ripped off, gouged. What this bill is about is making sure that what are irresponsible business practices become illegal.

My good friend the member from Timmins—James Bay doubts the government's agenda, and I say to him, fasten your seat belt in the next few months, because we're people who have come to build Ontario's future and we're going to use the tools of a responsible, representative democracy to do it.

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

**Mr. Garfield Dunlop:** I'm very pleased to be able to rise today and speak for a few minutes on Bill 172, the Ticket Speculation Amendment Act.

I originally got involved in this bill when I took over the critic portfolio for the Attorney General while the member from Whitby–Ajax was running as part of the leadership—and I had a few meetings on this. I suspected at the time that the bill would be brought forward fairly quickly, and I didn't realize it would be 18 months later before we actually started to debate it in the House. From listening to the comments today, I guess there's some urgency now to have the legislation pass, but certainly we haven't seen it in 18 months.

It will be interesting to see two things: one, how the bill is policed and who is actually going to police the outcome of this; and second of all, how soon it will actually be proclaimed and become law if it's passed.

We've heard today that the bill will likely be passed. Then I guess we're going to pass to second reading debate, and I'm assuming there will be committee hearings. This looks like there's so much interest in this bill that we're probably going to see this bill travelled. We've talked about a lot of other bills travelling and nothing

ever happens, but maybe this time we'll see the bill go to the people of Kenora or Timmins or the Soo, where this is a huge issue. You can imagine how many people—the phones are ringing off the walls in the MPPs' offices in Manitoulin, North Bay and Huntsville.

In my constituency office, we've never had a call on this. I suppose there is a problem. I've bought tickets myself from Ticketmaster. I thought I was treated fairly. I did pay more money, but I expected to pay more money because they were providing a service. I felt that I've seen some excellent concerts. The concerts were held in the city of Toronto and sometimes in Copps Coliseum and the smaller venues like the Barrie Molson Centre. Certainly it hasn't been an issue, from my perspective, in my riding.

One of my favourite rock stars is Bruce Springsteen—and he brought it to our attention. I guess there are a lot of Bruce Springsteen fans over there. They've probably bought all his albums, and they probably are wanting to make sure they keep Bruce Springsteen happy so he'll come back and do future concerts.

I represent the riding of Simcoe North, one of the key ridings in Simcoe county, and I'm very, very proud of it. The people in Simcoe county are not talking about the Ticketmaster legislation. They're talking about the construction of the Royal Victoria Hospital and how we're building this hospital and whether or not there will be funding there to operate the new facility. We still have beds closed in the original section. They're worried about things like the Simcoe county growth plan. That's a key area.

The minister stood up the other day in the House and answered a question from the member from Barrie on the Simcoe county growth plan. I understand they've got amendments to the Simcoe county growth vision. The amendments are due and they want this all cleaned up by January 31, and I'm begging the Minister of Infrastructure not to have that happen. We need at least a six- or eight-month delay on those amendments being brought forward, because we've got all these new members of council in all the municipalities around the county of Simcoe and they're not up to speed at all on the Simcoe county growth plan. Making amendments, at this stage, to move forward is a terrible mistake. I'm asking the government members to talk to their minister. We're going to bring it up in the House more. We'll get more of the municipalities involved. But we do have a lot of new mayors, deputy mayors and council members right across the county of Simcoe who are really concerned about their future and what the impact is on the Places to Grow legislation and the amendments that they apparently have brought forward, which they want to clean up by the 31st of January.

There are a lot of other things too. We worry about the economy. We worry about the loss of jobs. We worry about the transportation system. I think there are so many more things we could be debating in this Legislature than the Ticketmaster legislation. To think that we'll spend a whole afternoon here, and apparently we're going to continue to debate it for God only knows how long—

**Mr. John O'Toole:** A couple more days.

**Mr. Garfield Dunlop:**—a few more days before it even gets brought up. I don't know why.

We feel that we'll probably support this in the end. Then it will be interesting to see how far we move forward. But I think there are so many more issues that we could be debating.

I hope we can spend the same kind of emphasis debating the economic plan that the minister is supposed to deliver on Thursday afternoon. I hope that there are many afternoons to debate the fall economic statement, that we're not going to bring that to closure very quickly. Usually, on these types of bills, by now, the government is out there time-allocating the bill. That's very unfair when that happens. However, it doesn't appear to be the case with this one.

As a member of the PC caucus, it's interesting to watch this. However, I think the big picture is that this likely will be supported. Let's get on and debate some more important issues that the people of the city of Toronto and counties like Simcoe and Muskoka—some of the concerns we're facing in all those different areas.

I see that the Minister of Education is here today. Just to say to her right up front: We had a call today from one of my newly elected trustees, and she's very, very concerned about the direction the board is going with the closing of rural schools. There's a whole pile of schools they want to close across the county of Simcoe. There's going to be an outcry among the general public because these are the hubs of their communities. These are the kinds of things we need to be debating here, not whether people pay too much to go to a Bruce Springsteen concert. They didn't have to pay that money. They didn't have to pay it.

In the end, we will pass this bill. The government will try to make some kind of a method of policing it and proclaiming it, but, in the end, it doesn't really mean a heck of a lot when you consider all the other issues that we're facing in the province.

I look forward to continuing this debate. Thank you for the opportunity to say a few words this afternoon.

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

**Mr. John O'Toole:** The member from Simcoe North certainly, I'm sure, had more to say on this bill—at least I was hoping he did.

I would say that what is actually happening here—to the people of Ontario, I'm talking to you quite sincerely now—in the short time that the member from Simcoe North took to speak on this, he made the point very clearly. It was quite simply stated by saying that the process today has been looked at both federally and in the United States with respect to the legality and the Competition Bureau's position. This bill does nothing to stop what we would call “the street merchants” that scalp tickets.

If people don't want to attend the hockey game, the basketball game, the World Series, or whatever it is—or some rock concert, for that matter—they simply should not participate. They can probably catch a video of it or

some other media report on it. But if they're so desirable and they're in town only for one night and they weren't aware, they may want to pay the premium price. These decisions are made by individuals.

Premier McGuinty's government is always trying to ban things. It seems to be their ultimate solution all the time. Whether it's hamburgers in schools or chocolate bars or whatever it is, they seem to have these one-size-fits-all solutions. They're so contrary to human behaviour that this bill is one more example of saying one thing but not actually delivering, because this bill does not do what it purports to do. It will not stop the scalping of tickets. It will not stop people buying counterfeit tickets on eBay. And who's going to enforce it? This is another example of a government that has lots of ideas but no ability to deliver.

1530

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

**Mr. Bob Delaney:** There are some things that, as a government, we are trying to ban. We're trying to ban bad business practices. This is a bad, bad business practice. It's rotten to the core. What the member is basically saying is, "At the moment the law says that there's nothing wrong with that." If you want to pay \$300 for a ticket that has a face value of \$75, that's actually just fine by him.

But it's not fine by me and it's not fine by our government and it's not fine by the people who don't want to pay \$300 for a \$75 concert or entertainment ticket. We think it's wrong, so we're going to make the law that makes it illegal. We're going to make it possible for the Competition Bureau to say, "You're doing something wrong, and we can shut you down." That's what we think should be banned.

We think that other things should be banned as well. Generally, we've been getting rid of smoking. We think that's worth banning. We think that wholesale scalping, on an industrial, computerized scale, of concert tickets is a social wrong, and we're trying to ban it.

If you want to build a business model based upon being able to flip an entire block of tickets while adding no value to the performer, no value to the exhibitor and no value for the people who do the work in setting up and taking down, in taking tickets and in cleaning up, we think that's wrong. If your business model is, "Let us set up a wholly owned subsidiary, flip the tickets, take the money and run"—I realize that's the kind of business that the member for Durham may be advocating, but I'm not advocating that. Our government stands against that, and we consider that the accumulated savings of teenagers and 20-somethings who would like to spend their money fairly on a reasonably priced ticket for a concert deserve that very opportunity.

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

**Mr. Jerry J. Ouellette:** Yes, we get it. We understand. I said, "Madam Speaker, call the question." We have no problem moving forward with it. We want it to

go to committee and have it go province-wide, if need be, to get this message out there.

One of the big questions here is, what's playing at the GM Centre in Oshawa? That's what we're going to talk about. Great Big Sea, Jeff Dunham, Winter Dreams on Ice, Canadian world juniors exhibition game, Disney Live! Mickey's Rockin' Road Show, Grand Slam of Curling and Cirque du Soleil are coming up at the GM Centre in Oshawa. I would invite all those watching across the province to check the GM Centre in Oshawa's website.

As well, at the Regent Theatre in Oshawa, we have the Ontario Philharmonic, which is doing a great job out there. I would invite all those watching today to check the website for the Regent Theatre in Oshawa. Lighthouse is playing, as well as the Irish Rovers.

**Mr. Garfield Dunlop:** They're still around?

**Mr. Jerry J. Ouellette:** Yes, they're still around.

As a matter of fact, at the Oshawa Little Theatre—and you'd be happy to check their website, Madam Speaker—The King and I, The Sound of Music and Play On!, and a number of other shows are taking place in our communities.

As I've said before, we should call the question and move forward, as I think everybody is in support of this debate. I don't know of people who are opposed to it, but we should move forward on that.

**The Acting Speaker (Mrs. Julia Munro):** The member for Timmins-James Bay.

**Mr. Gilles Bisson:** I am so excited to have these two minutes to speak to this most important bill.

Thank you.

**The Acting Speaker (Mrs. Julia Munro):** The member has two minutes in which to respond.

**Mr. Garfield Dunlop:** Like the member from Timmins-James Bay, I'm kind of bored stiff with this already.

Look, I think I made it clear: We support this bill. We're going to go along with it. Obviously, we're worried about how it's going to be implemented, how it's going to be policed, and when the government will actually proclaim it, because it took 18 months to get it to here, so it could be another 18 or 20 months before we actually see it proclaimed as legislation.

I think that when you look at the state of the economy, when you look at the job losses we've got across this province—I talk to contractors day in and day out; I talked to a number of people on the weekend at some events I was at—they're having a very, very difficult time. One contractor I was talking with had 70 employees last year, down to 40 this year. He doesn't know how many people he's going to keep on after January 1. These are the kinds of issues I think we should be debating in the Legislature, the issues we face that are front-line spending, front-line issues in all the different ridings across the province.

It's good that Bruce Springsteen brought this to our attention. We're going to deal with it over the next few months, I guess, but I think there are so many more

important issues that could be debated. We could start here this afternoon if they wanted to bring something forward to debate or move forward with. But I can tell you that in my riding this is not even a slight priority. There are so many things—health care, education, transportation systems and the state of the economy—that are far more important than this. People are talking to me every day about their hydro bills. They've cut back and cut back on their consumption, but their bills are still higher than ever. Those are the kinds of things that people want answers from this Legislature on. I feel for the member from Mississauga, the spokesperson on this bill, who seems to be a real advocate for this legislation. It may be important in his riding, but in my riding the state of the economy is the number one issue.

**The Acting Speaker (Mrs. Julia Munro):** Further debate. The member for Peterborough.

**Mr. Jeff Leal:** Oh, I'm sorry, Madam Speaker, I—

**The Acting Speaker (Mrs. Julia Munro):** The member for Timmins–James Bay.

**Mr. Gilles Bisson:** Madam Speaker, I was slow getting up because I was really hoping that nobody was going to get up and that we were actually going to get to a vote on this bill, because as has been said by everybody in this debate, we are in favour of the legislation. It is a half-page wonder that the government has put forward. The explanation notes in the bill are longer than the actual legislation, so motherhood and apple pie.

It's a bill that, as has been pointed out by Mr. O'Toole, the member for Durham—and I think he's right—is going to do nothing to stop scalping. Do you think scalpers are no longer going to stand in front of Maple Leaf Gardens at the next hockey game when this bill comes forward and is finally passed? There are still going to be scalpers in front of Maple Leaf Gardens. Do you think they're not going to be scalping tickets in front of the Blue Jays games and out in front of various concerts across this province? Absolutely. This bill in a very limited way deals with scalping, but only one part of it. So at the end of the day this is much ado about nothing, because the government wants to stay away from the real issues that affect people every day.

That's the reason I am now going to get up, because I think there are far more important things we can be dealing with than a scalping bill. For example, people are now getting their hydro bills across Ontario, and those hydro bills that come in are getting larger and larger every day. Why? Because this government has done all kinds of things in order to push the price of hydro up for both businesses and individuals in this province, to the point that it's hampering business investment in this province. It's actually closed the Xstrata smelter-refinery in the city of Timmins, putting over a thousand people out of work. As a result of initiatives such as the HST and the hydro policies of this government, people are getting hydro bills that they can ill afford to pay. So are people really interested in the Ticket Speculation Act in ridings like Timmins–James Bay? I think what people are worried about is, "What's happening to my hydro bill? Why is it that I am paying more and more money for a

basic essential service such as electricity?" Rather than dealing with that, the government says, "Let's deal with ticket speculation." I listened today to the minister talk and say, "Oh, the NDP are against this wonderful initiative around smart meters and about how we're leading the world in new technologies and how wonderful this is and what this is going to do for conservation." Conservation, my eye. I can't change when I'm going to heat my house in the middle of winter. I can't change when I'm going to cook my meals when I come off work. You can't change most of what people have to say on ticket speculation—

**Mr. Jeff Leal:** On a point of order, Madam Speaker: While I always enjoy listening to my colleague the member from Timmins–James Bay, I am having a slight bit of difficulty relating ticket speculation and smart meters. A discussion of smart meters is always appropriate with the right bill, but I'm not sure it's connected to this particular bill.

**The Acting Speaker (Mrs. Julia Munro):** I will just remind the member that we are debating Bill 172.

**Mr. Gilles Bisson:** Madam Speaker, I agree. People feel they're getting scalped every day when they get their hydro bill. That's my point, and that's how it relates to ticket speculation. This whole bill should have been rewritten in order to protect the public of Ontario from the real scalpers in this world; that is, the Dalton McGuinty cabinet and his government, which have been scalping the people of Ontario when it comes to the hydro bills that they're getting. We all know that this scalping initiative called the smart meters at the end of the day is doing very little, if anything, to deal with conservation. The scalping that happens on your hydro bill as it relates to this act is that you cannot change most of the activities you have during the course of a day and the course of a week as a result of these smart meters. When are you going to stop heating your house in the middle of January? When are you going to stop washing your clothes? When are you going to stop cooking meals? When are students going to turn off the lights so they can study in the dark? There are things you can't do.

**1540**

So yeah, people are being scalped. I guess this bill is dealing with a form of scalping, as they would call it, because clearly people are being scalped by this government on a daily basis—these are great verbs I'm coming up with—scalped by this government when it comes to what they've done under hydro.

Ticket speculation? I want to talk to the people who are in, let's say, a riding somewhere in Ottawa, who are walking around the city of Ottawa today, buying things in the markets and in the stores of Ottawa or going into the service station to fill up with gas or get their car fixed. Those people I'm sure are all talking about the scalping bill that's in the House right now called the Ticket Speculation Act.

They're talking about how they're being scalped by the HST, about how every day the HST is reaching into people's pockets and pulling money out of their wallets

that they can ill afford to spend, because this government has decided that ticket speculation is more important than trying to deal with the costs that people are having to pay with increased taxes through the HST.

At least Gordon Campbell got it right. At least Gordon Campbell understood. "Oops, I did make a mistake in my government. I am not going to be re-elected in the next election," says Gordon Campbell, so he takes a walk, hoping somebody else can come on and give a new face to that Liberal government.

I'm beginning to think it's too late for my friend Mr. Dalton McGuinty, whom I have a lot of respect for. After all, he is the author of the ticket scalping act—the Ticket Speculation Act, I should say. He is bringing this very important initiative before this House. It's something that I know everybody in his riding and my riding are extremely excited about and are walking out—as a matter of fact, I can see them now. They're building the floats, decorating the floats. The marching bands are lining up in order to have a parade in every community across Ontario about ticket speculation, about how horrible this is and how happy they are that the government has come forward with this act.

Well, they're not. They're putting the floats together all right. They're getting the banners ready. They're putting the signs and getting them painted too, because they're getting ready for the next election when people are going to have a say when it comes to scalping in this province, when they're going to have a say about who scalped whom when it came to the HST and who scalped whom when it came to extra taxes they have to pay, who scalped whom when it came to hydro bills. They're going to have that decision come next October, in the next provincial election.

So ticket speculation? Obviously I love talking about the Ticket Speculation Act. I think it's the greatest act that ever came from this government. This government is just absolutely amazing and breathtaking in the width and scope of what this act does for the people in Attawapiskat.

Today I raised in the House the situation where 90 families are living inside what's called a contractor's trailer. Those are small rooms, 10 feet by 10 feet with families of four and five people per room, four toilet bowls for the 90 families, four showers for the 90 families, four stoves for the 90 families to cook their meals. Are they worried about ticket speculation? God, they'd love to be able to go to a concert in order to change their mind from the suffering that they have to live with every day in these conditions. "Well, we've got something," says Mr. Bentley, the minister responsible about ticket speculation, "But we're not going to do nothing when it comes to those folks in Attawapiskat who are having to live in very cramped quarters in a structure that doesn't even have a fire alarm."

You'd think this government would have learned as a result of the fire inquiry where you had two men die in a jailhouse in Kashechewan as a result of not having a fire alarm, of not having fire detection systems, of not having fire suppression systems, of not being able to have

adequate measures to evacuate people out of what was supposed to be a jail that wasn't even certified as a jail.

Ticket speculation? The people of Attawapiskat who live in this contractor's trailer, the 90 families that are there, oh, they're really concerned about ticket speculation. I was there last Wednesday or Thursday, whatever day it was, and they all came to me, everybody in the community in Attawapiskat. When I sat down with Theresa Spence, the chief, and the various members of the council and elders who were there, boy, they must have raised ticket speculation 20 times in the time I was there, because I'm sure they weren't interested in talking about the overcrowding of the folks who are living in houses that are substandard; of a school that has yet to be built in that community because of the indifference of the federal and provincial governments; about unemployment at 95%, 97%; or about poverty that strikes you in the face every time you walk into Attawapiskat or any First Nation community.

Ticket speculation? Oh yeah, it was real high on the list of priorities on the part of the people of Attawapiskat when I spoke to them last Wednesday, so much so that they sent me down here and said, "Gilles, whatever you do when you go to the Legislature next week, make sure to get up, Gilles, and speak on ticket speculation, because we in Attawapiskat, boy, oh boy, that's a real big issue. Certainly, the government has got really pressing things to do with ticket scalping as compared to what needs to be done when it comes to the overcrowding of the houses in Attawapiskat."

Today, the Minister of Aboriginal Affairs said, "Oh, well, we can't interfere because that's a federal responsibility. God, if we interfere, it may provide a level standard for all First Nations communities of us jumping in." The federal government is missing in action; you know it, I know it, everybody here knows it. The federal government doesn't care about ticket scalping. Do you think the federal government gives two hoots about that? I don't see any legislation federally about it. But I can tell you, they certainly don't care about the state of people living in First Nations communities. You just have to go into those communities to find out. When you've got 20 and 25 people living in a house that is overcrowded, that is full of mould in most cases; when you've got schools in most of the communities that are unable to operate because of mould, such as what's happening at Fort Severn, what's happening in Attawapiskat and others; when you've got water systems that are brand new, as they are in Attawapiskat, and they're not even sending people to do the testing of the water—can you imagine that? Ticket speculation? My God.

You've got Attawapiskat, a brand new water plant that was built with federal-provincial dollars not more than about six to 10 years ago, and the federal government—because the guy who did the testing retired, they haven't sent anybody into the community to test the water out of the water plant. Walkerton?

What happened in this province? Where is our provincial government to make sure that the federal government is held to account? Yeah, I understand that it's a

federal responsibility, I understand that the federal government has a responsibility towards First Nations, but we all understand here that the federal government is missing in action. They don't give two hoots; they never gave two hoots 100 years ago and they won't give two hoots 100 years from now. All I know is it's getting worse instead of getting better, sometimes.

Ticket Speculation Act? I can tell you that the good people of Timmins–James Bay are not too interested in the Ticket Speculation Act. There may be one or two people who may have heard about this and have a fleeting interest in the bill, but people want real issues addressed by their government. All I know is, I look at Attawapiskat as one example where you've got water that's not being tested in a water plant, so that you are playing Russian roulette every time you open up your tap, and a province of Ontario that has the best standards in North America when it comes to testing water; let's give ourselves credit. This Legislature, first under the Conservative government, then under the Liberal government and under the NDP before that, has built the toughest water standards in North America. We should be proud of that as members of this assembly and we should all take a pat on the back. I think Mr. Harris needs to take a pat on the back when it comes to what happened with Walkerton—not with what happened as far as the deaths, but what came out of Walkerton, and Mr. Eves and Mr. McGuinty and, prior to that, Mr. Rae.

Why is it that we're not applying these standards to the people living in Ontario who happen to be First Nations living on-reserve? Can't we hold the federal government accountable to a standard that every other municipality and everybody else has to live up to? Ticket speculation? It's speculation every time you take water out of a water system in a First Nations community.

All of us last week went to Remembrance Day ceremonies around our ridings. All of us had an opportunity to honour those who served and gave to this country as they did in the previous wars and they do today in Afghanistan. I was at all of those Legions, along with all of you in your ridings, as you went to the various ceremonies. I want to ask you: How many First Nations veterans asked us about ticket speculation? Not one. What did they talk about? They talked about the need to get better benefits, yes, from their federal government, in order to provide the right amount of benefit for them in their retirement, to make sure that their health care needs are taken care of and others. They worry about their children and their grandchildren being able to afford to go to school and get post-secondary education.

**1550**

I can tell you what they've talked to me about in Hearst and Constance Lake and Fauquier and Kapuskasing and Timmins as I attended various services there on November 11 and before. They talked about this latest initiative that the government had—not ticket speculation, but the government has decided it's going to pay the tuition of a number of Chinese students who are foreign students coming into Ontario. The folks that I talked to,

and I imagine you heard the same thing as you went around your riding, said, "I can't afford to send my child to university. My kid has got to go to work because we as parents can't afford to put our child through university." They didn't say to us, "Oh, but you know, Gilles, whatever you do, when you go to the Legislature next week, make sure to speak about ticket speculation. Make sure that we hold those people who scalp tickets accountable."

No, no. That's not what they talked to me about. They said to me, "Go to the Legislature of Ontario and tell Dalton McGuinty, bravo that we're trying to attract foreign students into Ontario—that's not a bad idea—but why not give the same deal to Ontario students who are working hard in order to go to university and college and get the degrees and diplomas that they want so they can go into the workplaces of Ontario and build the economy into the future and become the leaders of tomorrow?" That's what people wanted me to come to this Legislature to speak about. They didn't want me to come here and speak about the Ticket Speculation Act.

I tell you, most people in my riding love a hockey game—absolutely. And most people in my riding—it's probably a bit of a split: Montreal, Toronto and the Sens. Somewhere in there lies the allegiance of the people of Timmins–James Bay. I avow, I'm a Montreal Habs fan. I have been all my life and probably will be, and I know there are others here. But I can tell you, they weren't concerned about ticket speculation. They'd love to be able to afford the gas to drive the car to get to Ottawa, to get to Montreal and to get to Toronto to watch a hockey game. Once they are there, they'll buy the ticket. God, they'll go buy it off the scalper on the street. I've seen them do it before.

I can tell you a story about my father and I, who were down here some years ago when my dad was still alive: St. Louis-Toronto in the finals, and we couldn't get a ticket at the door. We got a ticket from a scalper for less than two thirds the price you would have paid at the door. We thought it was a great deal. We went in and watched St. Louis, unfortunately, beat Toronto, but in three periods of overtime.

So people in my riding, on ticket speculation, say, "Listen, if I can afford the gas to drive the car to go to Toronto, if I can afford to pay the GST on the hotel room that I have to pay when I'm down here, if I can afford to keep the lights on in my house in the wintertime and be able to save a little bit of money on my hydro bill, I can afford to go watch a hockey game and watch Montreal or Toronto or the Sens."

Ticket speculation: a really important bill. I don't for one minute say it is a bad idea. I'll vote for it. But I've got to tell you, using the legislative time that we have in the way that this government has pushed forward this bill to talk strictly about ticket speculation when we could be talking about the issues that face every person in our communities across this province on a daily basis—they want to have a job. They want to know that that job they do have is secure. They want the ability to send their kids

to post-secondary education. They want to know that if they get sick, they are not going to have to have a supplemental health plan in order to provide health services for themselves, to know that when mom and dad are failing, there is somebody in the home care system to take care of them and they don't have to fight with the system, as we all do on a regular basis in our constituency offices, trying to represent the people in our riding to get the services they should have in a community, but instead, what do we do? We send them into long-term-care facilities, where we spend far more money.

Ticket speculation? Yes, I'll talk about ticket speculation—because that's what the people of Timmins–James Bay want me to do, is to come here and not talk about ticket speculation, but to talk about those issues that are important to them.

So I say to the government, because I know they're going to get up and say, "This is really ironic. Mr. Bisson got up, the member from Timmins–James Bay, and said we're wasting our time, and he took 20 minutes to speak on ticket speculation"—I want to put on the record that I am taking 20 minutes to not speak about ticket speculation, to use ticket speculation as an opportunity to raise the issues that are important to the people of Timmins–James Bay and, I would argue, important to the people in our riding.

Every now and then, governments do things right, and every government of every stripe will bring laws to the House that the opposition parties will be able to support. But when those opportunities come, let's move on and let's deal with those other issues that are maybe a little bit more pressing and maybe a little bit more difficult to get consensus on and, yes, may cause some real debate in this House, so that we're able to find some solutions to the problems that people face every day in their lives as they go around the province of Ontario trying to go on with their daily lives.

Madam Speaker, I hope that you enjoyed my debate on ticket speculation. I hope you now clearly understand what my position is. My position is, bring the vote on. We'll vote on it, and I will use this debate to speak about all those other issues that are so important to the people I represent.

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

**Mr. Mike Colle:** It's kind of ironic that the member from Timmins–James Bay said he didn't want to debate ticket speculation, yet he stood up here for 20 minutes taking up time to tell us all his views about ticket speculation. I find it passing strange.

Anyway, I think the key part of this bill that really irritates people—and I think this has to be eliminated—is that it's not so much the scalpers you meet at the front doors of the Air Canada place, whatever, but it's these brokers and intermediary companies that are set up to basically scam people on a massive scale.

What happens is the primary seller—that would be the entertainment entity that sells tickets to a concert—will

hold tickets back at a lower price. They might hold back 5,000 tickets. Then what they'll do is pass those 5,000 tickets on to an inside broker or secondary seller, and they'll hawk those tickets at an inflated price, sometimes 50%, 100% or 200% more than you would have paid for that ticket if it was sold by the primary ticket vendor. This is one of the appalling things that happens. It's an attempt to deal with that. It's almost a form of corporate-type scalping.

This is the type of legislation that is also found in other jurisdictions in Canada and in the United States. People have asked that this unfair practice be dealt with. It is not something that we should tolerate. We're never going to wipe out all speculation, but at least—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. The member for Oshawa.

**Mr. Jerry J. Ouellette:** I'd like to comment about my colleague from Timmins–James Bay. I have some concerns about the member. First of all, I think he's probably scalphobic. Not only that, he's a Habs fan.

Look, we get it. The members in the chamber here were elected to do a job. All of us, I would imagine, spent last week doing Remembrance Day services. Quite frankly, Ralph Bice who was blown up at Dieppe, or Joe Hart who served in theatre in Italy, or my grandfather who fought in the Russian Revolution and then fought against the Germans in World War I, or my great-uncle who was a machine gunner in World War II, made sacrifices on behalf of the entire country—to come forward and make changes in our community. If I asked every one of those individuals about their concern with ticket pricing, especially when all parties are saying, "Let's move forward and call the vote," I think they would question what's happening.

I think we need to move forward on this on behalf of those individuals who we represent in each one of our ridings. We try to make a difference in the province, and if this makes a small difference, yes. And if there's opposition to it, I can understand why there would be immense debate over it—but I don't see any. I don't see that the members in this room are opposed to what's taking place here or have a strong concern or don't get the message. Yes, there are people abusing the system. There are people abusing the system everywhere. We need to move forward, and that's what we need to do on behalf of the constituents we represent in the province.

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

**Mr. Wayne Arthurs:** Thank you, Speaker. I'm just going to take two minutes or maybe a little less than what has been allocated. Each time a member gets up to speak to the bill, it means we're going to spend a little extra time before we actually get to the vote. I'm with the member from Oshawa. Once all those who want an opportunity to speak have had that opportunity, I'll be ready to vote too, but I'm not necessarily prepared to deny them that opportunity to make their voices heard. The member from Timmins–James Bay used his time effectively. You notice there was no one on this side who

stood up and asked you on a point of order to call him to order if it was appropriate. He did mention ticket speculation on a frequent basis, although his speech had little to do with that. But it did give him a forum to talk about what's particularly important to him this first week back after Remembrance Day.

**1600**

If I could capture in a word—and I don't want to put words in his mouth—the word he might have used in the context of how he feels about the ticket speculation legislation, he might have said “phooey.” I'm not sure he's going to use that word or some other word, but that would probably at least capture it for him.

On the legislation, it's an unacceptable business practice to have companies redirecting thousands or tens of thousands of tickets to a company that they have a direct relationship with, and may very well own, and double and triple the price. That's just not legitimate or fair and, frankly, it shouldn't be a legal practice. We have to bring that to a stop in the interests of Ontarians.

Ontarians work hard for their money, and they don't want to be gouged when they use their money for entertainment, sports or cultural activities. This legislation will be one piece in ensuring that that gouging doesn't occur, where thousands of tickets are moved away from the primary seller to a secondary seller with a direct business relationship, where a fair price, the first price, now becomes an inflated price of two and three times that amount. This is not a hard concept—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. Comments and questions?

The member from Timmins–James Bay has two minutes to respond.

**Mr. Gilles Bisson:** I want to thank those members who commented on my presentation on ticket speculation and about how it demonstrated that many people in my constituency would rather see the time in this assembly used to speak to issues that are more pressing to them than ticket speculation—not that ticket speculation is not important; I understand that. But I think people in my constituency, as in everybody else's constituency, have larger issues in mind with regard to what's happening with their job and what's going on in the economy: “Am I going to be able to send my kids to college? Will I be able to afford university?” Those are the kinds of issues that I think are on the minds of people, and those are the issues that I think we should be trying to deal with in this Legislature more effectively.

One comment I'll make in passing; I just think it's a bit strange. Here we are. We time-allocate bills on which we really should have debate, things that are very weighty. For example, when the government had its HST bill, the government used time allocation in order to close debate on the HST. The government said, “There's no time to talk; the decision has been made.” They limited the time that we had in committee by way of that time allocation motion and then limited the time that we had in third reading. Here we are with ticket speculation, speaking until the cows come home. We're having to sort

of kill time in this Legislature when I think there are other bills that probably could have used more time.

Would the government have gotten its HST bill in the end? Probably, because they hold the majority. But at least the public would have felt, if you didn't have time allocation on that bill, able to speak to the issues that pressed people and that people were concerned about when it came to the HST—and especially have the ability to travel that bill by committee to various communities. If it hadn't been for time allocation, we might have been able to do that.

To the members across the way, it's interesting how you use time allocation. We time-allocate those bills that are really worth talking about and we—

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

**Mr. Jeff Leal:** It's always a delight to have an opportunity to get some comments on the record. Bill 172 is a historic piece of legislation to amend the Ticket Speculation Act in the province of Ontario.

Before I get into my more formal remarks, I would like to take the opportunity to thank my good friend Mr. Fred Rathburn, who is president of Branch 52 of the Royal Canadian Legion in Peterborough, which did such a fantastic job last Thursday organizing the Remembrance Day service in Peterborough. Certainly, the new veterans' wall of honour that has been constructed in Peterborough—the Ontario government provided some \$100,000 to make that a reality to honour veterans from World War I, World War II and the Korean War. I encourage all members in this House to take the opportunity to visit that. It is quite a unique memorial, designed after the Vietnam memorial in Washington, DC. It is quite a special place.

I also thank Jim Marsden, who is the president of the Legion in Lakefield, Ontario, for his splendid hospitality and a veterans' lunch which he hosted last Thursday.

I've got to get on to Bill 172 here. I'm glad my friend the member from Oshawa is here today. There might have been some ticket speculation at General Motors Centre last Sunday, just yesterday. The Peterborough Petes were playing in Oshawa on Sunday night, and we lost 3-2 to the Oshawa Generals, but I—

*Interjections.*

**Mr. Jeff Leal:** I've hit a sore point over there with the member from Durham and the member from Oshawa, but let me keep going.

We were very concerned; unfortunately, it was the seventh straight loss for the Peterborough Petes. But I want to put this loss in Oshawa in context because there could have been some speculators out in front of the GM Centre, good folks coming up from Peterborough, ticket speculators, to get a ticket to see the Oshawa Generals play the Peterborough Petes. I'm told through newspaper reports that the Petes suffered two bad bounces resulting in two goals to the Oshawa Generals, so that's why we lost 3-2. But I'm quite confident that the prospects for the Petes will improve this Thursday night.

Madam Speaker, you're leaving momentarily and the member from Kitchener–Conestoga is assuming the chair

here. Thank you so much, Madam Speaker. The Speaker, I know, is an outstanding educator and had a very distinguished career in Kitchener-Conestoga before she joined us here in the House after the 2007 election: certainly a loss to the education community in Kitchener, but a real positive gain to the Ontario Legislature.

But I've got to get on here with Bill 172. We did introduce—

*Interjection.*

**Mr. Jeff Leal:** The member from Sarnia is heckling me here a bit, so I'd better get to the prepared notes that I have here on this bill.

This bill was introduced with some urgency back on April 29, 2009, and the legislation would, if passed, help to ensure that Ontario consumers have fair access to tickets to their favourite concerts, sporting events and theatrical performances.

While I'm on my feet, I think I can do a little paid political announcement. In November and December at Showplace Peterborough—some of you have been to Peterborough to attend events at Showplace Peterborough. John McDermott will be there at the end of November and the first part of December; Michael Burgess will also be there—two fine entertainers, and I know the tickets at Showplace Peterborough are well priced, but in case—

*Interjection.*

**Mr. Jeff Leal:** The member from Sarnia is concerned about those ticket prices at Showplace Peterborough, and I'm concerned too. If the member from Sarnia happened to be in Peterborough that night to see the John McDermott concert at the end of November, I want to make sure that the member from Sarnia and his lovely wife would buy those tickets at a fair price. I would not want the member from Sarnia and his wife to pay prices above what they should be paying to see John McDermott.

**Mr. Robert Bailey:** I want to go as your guest.

**Mr. Jeff Leal:** The member from Sarnia suggests he wants to go as my guest, but I know the member from Sarnia's background, and he did well in the private sector, so he could come to Peterborough and probably pick up my ticket and a ticket for my wife, Karan, and then we could go out and perhaps have an enjoyable dinner in Peterborough. I could name a couple of restaurants, but I don't want to get into trouble. We could have a wonderful evening. The bottom line is, we wouldn't want the member from Sarnia to pay prices beyond what the market would dictate.

We all know that Ontarians work hard each and every day; they work to support their families and they support our economy. Safeguarding consumer protection is vital during a time when every dollar counts.

Talking about how every dollar counts, I know the member from Oshawa would be very pleased—I just read recently that 600 workers will be back at General Motors in Oshawa on the flex assembly line, I think, building the Chevrolet Equinox that is being built both in Oshawa and in Ingersoll. I know that impacts some of my constituents in Peterborough because General Motors makes up about 25% of the local economy in Peter-

borough between retirees, active workers and the supply manufacturers that provide parts to build the Camaro, the Equinox and the Chev Impala.

**1610**

So we're very dependant on the success of General Motors in Peterborough, and that's why I was so supportive when we had to make a very difficult decision to put \$4 billion on the table to assist General Motors in their restructuring, but it is paying dividends. I understand that later this month the IPO will be offered. For my good friend from Durham, who had a very distinguished career at General Motors, I know he is one member who will be taking up that stock opportunity and he will be enhancing his portfolio by buying General Motors stock because as former senior management there, he has confidence in the new General Motors and he will be buying some of that stock.

**Mr. John O'Toole:** Now that I've left, the stock has gone down.

**Mr. Jeff Leal:** Getting back to this bill, it's a very important bill, and we're hoping the opposition will not be obstructionist when it comes to getting this bill to committee in the not-too-distant future.

I just learned by reading a bit of the background here that Ontario is one of several North American jurisdictions where anti-scalping legislation currently is in force. The Ticket Speculation Act already prohibits the buying and reselling of event tickets at a price higher than their face value except for a small commission—and we believe in a free market here in Ontario—for ticket agents, a maximum of 50 cents on a ticket worth \$4 or more. That does seem very reasonable to me. As I say, we are in a free economy, and the private sector should have the opportunity.

Earlier today, I talked about the scalpers at the Memorial Centre back in 1996 when we hosted the Memorial Cup. That was indeed a great event. I remember, as I said, the Sunday game, the last game of the Memorial Cup tournament between the Peterborough Petes and the Granby Prédateurs for the province of Quebec. It was so hot that day that there was fog in the Memorial Centre; you could hardly see the game. But arriving there for the 1 p.m. start, there were speculators—24 of them—standing out front of the Memorial Centre. They were supporters of the Brandon Wheat Kings. We eliminated them very early in the tournament, but they had their packages, and rightfully so. Before they were heading back to Brandon, Manitoba, they wanted to liquidate those ticket packages, so they were out front selling those tickets. Madam Speaker, I want you to know that the Leal family did not partake. We had our tickets, so we said no to those ticket scalpers out there because by buying them, that would have indicated that we're supportive of that kind of activity, so we did not want to do that.

**Mr. Mario Sergio:** Good for the Leal family.

**Mr. Jeff Leal:** Thank you, I say to the member from York West. He knows integrity when he sees it.

**Mr. Mario Sergio:** Absolutely.

**Mr. Jeff Leal:** Absolutely.

I'm told that the Consumers' Association of Canada, a very reputable organization that we all have great confidence in, has received a number of complaints in recent years that people are unable to buy tickets for events online even if they place their orders online at the moment of first sale. Although the tickets are said to be sold out, they are available from an affiliated organization at higher prices.

Let's put this in perspective for one moment in Peterborough. If you were going to attend that John McDermott concert at Showplace in Peterborough at the end of November or Michael Burgess in December—that would make an excellent Christmas gift, I would think. If were you to look online, I say to my good friends in Peterborough—and members of the O'Toole family, let me tell you. George O'Toole, the member from Durham's first cousin, lives down the street from me. George and Edna, very fine people—and they vote Liberal, too, which is great, I know that. I know they were swayed at one time by the member from Durham, but they said they looked at the situation in Peterborough and they knew who to mark their ballot for, and I'm pleased about that. But let's use them for an example.

If George was to go online today and he wanted to take Edna and his family to see John McDermott at Showplace in Peterborough at the end of November, and he looked online and he found out that it was a sold-out concert—most people would accept that. John McDermott, as we all know, is a very distinguished Canadian performer, and we all would like to see John McDermott. If Edna and George were out walking on George Street on that particular evening in front of Showplace Peterborough and, lo and behold, they came across 10 scalpers with tickets for that event, they rightly would be very concerned.

Madam Speaker, I know you would agree with me. If you and your husband had that experience at a theatre in Kitchener, Ontario, and you were told online that it was sold out and you soon discovered—I know your husband is very busy being a doctor—you'd be very upset. You would expect your government, the government of Ontario, to take corrective action to make sure that that would not happen.

Our proposed amendments to the Ticket Speculation Act aren't designed to address that specific concern. They will prohibit a business model that provides an incentive for a company to withhold sales of tickets on the primary market and, instead, redirect these tickets to a related secondary seller for sale at higher prices. We want to see that eliminated.

I know I heard from across the aisle their concern that it's taken some period of time to get this right. Well, it's important. The Ticket Speculation Act, Bill 172—I think, as the Attorney General shared with us when he made his introductory remarks a short time ago, it's important to get it right.

I'm just reading from a number of things here. In the spring of 2009, class actions were commenced against Ticketmaster and its affiliates in Ontario, Quebec, Alberta and Manitoba. The Quebec action has been stayed

pending the outcome in Ontario. Arguments on certification of a class action in Ontario are scheduled to be heard in May 2011, next year. The Ontario action attacks the service charges on primary sales and links between Ticketmaster and TicketsNow, the secondary sales site.

As I toured last week, on constituency week, from community to community—I was in Lakefield. I was in Curve Lake, a First Nations community in the northern part of my riding, for a great event last Friday. We had 27 graduates at Curve Lake—to become solar technicians. Indeed, it was a very joyous celebration. These individuals—21 were from Curve Lake, and the other six were from First Nations communities across Ontario—went into a very intensive training program. They had their graduation last Friday. I congratulate Chief Keith Knott, a wonderful man, a good friend of mine, and one of his associates, a fellow by the name of Michael Jacobs. Michael was the training coordinator who put the candidates through the paces.

By the way, if you're ever in Curve Lake, I recommend you drop by the Whetung art gallery. It's one of the most famous First Nations galleries right across Canada. It's open seven days a week throughout the year. If you're ever in Peterborough, go up to Curve Lake and visit the Whetung gallery. They would be very pleased to have you drop by.

I just digressed for a moment there talking about some of the good things that are happening in Peterborough.

By the way, also in Lakefield on Friday, we announced the enhanced ServiceOntario. So, if my friend from Sarnia, who may have a cottage in the Kawartha Lakes, needs his driver's licence renewed, needs his licence plate sticker, or he and his wife need a new health card, ServiceOntario in Lakefield now provides that very comprehensive service. That's a tribute to the great leadership of my colleague Harinder Takhar, Minister of Government Services, who is responsible for ServiceOntario.

Talking about ticket speculation, on Saturday I also had the opportunity to go through Stirling, Ontario. Stirling is a lovely community, part of the riding of the Minister of Education, Prince Edward—Hastings. What is unique about Stirling, of course—the former home of Rob Ray. Those who follow hockey will know Rob Ray had a distinguished career. He played for the Buffalo Sabres—Rob Ray, a good hockey player. They used to have a sign up going into Stirling: “The Home of Rob Ray.” Someone took that down, but I could ask the minister to put that back up again. Or there could be some ticket speculators—

*Interjection.*

1620

**Mr. Jeff Leal:** Rob Ray played defence, I think, to the member from Sarnia, but I will check for him and get him an answer back tomorrow.

But what I was concerned about—

**Mr. John O'Toole:** Is he related to Bob Rae?

**Mr. Jeff Leal:** Rob Ray? No, he's no relation to Bob Rae.

*Laughter.*

**Mr. Jeff Leal:** I know the member from Kenora—Rainy River was laughing at the relationship between Rob Ray and Bob Rae, but I can assure him that there's no relationship.

Going through the great community of Stirling on Saturday morning—I'm hoping they don't have any ticket speculators—they have a brand new agricultural museum. It is so exciting that there could be ticket speculators lining up in front of that brand new facility to see something inside there. That is a great facility. The leadership of the Minister of Education and her counterpart brought about that investment for that brand new agricultural museum for Hastings and Northumberland, and it will be a wonderful facility. I can't wait for the opportunity to tour it. I hope they're not going to sell tickets for the opening, because I know that facility will be so popular that someone may want to scalp tickets out front when that wonderful facility is opening.

I've just got to get back here to a few of the notes that they provided me with. I know Peterboroughans have said that it's unacceptable to allow a business model in which a company may have the incentive—and I want to emphasize that, "incentive"—to withhold tickets for the primary market and redirect them for sale at a higher price through another related company. I know everybody in this House, all 107 members, would certainly not want that to happen.

The proposed amendments to the Ticket Speculation Act will enhance consumer protection by (1) prohibiting related primary ticket sellers and secondary ticket sellers, including brokers and agents, from selling tickets to the same events; and (2) permitting a fine of up to \$5,000 for individuals and up to \$50,000 for those companies that contravene the law. Those are very severe penalties if you find yourself in breach of Bill 172.

We look forward to this bill going to committee, an opportunity for Ontarians—perhaps some people who reside in the wonderful riding of York West may want to come forward and have an opportunity to speak about this.

I also want to put in a plug. Carey Price has played phenomenally for the Montreal Canadiens—a save percentage of 0.963. My friend Bob Gainey from Peterborough made an excellent decision when they traded Halak and went with Carey Price. I think that may be their vehicle to be in the Stanley Cup final again this year.

I need to conclude that this bill is about fairness. It's about nurturing the trust of the Ontario consumer, who is very vital to continuing to build—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. Comments and questions?

**Mr. John O'Toole:** First of all, I want to commend or concede to the member from Peterborough that he has a great recall on history, and also some of my relatives, who probably, secretly, may have changed their vote. But you never know. These are secret ballots.

But the issue here that he was talking about—I want to clarify for the record that Rob Ray, who you were talking

about, actually played right wing; Bob Rae was actually left wing. Rob Ray played for Ottawa and Buffalo, and Bob Rae played for the NDP and the Liberals. So they always switch teams. It seems to me that if you had somebody scalping tickets for either one of those players today, you wouldn't get much for them.

But this is another example, a clear example, that this government will talk about anything but the bill. The reason is that there's nothing in the bill. It will not fix the problem. In fact, it's 18 months old; it's stale-dated. It should actually be withdrawn and re-entered as a bill more substantively dealing with technology and counterfeit tickets.

Let's put some substance in this bill. Let's turn the page here and move into a discussion about serious issues, about fraud and counterfeit on the Internet. This stuff that we've been playing around with this afternoon is wasting the people of Ontario's time, at a cost of probably \$1 million an hour to run the government and all its facilities. We're doing a disservice to those public servants who are working today here and listening to this trite drivel from the government.

I'm waiting for the member from Sarnia—Lambton to bring some contextual history to this bill and categorically demonstrate that the bill simply doesn't get it done. Here we have a government that's bereft of ideas, and the most disappointing thing today is that we were expecting you to have the economic update today.

**The Acting Speaker (Mrs. Julia Munro):** The member for Eglinton—Lawrence.

**Mr. Mike Colle:** I wanted to add comments to those of the member from Peterborough. He talks about Rob Ray; he comes from Stirling, as he said, and then he played for the Cornwall Royals. In his NHL career, I think one year he scored eight goals for the Buffalo Sabres. His claim to history was the Rob Ray rule for fighting. His equipment could easily be torn off. He would take off all his equipment—shoulder pads, elbow pads, everything—so they had to change the fighting rule so that equipment couldn't easily be taken off in a fight. Rob Ray certainly wouldn't cause ticket speculation, although I guess people do go to hockey games to see fights sometimes. As they say, "I went to a fight and a hockey game broke out."

Anyway, I think that that's the correlation between Rob Ray and this legislation. There's not much ticket speculation in Sabres games, as you know, because most of the Canadians who go to Sabres games get a discounted price, it seems. But anyway, if you want to see Rob Ray today, I think he's a colour analyst now somewhere in the States. I think he played for Rochester, too.

Ticket speculation, as the member from Peterborough said, affects all communities, whether you're in Stirling or Cornwall, especially when you're going to go see a playoff hockey game or a big superstar like Bobby Curtola when he comes to Peterborough to sing, or somebody like that. People get all excited and they want to see these great artists perform. Not too many people

here remember Bobby Curtola, but I think he came from—the member from Kenora knows. I think he came from Thunder Bay, didn't he?

Anyway, those are my two cents on Rob Ray, spelled R-a-y, and Bobby Curtola.

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

**Mr. Howard Hampton:** I believe the lack of importance of this bill is indicated by the degree to which almost everyone who has spoken has spoken about something else entirely, including the member from Peterborough, who claims to know the hockey player Rob Ray but doesn't know what position he played and doesn't know what he accomplished in hockey. But it just goes to show you that when you have a bill that does nothing, that frankly is a piece of drivel, members have to find something to talk about, so they even talk about stuff that they don't know about, including the member for Peterborough.

I have heard the most incredible nonsense here. Anyone knows that if you want to go to a Leafs game today, all kinds of people can't get tickets, so they go to StubHub or they go to one of the other Internet sites, they get their tickets and, yes, they pay more than what the ticket initially retailed for. Is this bill going to do anything about that? Nothing. Not a darn thing.

This bill is another example of a government that puts out press releases saying, "We're really going to change the world," and then you read the bill and you find that it does next to nothing. Then you have a day of debate like this in the Legislature, where members get up and talk about just about anything rather than talk about the bill, because there's not really anything to talk about in this bill. It doesn't do what it says it's going to do, that's the first problem; and second, I think if you asked the great majority of people across Ontario if this is a major problem that they think warrants government attention, they'd say no.

So let's have more debate.

1630

**The Acting Speaker (Mrs. Julia Munro):** Further debate? The member from Ancaster-Flamborough-Dundas and—

**Mr. Ted McMeekin:** Westdale.

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

**Mr. Ted McMeekin:** The riding with the longest name because our people have the biggest hearts, the biggest hopes and the biggest dreams. Anyhow, I appreciate that and your ability to remember. It's alphabetical: A-D-F-W. That's how I remember it when I'm out there and I've had a couple, right?

In any event, I'm pleased to add my voice to the crescendo of support for this bill. I mean, it's clear that while people want to talk about other things, invariably they come back and conclude by saying, "It's a good bill. Why don't we just vote on it?" I don't have a problem with that.

I can inform the House, for those who have ears to hear, that as a former Minister of Consumer Services, a frequent complaint we received from Ontarians all across

this province related to ticket scalping and inappropriate practices. We were pleased to work with the then Attorney General to draw this serious matter to the attention of his office and to urge that some action be taken to specifically curb the consumer abuse that was out there.

This bill isn't perfect—I mean, let's not kid ourselves—but it's a darn good start. It's a way of articulating a belief and, more importantly, a set of values that our government holds true, and that's that consumers ought not to be exploited. If we can do something to make that a bit easier—it's not whether you play left wing, right wing, centre or goalie. Canadians are going to win as long as the price is right, right? In any event, it's something that we need to do. There's never a wrong time to do the right thing.

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

**Mr. Jeff Leal:** Thanks very much. I appreciate the insightful comments from the member from Kenora-Rainy River, Eglinton-Lawrence and Ancaster-Dundas-Flamborough-Westdale.

Just for the record, to my friend from Kenora-Rainy River: I said Stirling was the home of Rob Ray. He did play for the Buffalo Sabres, which is indeed correct. As a Montreal Canadiens fan, we never paid much attention to the Buffalo Sabres; that's okay.

This bill, Bill 172, will go to committee in the not-too-distant future. That will afford the opportunity for those people who have a particular interest in this particular bill to come forward to make insightful presentations and then look at ways, I would think, to make amendments to this bill. Then we'll have the opportunity to bring it back into the House for third reading and then approval, and hopefully proclamation of the bill, to get at a problem that is not, perhaps, something that one discusses at the evening dinner table but is an issue if one has had the unfavourable experience of going online and trying to book tickets, particularly concert tickets, and then finding out after that happens that indeed the concert has taken place and there were a significant number of scalpers out in front of the venue where the concert has taken place. I mean, you would have a pretty bad feeling if you played by the rules, could not get your tickets and you found out that there's a group of people who usurp the rules to get these tickets and sell them at highly inflated prices. This is what this bill is about, and we look forward to it going forward.

**The Acting Speaker (Mrs. Julia Munro):** Thank you.

**Mr. David Zimmer:** On a point of order: I've been here all afternoon, and I feel compelled to pick up on something that the member for Kenora-Rainy River spoke to when he did his two-minuter a couple of minutes ago, and that's this issue that we've been here in the afternoon debating this bill. It has serious consequences for constituents here in Ontario, and yet I note that all of the members of the opposition—I don't think

any one of them spoke directly to the substance of this bill.

**The Acting Speaker (Mrs. Julia Munro):** This is not a point of order.

Pursuant to standing order 47(c), I am now required to interrupt the proceedings to announce that there have been more than six and a half hours of debate on second reading of Bill 172.

Acting government House leader.

**Hon. Kathleen O. Wynne:** No further debate, Madam Speaker.

**The Acting Speaker (Mrs. Julia Munro):** If the debate is deemed adjourned, I call for orders of the day.

*Second reading debate adjourned.*

CHILDREN'S ACTIVITY  
TAX CREDIT ACT, 2010

LOI DE 2010 SUR LE CRÉDIT D'IMPÔT  
POUR LES ACTIVITÉS DES ENFANTS

Ms. Wynne, on behalf of Mr. Duncan, moved third reading of the following bill:

Bill 99, An Act to amend the Taxation Act, 2007 to implement the children's activity tax credit / Projet de loi 99, Loi modifiant la Loi de 2007 sur les impôts pour mettre en oeuvre le crédit d'impôt pour les activités des enfants.

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

**Hon. Kathleen O. Wynne:** I'll be sharing my time with the member for Kitchener–Conestoga, but just before I do, I wanted to just say that I think that this is a very important piece of legislation. I think that it allows parents to provide opportunities for their kids, it takes the edge off and allows for a wider range of activities for children. Anything that we can do to help families and to support them in providing those activities, I think we should be doing.

I know that the member for Kitchener–Conestoga is going to talk about the details of this legislation, but I just want to say how fully in support we are of supporting families and kids being able to access activities in their communities.

**The Acting Speaker (Mrs. Julia Munro):** The member for Kitchener–Conestoga.

**Ms. Leeanna Pendergast:** It's my pleasure today to stand in the House for third reading of the Children's Activity Tax Credit Act, 2010.

I thank the acting government House leader for her comments. As the former Minister of Education, she is quite familiar with children and the formative years and learning and growing and developing and how significant this act is in allowing access for children during the formative years to this type of activity. So I thank the acting government House leader for her comments and her introduction.

This proposed act contains amendments, as we know, to the Taxation Act, 2007, and it looks to implement a new, permanent tax credit for Ontario families. This new,

permanent tax credit would provide \$75 million each year to assist with the cost of enrolling children in extracurricular activities and would benefit more than 1.8 million children in over 1.1 million families in Ontario. So we're talking about significant numbers and a significant effect and improvement to 1.8 million children and over 1.1 million families in the province. So this is quite significant.

We know that children benefit immensely from a diversity of experiences and opportunities, and our government wants to make it easier for parents to give their children these opportunities by saving families money and, of course, helping families in Ontario with their family budgets. The proposed tax credit is part of the five-year Open Ontario plan, which supports job creation and enhances programs and services that the people of Ontario value, including education, health care and skills training. It also supports our budget commitment to invest in Ontario's children and to provide them with a strong start in life, to expand on their hopes and dreams, to give them that strong start and to support them in achieving their hopes and dreams.

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I refer to a quote that tells us, "Consult not your fears, but your hopes and dreams. Think not about your frustrations, but about your unfulfilled potential. Concern yourself not with what you tried and failed in, but what it is still possible for you to do." That was Pope John XXIII. What we're focusing on here is allowing those opportunities for 1.8 million children in the province of Ontario to still achieve those things that are possible for them and fulfill their potential.

This credit builds on a comprehensive tax plan which includes the cuts that came into effect in January, lowering taxes for 93% of Ontario income tax payers. It's also part of a package of tax credits that is we have recently introduced, including the proposed Ontario energy and property tax credit, which would help seniors with their energy costs and property taxes, and of course the new northern Ontario energy credit which helps northerners with their energy costs. In fact, if you add up all the tax and tax-based benefit changes that we've introduced since taking office, we expect a typical single parent earning \$25,000 a year will be almost \$1,000 better off and a typical single parent on social assistance will have almost \$1,500 more in his or her pocket.

Our government remains committed to enhancing existing services and introducing innovative new services to create measurable improvement in the lives of the people of Ontario. Over the past seven years, these investments have raised the quality of life of the people of Ontario and are helping our economy and our families to adapt to these sweeping global changes.

Of particular focus for this government has been improving opportunities for Ontario's children and youth, and of course working to fulfill the potential of our youth. As of 2009-10, all primary classes in Ontario had 23 or fewer students and 90.5% had 20 or fewer. In 2009-10, 68% of all grades three and six students met or exceeded the provincial standard in reading, writing and

math, which is a 14% increase since taking office. In 2008-09, 79% of Ontario students graduated with a high school diploma, which means more than 52,500 additional students have graduated since we took office.

The proposed children's activity tax credit would support our children's learning outside of the classroom and continue to fulfill their potential outside of the classroom. It helps ease the budget of parents at all economic levels so that all children have a chance to pursue the activities that interest them the most. I thought I would give some specific examples as we go through to make it real and to highlight exactly what the activities are that children are interested in these days and that different communities offer in terms of fitness and non-fitness activities.

Examples of these activities that youth can pursue and that interest them the most: In my riding of Kitchener-Conestoga, we have all sorts of interesting groups and organizations in all three of the townships and in Kitchener as well. For instance, in Wellesley, youth will be able to continue to participate and families will have support in their child participating, for instance, in the 1st Wellesley scout groups or the St. Clements Boy Scouts. Perhaps they would be interested in the St. Clements Skating Club or St. Clements Minor Ringette or the St. Clements minor soccer. In the township of Wilmot they could be interested in participating in the New Dundee Minor Ball Association or the New Hamburg Hockey Association, the Centre Stage Dance Studio in New Hamburg, the Innovative Dance fitness facility which specializes in dance and is located in Baden, and of course the St. Agatha and district Scouts association—a huge variety and wide range of activities and sports being offered throughout the province. I'll continue to highlight some specific to my riding.

Under our proposed tax credit, parents and guardians would be able to claim up to \$500 in eligible expenses for a credit of up to \$50 per child under 16 years of age or up to \$100 per child with a disability under the age of 18 years. This is one more thing we can help do to put money back into the pockets of Ontario's moms and dads. Eligible expenses would include registration and membership fees, as well as fees that are paid to cover the cost of uniforms, for instance, or facility rentals, referees, judges, incidental supplies, administration and instruction. We know how important that is. Any of us who are parents of children who are involved in these activities—being a soccer mom where you're on the pitch and everyone is out there waiting to go, you know how important it is that that referee shows up. Being able to support the cost of the rental or the referees, or the uniforms for the children, is absolutely essential.

The proposed tax credit would cover activities that fall into two categories, as I mentioned earlier, both fitness and non-fitness activities. The criteria for eligible fitness activities would be the same as for the federal children's fitness tax credit. The activities would require a significant amount of physical activity that contributes to cardio-respiratory endurance, plus one or more of muscle strength, muscular endurance, flexibility, and balance. To

be eligible for the credit, both fitness and non-fitness activities would have to be supervised and would also have to be suitable for children. Some examples, of course, would be fitness activities such as soccer, karate, figure skating, baseball and lacrosse. It goes on and on. So again, I'll give you the list, but I'll do it with specific reference.

In Kitchener, for instance, so in my riding of Kitchener-Conestoga, there are lots of things that youth can be involved in. There's the Conestoga Sailing Club; there's Kitchener minor soccer; there's the K-W Sertoma speed skating, K-W synchronized swimming, K-W track and field, K-W water polo. There are riding programs, ringette. There's K-W rowing, Guelph rowing—and, of course, I'm smiling because rowing is something that my sons have recently become involved in. We talk about fulfilling their potential and raising their horizons and showing them things that they didn't think they could otherwise be involved in. For my boys, they just recently rowed the Head of the Charles rowing regatta with their father because they became involved in the Guelph Rowing Club. So the exposure for children at a young age, of course, in the formative years, is absolutely crucial. This allows this to happen, as we said, for 1.8 million children.

The McGuinty government's proposed children's activity tax credit builds on the federal children's fitness tax credit but would be different in a few significant ways.

First, our children's activity tax credit would be refundable. What that means is that low-income families or parents who pay little or no income tax would also be able to benefit.

Second, the Ontario tax credit would cover a wide range of activities, not just sports activities. For instance, for non-fitness activities to be eligible, they must fall under one of the following categories: instruction in music, dramatic arts, dance or visual arts; language instruction; activities with a substantial focus on wilderness or the natural environment; structured interaction among children where supervisors teach or help children develop interpersonal skills; activities with a substantial focus on helping children develop and use intellectual skills; enrichment in tutoring and academic subjects.

Again, examples of these types of non-fitness activities, specifically from Kitchener-Conestoga, include, for instance, the Breslau, Bloomingdale, Maryhill Band: Learn to Play a Wind Instrument; byDesign Arts Education in Bloomingdale, in the township of Woolwich; and Music for Young Children, again in the township of Woolwich. In Kitchener, for instance, there is the Palabras Language School and Cultural Services, or the Grand River Chinese School language program. All of these things become accessible and available to children to expand their minds and expand their horizons and, of course, their opportunities for the future.

#### 1650

For both fitness and non-fitness activities, programs would qualify as eligible if they are not part of a school curriculum and conform to a set of guidelines. Eligible

programs include those of a duration of eight or more consecutive weeks in which all or substantially all of the activities include a significant amount of the qualifying activity, or a program of a duration of five or more consecutive days of which over 50% of the daily activities include a significant amount of the qualifying activity. Furthermore, membership in an organization of a duration of eight or more consecutive weeks would be eligible for the tax credit if over 50% of all activities offered to children by the organization include a significant amount of whatever that qualifying activity is. Membership in a program or organization that allows children to choose from among a variety of activities where half or less than half of those activities meet the conditions would qualify, of course, for a portion of the cost of that membership.

The McGuinty government knows the importance of broadening the criteria of this credit because the benefits of keeping our kids active and keeping our children healthy go beyond just physical exercise. A 2008 study conducted for Statistics Canada concludes that children who participate in extracurricular activities benefit not only from increased academic performance, but develop healthy social behaviours as well.

In February 1997, the medical journal *Neurological Research* published the findings of a two-year experiment that explores the link between music and brain development. The study reports that music training, specifically piano instruction, dramatically enhances children's abstract reasoning skills necessary for math and science studies. Additionally, those children who received piano or keyboard training performed 34% higher on tests that were measuring spatial-temporal ability.

The children's activity tax credit would be the only credit of its kind in Canada provided for a comprehensive range of children's activities. Our proposed credit also differs from the federal credit because the \$500 amount used in calculating the credit would be indexed for 2011 and subsequent years so that credits would keep pace with inflation. This way, we can ensure that we continue to provide the necessary assistance to Ontario families, both now and in the future.

All Ontario parents who enrol their children in eligible programs could claim the tax credit on their annual income tax returns, beginning with the 2010 tax year. That means that any eligible expenses incurred on or after January 1, 2010, would qualify.

The benefits of the children's activity tax credit are, of course, as we've mentioned and discussed, more than just financial. Research has shown that keeping our children active also aids in neurological growth. A study published in August by the University of Illinois draws a direct correlation between physical exercise in children and brain development. The study finds that fit children have significant development in the part of the brain that aids in maintaining attention and what the study calls executive control, which is defined as the ability to coordinate action and thought crisply.

In a separate study, a group of nine- and 10-year-old children were categorized by fitness levels and had their

brains scanned. The children completed different tests, this time focusing on complex memory. Sure enough, the MRI scans revealed that the fittest children had increased brain development. These findings support what many Ontario parents already know: that keeping our children active and healthy helps them to be successful in so many different ways. Involving them in activities outside of school promotes valuable skills that they will use to be successful throughout the rest of their lives.

An educated and healthy population is critical to Ontario's prosperity, as we know, both now and in the future. Our government believes in starting this lifelong process as early as we can. We know that studies show that the formative years are crucial to development.

Liz Weaver, who is the president of Parks and Recreation Ontario, says her corporation "is pleased that the McGuinty government is taking steps to encourage Ontarians to enrol their children in sport and recreation activities." Liz goes on to say that, "Children that participate in good-quality sport and recreation programs are healthier, do better at school, have higher self-esteem and are more likely to be active throughout their lives." She concludes by saying, "By making this new tax credit refundable and retroactive ... and by expanding the range of recreation programs that are eligible, more Ontarians will benefit."

Andre Picher, who is the co-founder and co-director of Wholeplay, which is a Toronto organization providing child development classes to parents and to children, has also expressed his support for this credit. Andre goes on to say, "The credit would be of great help to the province's families in that it would make the costly activities that kids need and parents want to provide more affordable and accessible." Andre concludes by saying, "It's great for the province in that the investments in early childhood health reduce future expenditures on things like health care and social assistance. It's also good for small businesses like us because we need to be able to provide excellent programs for kids while keeping them affordable to parents. The credit helps keep us in business and stimulates the economy. This tax credit goes a long way towards helping all those positive ends be met."

As I mentioned earlier, our government supports learning both in the classroom and outside of the classroom. In addition to announcing the new children's activity tax credit, September also marked the initial phase of implementing our commitment to make full-day learning available for all four- and five-year-olds in the province of Ontario. Full-day kindergarten provides children with the foundation that they need for future learning and supports student achievement; it builds on the successes we've already seen in lowering primary class sizes and increasing graduation rates.

Full-day kindergarten classes are supported, as we know, by two qualified educators. Many of these early childhood educators—700, in fact—returned to school to pursue training through the Second Career program over the last two years. Through the Second Career program, Ontario's early childhood educators are trained to provide the best care and learning environment for our kids.

Along with our implementation of the full-day learning and our proposed children's activity tax credit, our government is also investing in child care as part of the larger package. Earlier this year, our government announced that it's stepping in to permanently fill the gap left by the federal government with an investment of \$63.5 million a year to preserve 8,500 child care spaces. This brings Ontario's annual investment in child care to approximately \$869 million.

This funding will provide stability in the child care sector while the province continues to press the federal government to restore full funding for child care. It remains a priority of our government to support the approximately 4,600 licensed child care programs in Ontario that serve more than 263,000 children up to the age of 12.

The children's activity tax credit would build on the significant measures that we have already taken to support children's activities. Of course, the after-school initiative, which provides youth in high-risk communities after-school programming, includes programs such as healthy eating and nutrition education to help combat childhood obesity; physical activity to encourage active lifestyles; personal health and wellness education to promote self-esteem; and activities that address specific priorities based on whatever the local community needs may be.

We also have an agreement with the federal government to fund sports programs for Ontarians with a particular emphasis on enhancing opportunities for young people, aboriginal Canadians and people at risk. Under this agreement, both governments are each contributing \$2.65 million, for a total investment of \$5.3 million over three years. Funding will go towards programs such as the Track and Field Fitness project, which provides organized activity sessions for more than 10,000 aboriginal children and young people in 60 First Nations communities.

#### 1700

Other programs include the Bridging the Gap Through School Support project, which offers leadership training for senior students in the phys ed leadership course. The Sports Camps for Kids initiative helps Boys and Girls Clubs across Ontario offer customized sports camps to more than 5,000 children and young people at risk.

Ontario has also supported a number of children's activities by investing \$4.5 million since 2006 in the Ontario international amateur sport hosting policy. Of course, we know that our funding has gone toward supporting such things as the 2007 FIFA under-20 World Cup of soccer, the 2009 World Junior Hockey Championship and the 2010 International University Sports Federation's world university cross-country championship.

Furthermore, we have the healthy communities fund, a one-window approach to funding local organizations for the delivery of health promotion initiatives that relate to physical activity, sport, recreation, healthy eating, injury prevention, substance and alcohol misuse, and mental

health. The healthy communities fund has provided an estimated \$21.9 million to 369 organizations across Ontario to deliver local, innovative health promotion programs—of course, all positive steps forward to supporting the province and the families in the province of Ontario and ensuring Ontario's success for generations to come.

The children's activity tax credit and other measures I have outlined are excellent examples of investments our government is making to support the very foundation of our Open Ontario plan, which is, of course, the people themselves.

When we talk about supporting people and doing things that make a direct difference, we really have to make a comment to support the men and women who create these programs, who run these programs in our local communities, who make these opportunities available for youth and children and for parents to make it possible for their children to participate in such things as the Waterloo rugby club or the Topspin Table Tennis Club, the Woolwich Figure Skating Club or the Elmira Karate Dojo. When you go through these lists—and this is just one riding, Kitchener-Conestoga—but when we look across the province at all of the organizations and clubs, the available programs that are available for children to increase their exposure, to help them reach their hopes and dreams in both physical and non-physical activities, we start to get a feel for how significant this bill is in terms of making opportunity and development available for our children.

Of course, part of this is that we remain committed to the Open Ontario plan. It lays the foundation of the government strategy to position the province for these new opportunities, this new job growth, this new economic growth, and it will create even more opportunities for the people of Ontario and their children. It's about reassessing how we do business in the province and how we can best provide for the times ahead. It's about maximizing the existing resources that we have. Our resources consist of our people, our programs and the processes that can best be followed until an economic recovery takes hold. It's about strengthening the province. It's about investing in our children. As we know, our children are Ontario's future.

As a vice-principal, I used to always say to staff and parents, when they were frustrated or had to just give the child that extra effort or one more program or one more tutoring or one more session, that we have to remember that Ontario's future walks through the doors of our schools and our programs every day.

This is another step forward by the McGuinty government to support these programs out of school, both fitness and non-fitness.

Parents want to make sure that their children have all of the opportunity they need to grow up strong and secure, to become happy, caring, productive and engaged citizens. Our families deserve nothing less, and the youth of Ontario deserve nothing less. So, I ask the House to support Bill 99, the Children's Activity Tax Credit Act.

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

**Mrs. Christine Elliott:** I did listen with great interest to the remarks made by the member from Kitchener–Conestoga with respect to Bill 99, An Act to amend the Taxation Act, 2007 to implement the children’s activity tax credit, and there’s a lot that I agree with. I agree with her that both physical exercise and physical activity are really important for a child’s development, that it does stimulate brain development as well as having a healthy lifestyle.

I was really interested in her comments with respect to music training and how that is related to brain activity, particularly in terms of abstract concepts, and how that can really help in terms of ability in math and science later on. I agree with all of that. I think those are really important concepts.

But on the other hand, we have to take a look at this for what it is. It is a \$50 tax credit, up to \$100 if the child has a disability. Some have called this—I wouldn’t myself—a cynical PR ploy, that it’s really to divert people’s attention away from the fact that the McGuinty government is taxing people to death, what with the HST, the extra fees that are being charged in schools and increased energy costs through those so-called smart meters. People have really had it up to here with taxation, so anything that looks anything like tax relief of course we’re going to have to agree with. But the fact of matter is, this is really insignificant compared to the wall of taxes that people are being faced with, and I think that people have come to that realization. While they are going to be grateful for this, it’s a real drop in the bucket compared to what has been taken away from people, in the face of the taxes that they’re paying now and the increased energy fees that they can expect to pay in the future. You can anticipate that within the next year, energy costs are going to go up by at least another 25%, and I think people are aware of that. People are waking up to what’s going on with this government.

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

**Mr. Howard Hampton:** I too listened to the government spokesperson from Kitchener–Conestoga. She recited a lot of information that is really not part of the bill. I think the crux of the matter for the bill comes down to this: When I look around my constituency, I see virtually every municipality now trying to link with organizations like KidSport or Right To Play because so many kids from low- and modest-income families cannot afford any longer to take part in a lot of community recreation, music or other events. Their parents just don’t have the money. Their parents are struggling to pay a hydro bill that has doubled in the last 18 months. Their parents are having to find an extra \$1,200, \$1,500 a year just to pay the hydro bill. Their parents are having to find more money to pay the heating bill. Their parents are being met with a long list of other fees, whether it be an eco fee or whether it be another energy fee they simply don’t have the money for. The reality is, in community after community after community, we’re actually seeing kids

from low- and modest-income families being forced to drop out of these activities because their parents don’t have the money.

I know in the press release, the government wanted to make this sound like it was the greatest thing since sliced bread. It was going to fix this. But \$50 is not going to fix it—

**The Acting Speaker (Mrs. Julia Munro):** The member for Mississauga–Streetsville.

**Mr. Bob Delaney:** It seems that the opposition members grasp the benefits of this particular tax credit. For parents, particularly lower- to middle-income parents, whose children are participating in an event, this tax credit means a great deal, and the structure of it ensures that this isn’t something that if you’re at the lower or the middle end, you think, “Well, I’m already maxed out in my tax credits. It just doesn’t apply to me,” because it’s a refundable tax credit. Even if you’ve used up all of your tax credits, you still get reimbursed for this one. So the structure is right. It extends beyond sports. It extends to such activities as recreation, music, language and dance, and of course, you’re able to claim 10% of the activity that each child is in, up to a maximum of 10% of \$500 per child or 10% of \$1,000 if your child has a disability. This is just one more way of helping Ontarians keep some money in their pockets.

**1710**

One thing that Ontarians have found out is that their taxes today are lower than they were on the last day of the Harris-Eves government. Your income taxes are lower, and your ability to afford things is higher.

So this is a new, permanent children’s activity tax credit. It represents the investment of about \$75 million per year in families all across Ontario. It means a great deal to us in western Mississauga. It means a great deal to families in Churchill Meadows, Lisgar, Streetsville and Meadowvale; for many people who are pretty close to the edge, who have seen a lot of things go up in recent years. It’s offset by lower taxes, but this is one other thing that’s going to make participating in children’s—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. The member for Durham.

**Mr. John O’Toole:** I was, I would say, listening carefully, but I did become saddened after a period of time because of the cynicism I noticed.

Now, here’s how I interpret it. The HST was implemented on July 1. There was outrage, and rightly so; look what Gordon Campbell did. Premier McGuinty could take lessons. But here’s the real issue. The real issue here is that quickly after that—this bill here, Bill 99, was introduced in September. There was another bill for seniors to give them—what this is is a clear admission that they went too deep on the tax and too fast, so now they’re backing off. We understand that: “Mea culpa. I’m sorry,” to the people of Ontario. That’s kind of what the Premier is saying: “Excuse me. We went too deep into your pockets.”

Now, let’s look around and look at the damage they’ve caused. The economy is in a shaky condition. There are federal meetings on it. Here’s the issue: As the member

for Whitby–Oshawa said, it's a cynical PR move. That's the word she used, and I think it precisely paraphrases how we've become cynical, suspicious of the moves of Premier McGuinty.

It's HST on everything. The member from Kenora–Rainy River, I think, said it very eloquently when he said—and he's involved in sports with minors, with his children and himself. He's engaged very much. Now we've got families who have to go to Play It Again Sports. Here's the more cynical thing: I've had complaints in my riding of Durham from my constituents, who are hard-working and honest, much like myself—but here's the deal: They actually are telling me now that when they buy used equipment they have to pay HST on it. When will it stop? That is the question that should be remaining in people's minds today.

**The Acting Speaker (Mrs. Julia Munro):** The member for Kitchener–Conestoga has two minutes to respond.

**Ms. Leeanna Pendergast:** I'd like to acknowledge the comments of the members from Whitby–Oshawa, Kenora–Rainy River, Mississauga–Streetsville and Durham.

I want to start—the cynicism. These are tough times, and what we're doing here is we're making it that much easier for parents to put their children in activities, both fitness and non-fitness activities outside of the school curriculum, which is absolutely essential to the development of our future and which I don't find cynical at all. When we're investing in our children, we're investing in our future, and investing in a new, permanent tax credit, a tax credit that's refundable, retroactive and indexed, to help the families of Ontario and put money back in the pockets of the moms and dads who want their children in these activities so that their children can be healthier, can have better self-esteem, can do better at school, can be more active throughout their lives—it's incredible that anyone can stand in this House and say that it's not a good investment to invest in our children, in the people of Ontario and in our programs. It's phenomenal.

I'd like to hear the opposition, in their complaints, talk to the Woolwich Girls Minor Hockey Association; to that eight-year-old girl who was unable to attain that, but with this tax credit, will be able to participate.

As I stand on the soccer pitch with my three sons, the parents tell me—there's one parent in particular who you wouldn't expect to benefit from this tax credit who took my hand and said, “Thank you. This means that my four children can all participate in four different activities that they're all interested in.” There are parents who go to four different activities and will continue to do so because of Bill 99 and the Ontario children's activity tax credit.

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

**Mr. John O'Toole:** I want to be perfectly clear, right from the outset, that we're in favour of active lifestyles for children. We recognize the importance of culture, music, literacy—

**The Acting Speaker (Mrs. Julia Munro):** Excuse me. Are you standing down the lead?

**Mr. John O'Toole:** I may take the hour. I will take as much time as I need. I haven't got quite enough, actually, for all I need to say.

**The Acting Speaker (Mrs. Julia Munro):** All right. Please continue.

**Mr. John O'Toole:** Just put me down for the lead. Thank you.

I think this would be a good time to look broadly at the issue of the HST, so I may from time to time move off the specifics of Bill 99 to the general concern, even on the part of the government.

I want to put a couple of things on the table that are new. This is third reading, so it's too late to amend the bill, but I'm always a positive person; I always think the government might be listening. There could be somebody watching television at home who knows the Premier, a next-door neighbour or something, who could call him and say, “Why don't you try and get it right?”

I brought these ideas forward during second reading debate, so some of it may already be on the record. Obviously, it was ignored because they didn't pay any attention and do it.

Here's a good example: I would say that there are people here today on this bill, Bill 99—no one was paying attention, and the member from Hamilton East–Stoney Creek said, wisely so, I might say, “It's a cynical ploy.” Those weren't his correct, exact words, but here's what he said: It's sort of a shell game.

In the limited time I have—an hour—here's the deal: The tax credit is a maximum of \$50. You can spend up to \$500 to get this credit. Here's how it works: If you went out and bought some equipment or something, this would qualify, or music lessons, and you bought an instrument, I think those things may qualify perhaps, but I'm going to clarify that later on. Or tutoring in a second language—all of these things I would be supportive of.

As a parent of five children, I know how expensive it is to pay for these things. Now I have five grandchildren, and my kids think I should be paying for the grandkids. Hello. It's their decision, and I'll be there to help them.

For example, there are sports I like that sound snobbish but they're not; they're a good deal. I looked into it. For two boys in hockey, it would be over \$1,000 each per year. I have three girls as well—young women now—beautiful children. But here's the point: We took out a ski membership. A family membership costs less than one for all of them to play ringette or all these individual sports, and we went as a family and we have for years and years and years—some would say too long.

This year I got the bill and guess what? After being a member for over 25 years, it's up 13%. I looked at my watch and I said, “You know, everything's more expensive in the Dalton McGuinty era—everything, including that.”

I'm not sure any of this would be deductible, because it only qualifies for children under 18 and you have to spend the money. There's a whole list of exemptions that aren't covered. For instance, when people are involved in these things, they're paying PST and GST. I get that, but it's still 13%.

*Interjection.*

**Mr. John O'Toole:** When you spend \$500—this is important, and I'm helping the member from Peterborough; math wasn't one of his better subjects. But anyway, here's the deal: If you spend \$500—now pay attention; we're going to work through this slowly—13%, that's \$65, roughly. That's \$65, and you get back \$50. They're going to send you a cheque. The cheque and issue will probably cost you, I would say, \$5 to \$10; that's what it'll cost to issue the cheque.

**1720**

I would say honestly that this—the media had it right. I'm going to look at some of the—actually, this is what the Windsor—this is a division of the Toronto Star that got it right. They say that it's a cynical PR move. They say, "Ontario finance minister Dwight Duncan is selling the new children's activity tax credit as a tax break for families who spend money on extracurricular activities for their kids." That's the laudable goal.

"This is designed to make it more affordable for parents to have their kids in sports and cultural events," Duncan said. Covering everything from hockey and soccer to art lessons, the measure allows parents to deduct up to \$500—here it is—"to receive [a] ... rebate of as much as \$50 per child or \$100 if their child is disabled.

"While every child should have access to activities that promote his or her health and well-being, this new policy is being met with much cynicism—and for good reason.

"The announcement comes two months after the introduction of the despised harmonized sales tax. NDP leader—to her credit—"Andrea Horwath noted the new credit merely offsets some of the cost increases" of the child because of the HST. "What would be the best is if the government had thought more carefully about the harmonized tax in the first place," she said." And I think that's right. They went far too deep, far too fast, and they got caught, and the people of Ontario are going to make them pay for it.

"A public relations move at best, the tax credit is an attempt by the Liberals to use children"—I look at the pages here, the new group of pages; it's a cynical ploy—"as a shield from the flack generated by the HST."

I think of these young pages. The activities—they're in here. They're coming. They're paying money. It's more expensive for transit; it's more expensive for your parents' gas; it's more expensive to clean those uniforms after. This tax is on everything; it's pervasive. It's like an oil spill. It's tragic. I can't disagree—the way they've framed it, the way they've packaged it, as if it's—if I vote against it, they're going to say, "You voted against"—the finance minister uses this very tried and sad and tired line. He says, "You voted against a tax"—

See, to me, we're catching on. You have run out of gas, you've run out of ideas and you've run out of fooling the people of Ontario.

I remember when the Premier was running for the first time in 2003, leaning up against the lamp post, sort of like this, saying, "I won't raise your taxes." What's the

first thing he did? Raise your taxes—the health tax. Now he's trying to get away with it again.

Not only that, here's the other thing: They say right now that one of their new plans is to improve energy. What they mean by improving energy—this is their energy strategy now. This is cynical, too. The energy strategy is this: Our leader, Tim Hudak—we're totally onside with conservation. We're totally onside with that. These are our ideas, if you look at the report. Look at the renewable energy report. You're copying some of it. Here's the deal, though: Their plan with the smart meters is to blame you, the consumer, for not doing your laundry on Sunday morning or Saturday. You've got to get up at 3 in the morning to wash your dishes or have a shower. They're blaming you. If your bill is too high, switch your usage, change your habits, get a night-shift job—whatever.

Here's the deal, though: They're blaming it on you. The consumer of Ontario is being told that you're guilty. It's Premier McGuinty's plan; it's failed. Here's the deal: You see the overrun at the Bruce nuclear station. They're trying to tell us on that Bruce station that none of that is going to show up in our tax bill. Are you kidding? You eat that—you should be getting this tax credit here for the children because I'll tell you right now, you're going to be paying for that for sure.

What I could tell you, though, is that in the contract they signed with Bruce Energy, if you read the contract, they guaranteed Bruce that all the power they generate they can get out at a certain price. They won't disclose the price, but they were guaranteed. What they did is they spent \$1 billion of your money to build a transmission line to get it out to where it's needed: Toronto. Why? Because they haven't got the capacity to create the energy within Toronto—that is, the political courage to do it. This bill, Bill 99—I believe that the Star has it right: It's a cynical ploy; it's a switch-the-channel; it's a fool-the-people-of-Ontario plan.

First of all, let's review the fundamentals. A family has to spend \$500 to \$1,000. It doesn't include some things—and I'm going to include some of them now for you because this bill isn't that large, really. It was drafted rather quickly. They knew they made a mistake with the budget bill on the new HST.

Here's what it says. It says, "For taxation years ending after 2009, an individual is able to claim a credit in respect of expenses incurred in enrolling a qualifying child in a program of physical activity prescribed under the Income Tax Act ... or a qualifying program. The maximum credit for 2010 is \$50 per qualifying child and an additional \$50 per qualifying child with a disability. The credit would be claimed in the tax return filed by the individual for the taxation year." In other words, if you don't pay tax or you don't file, you don't get it, surprise. A lot of people in that low income don't file, don't get it, so don't hold your breath. "Consequential amendments are made to subsections 84(1) and (3) of the act."

But it goes on to list "eligible fitness expense" as the meaning assigned by subsection 118.03 of the Federal Act—admissions that are eligible—"means, in respect

of a qualifying child of an individual for a taxation year, the amount of a fee paid to a qualifying entity (other than an amount paid to a person that is, at the time the amount is paid, the individual's spouse or common-law partner" and under age 18.

So they go into a lot of detail here, but really, ultimately, there are a lot of expenses that won't be covered. Do not be fooled that you have to spend the money and pay the tax on that activity and then you claim it after some more red tape and paperwork. They're in hopes that a lot of people will just say, "Fifty dollars? It's going to cost"—to get your income taxes now, you're going to have to pay the HST to have your income taxes done. So even to pay the government, you're going to have to pay tax on paying the government. It's so hypocritical that I'm not surprised the member from Whitby–Oshawa used the term "cynical PR move." I think she's dead right.

"Includes the cost to the qualifying entity of the program in respect of its administration, instruction, rental of required facilities, and uniforms and equipment that are not available to be acquired by a participant in the program for an amount less than their fair market value at the time." In fact, if things are contributed, you can't claim those expenses. It's obvious, I guess.

Not included: "(i) the cost of accommodation, travel, food or beverages,

"(ii) any amount that is an eligible fitness expense."

Here's what it comes down to. They crafted it—and it troubles me that we've come this, trying to wedge everybody on every issue. Tim Hudak has a young child. He will do everything, as any parent on this side or that side of the House, to give them every opportunity they can afford. We agree with that. Do not try to say that we're opposed to the intent. The NDP said it correctly: Why did you put that on it in the first place? You had the opportunity to provide a schedule of exemptions. Why didn't you exempt certain things like British Columbia and other provinces did? You didn't, and now you admit you're trying to fix it had because you screwed it up. Don't blame the people of the opposition for trying to look carefully when you have crafted such poor policy.

If I look more broadly, the other tax they tried to slip in at the same time was the eco tax. First they put—

**Mr. Jeff Leal:** Got rid of it.

**Mr. John O'Toole:** The member from Peterborough is right: They got rid of it. Why didn't you think it through properly? That's the error. You have no real plan here. There's no goal. There's no vision.

The Premier's a very nice person. I've heard him over the last several years. I'm starting to feel sorry for him, personally, because he's lost his way. Somehow, that passion and energy and forthrightness has sort of been—

**Interjection:** Where'd it go?

**Mr. John O'Toole:** It's been lost—the pressures of the job, perhaps; the economy going into the tank; the amount of unemployment; the closing of big industrial sectors across the province. It's no wonder he's tired. Under the last seven years—it saddens me. I'd like to get

into cabinet over there and kind of freshen it up a bit. But, look—

**1730**

*Laughter.*

**Mr. John O'Toole:** They're laughing now. They're laughing because—

*Interjection.*

**Mr. John O'Toole:** The members on this side are quite willing to work hard, and there are qualified members in the caucus there that should get a chance at it in the last year of your office, because after that, it's going to be lights out.

Anyway, I'm not talking specifically—what I'm trying to get through is the cynicism that has been expressed on a thing that could have been handled differently. That would sum it up. I think the NDP have said that. Our side has said that. Our critic, Norm Miller, said to me on this that he's so frustrated with trying to work with Minister Duncan, the Minister of Finance, that it's hardly worth participating.

We've submitted some ideas. Mr. Miller of Parry Sound–Muskoka—we talked about this. Here's a good example: This bill is actually discriminatory. What is another vulnerable class of citizens in Ontario? I think it's seniors. Why didn't they give them the tax credit too? Seniors who keep active, taking tai chi, other fitness things, walking groups, trail hikers—why didn't they give them the tax credit? What's with this picking groups off? I could support this bill if you had looked at it in an efficient—right now, for instance, if you buy a gym membership because your child is suffering from obesity, or you are, why wouldn't you get a tax credit for a physical fitness membership? What's wrong with that idea?

We have some thoughtful discussions in our caucus about how we could make these things better for all citizens of Ontario. Forget the politics. That'll happen in October 2011. We're preparing some really important options for the people of Ontario, and two of them are integrity and straightforwardness. But this bill is an example of a timetable of the last seven years of a government that has lost the vision. They're picking things off sort of randomly.

As I tried to say before, and the member from Peterborough interrupted, they did cancel the eco tax. Why? Because they knowingly admitted, publicly, that it was a mistake. It was a sad error. I would have presumed that, being the kind of great person that the Premier was, he would have stood in the House and said, "Look, we went too far, too fast on this HST." Gordon Campbell did the right thing. He resigned. Now, I'm not suggesting that, but this is tying their hands. People are bound by this—bound and thrown into the fire almost, really.

It saddens me where Ontario is. Our young students are coming out of university and college and they're finding themselves with a lot of debt because we have the highest tuition in Canada. And now we're giving out grants to people from other countries to come here, and we're going to pay for four years. Wait a minute. Who's

he talking to? What country is he from? Look, this is Ontario, and our job is not Stephen Harper's job. He does the international stuff.

He had the big two-week trip over to Asia, and he makes the promise that you can come to Ontario and we'll pay for your education—a very sentimental move. Quite frankly, there is a struggle for skilled people. We have them right here in Ontario and they're being ignored. That saddens me. At least that's what I'm hearing from constituents—regular, normal people, not people who are part of the agenda, the priority people there that Premier McGuinty is listening to. I'm listening to the real, hard-working families that have had it up to here. We've hit the tax ceiling. We've hit the tax ceiling on this. We've hit it on almost everything.

Another thing that's getting mentioned a lot is insurance: auto insurance, home insurance, the financial market, the lack of a plan. Even on pension reform, they're trying to blame the federal government on that one. The federal government is trying to build consensus in the province and in all the provinces and territories, yet they're playing politics on that important issue as well.

I worry now about businesses that are high consumers of energy. They picked off northern Ontario, trying to get those votes, because they've got an energy tax credit for northern Ontario business. We need to have a consistent plan that recognizes the investment in jobs, investments in this sector, not just this bill here, this small, trivial admission that we're charging too much for children to participate in music, theatre, drama, arts and sports. But you've gone too far right across the board.

I would suggest that seniors—now, this is a serious commitment. I would support this bill—even if its on my own, but our leader, I think, is on this, too—if we extended it to seniors. A keep-active lifestyle prevents a lot of the aging and deterioration of the mind and body. These are positive comments; they're not strictly rhetorical, negative things, where the Minister of Finance is going to be saying such things as, “You voted against the child activity tax credit.” It simply is not true.

We see this bill as an admission that they've gone too deep, too fast on all taxes across the board. It troubles me that when you look at this bill—as they say, it's only a matter of six—well, it's not even three pages, but there's a whole list of exemptions here. What's not included:

“‘ineligible activity’ means an activity or type of activity prescribed by the Minister of Finance for purposes of this section.” So you've got full control there. That will all be dealt with in red tape and regulations;

“‘ineligible program’ means a program or type of program prescribed by the Minister of Finance for the purposes of this section;

“‘qualifying activity’ means a supervised activity suitable for children, that is not an ineligible activity.” What does that mean?

For me, it's difficult to try to contribute anything more than what I have said, even to the extent that they have in here how to calculate the activity tax credit. They've gone to that.

I think they should have spent more time on the schedule of exemptions when they introduced the HST. That's what the media says, that's what my constituents are saying and that's why they authored this bill a couple of months after the HST hit the streets and people realized that they're paying more for energy, they're paying more for registering their kids in hockey, they're paying more for everything. Then they say, “Well, eventually, you're going to get a \$300 cheque every couple of months.” Well, that cheque is called the transitional payment from the federal government. It's four-and-a-half billion dollars.

Now, people are saying to you, “Well, what's Tim Hudak going to do?” I'll tell what you we will do: We will be straightforward with the people of Ontario. That's one thing you can count on. We will do exactly what we say—and there won't be some sort of secondary game going on.

What they've done here is they've signed a poison pill agreement. What they've signed is, if there are any changes made to this within a certain period of time on certain schedules, you have to pay back the four-and-a-half billion dollars. So they've taken a loan. What have they done with the loan, the four-and-a-half billion from Stephen Harper and the federal government? They are going to give you three cheques of roughly \$300 each. One of them is going to come in just before the election next year. It's going to be like Santa Claus here in December, because you're going to get another one then. But that \$300 is an admission in itself that this is going to cost you big time. Check it out.

I'm going to give one example. If you use \$100 a week in gasoline getting to your work or for your work, your business, whatever it is—a taxi, whatever—\$100 a week. Add 13% onto it. It's now \$113. If you do the math, it's \$100 a week for 50 weeks of the year. There's about \$5,000-plus right there on one thing. You're going to get that same tax on your energy bill, heating your home, buying your food, cleaning your clothes, whatever. Plus, you're going to pay it when you register your children for any activity. You're going to pay for it when you do your income tax or file to buy RSPs for yourself.

#### 1740

In my opinion, I believe we have hit the tax ceiling. I agree with good-quality public services, and I believe our leader does as well, but you've spent recklessly on the other side of the equation. Your lack of discipline on the monetary side or the fiscal side shows that you've increased spending in this province beyond your ability to pay. Now, our children are going to pay it because the operating deficit this year—we'll get the statement this week—is about \$19 billion to \$20 billion on a budget of roughly \$100 billion. We're actually spending 20% more than we have. That is debt. I ask you, is the quality of health care, is the quality of education, is the quality of research investment any better? No; that's what I see. I see deficits at the children's aid society. I see deficits at every hospital. I see no plan for long-term care. I see no

plan for seniors. I see a government that has lost its way. That's the real story here.

This bill gives me an opportunity, on behalf of our leader, to make it clear to the people of Ontario that you can fool me once—you know the saying. Be very careful. I'm saying this media headline isn't written as a political statement; it's written as a cynical PR move, which is what the Star said. There's the article. It's not something I'm making up to create some controversy.

The people of Ontario are getting it. They are staying tuned. Even this past couple of weeks there have been a couple of errors made, and now they're trying to use some of their language in their communications to change the channel on the energy debate. They're trying to get you to think that you're responsible for the problem, the mess they've created.

When I go to meetings in my riding of Durham on wind energy, as an example, there are three or four proposals there. Now, wind energy is often referred by the experts as an intermittent power source. In other words, when there's high pressure, there's no wind. When you have high pressure, it's hot or cold. When you need energy, it's usually when it's hot or cold, to have air conditioning or heating. This is a plan that hasn't worked in any country it has been used in. It may have some success in some regions, mostly offshore on the east coast of the United States—big plans there for five megawatts. We haven't resolved the issue whether or not it has medical side effects. That's another issue that, in all honesty, needs further debate.

No, they've gone ahead. They've exempted all these renewable energy plans from provincial or municipal oversight. The mayors and your councillors that you just elected have no say on these renewable industrial wind farms.

Now, on the solar side there's still controversy. They're paying people that have these solar panels, mostly on rooftops, 80 cents per kilowatt hour. Every kilowatt hour that they feed into the grid from that solar panel, they're getting 80.2 cents a kilowatt. It goes onto the system and it displaces traditional forms of power. It will displace nuclear power, and it will displace natural gas power when it's available.

It's about 5 o'clock when the sun goes down now. We're in daylight savings now, and so we've only got sun about six or seven hours of the day. I'm not sure how useful this is going to be, the solar part, but when you dispatch the renewable and you shut down the feed-in energy from other sources, those people are still at that gas plant or that nuclear plant being paid, but they're not using the energy that they're producing. That is a waste by any measure of a plan that's completely misguided.

The supply mix report that was issued is another example of a government that's lost its way. When I hear the Minister of Energy stand up here and say he has no history of what went on in this province—they voted against the refurbishment of the Pickering nuclear plant. Premier McGuinty was sitting on that side of the House, right here, when he was in opposition, and voted against

the refurbishment of Pickering, which kept the lights on. We spent billions of dollars refurbishing that plant and it's producing reliable energy at a predictable price now.

Some of the stuff that they're putting out there, like the \$7-billion Samsung deal, hasn't produced one megawatt and, I put to you, is not reliable or dependable. It's exporting jobs to Korea. Get it right: These aren't Ontario jobs. We have AECL. We have Candu nuclear. These are Canadian and Ontario products and jobs, and they're missing the boat entirely. They had to go to Samsung in Korea to find the experts; we have them right at the University of Ontario in Durham, nuclear experts: the best nuclear program in all of Canada, arguably all of North America.

I'm discouraged to be here often and realize that some people in Ontario have lost interest in paying attention. It isn't a game that's going well right now. What I'm saying on my behalf, as well as for some members of our caucus, I'm sure, is that this government at this time has run out of ideas, and some of the ideas might be troubling for many people in this province.

So I leave with one positive remark, amongst others that I have suggested: I don't see why they don't expand this bill. The Premier could do it. He has the authority to shut down the other decisions, the eco tax and stuff like that. He has the power, because they have the majority and they win every vote. We want to see this credit extended to seniors, because seniors are, in their homes now, especially those in apartments, paying more and being blamed for not conserving. They're paying more for energy that a few years ago, a couple of years ago, was five or six cents and now it's costing as much as—some predictors say it's going to be 34 cents a kilowatt hour. You're paying for the other wasteful spending in this energy sector under the Ontario Power Authority.

I think that I could say more, but we're certainly running out of time and I'd like to have some feedback in the few minutes that are left. Again, this bill simply tells the people of Ontario, "Be careful. Be wary. This is another move to deflect attention from the real issue, that they've lost their way." This child activity tax credit is an admission that their taxes have hit the wall and they know it. Seniors know it, consumers know it, children know it, and to me, even Gordon Campbell knows it.

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

**Mr. Paul Miller:** I'd just like to say that this tax credit that they are giving to the families for activities, anything from music lessons to sports to other venues, is simply a PR move. This government is scrambling. This government is looking to correct the problems they have created with this HST. They've already done a 180 on the eco tax; that's another example of bad planning and bad research which has come back to bite them.

But let's talk about the bill itself. You have to spend \$500 to get a \$50 credit. Well, a lot of people in my area cannot afford the \$500 in the first place, so they don't have to worry about the credit. The registration for hockey alone sometimes is over \$400, so there it's shot in

one deal. The \$50, if you want to look at it that way, from a hockey perspective, will give me 10 skate sharpenings in a season. That's all that \$50 is going to get me. If I've got three kids in hockey, \$50 is nothing. It's like driving through Tim Hortons and asking for a dozen doughnuts, and you get a Timbit. It's absolutely useless to families in this province to really make an impact on the money they require to have their kids active in sports—it's actually an insult to them: \$50 on \$500.

I don't know what I would do with \$50 on \$500 if I had three kids in hockey. Travel hockey sometimes costs \$4,000 to \$5,000 a year per child. Fifty dollars: What's that going to do? Put gas in my car to get to one venue? It's ridiculous, and they're just doing it for PR. This is simply a government out of touch and scrambling.

1750

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

**Mr. Kevin Daniel Flynn:** It is a pleasure to join the debate today. I listened intently to the first speaker from the opposition party and to my friend there from Stoney Creek.

You either care about kids or you don't, or you want to do something about kids or you don't. Certainly, when times get tight, you can either invest in children or not. I think this government has a history now of deciding that even when times are tight, you do what you can to help the most vulnerable and the younger people in our society.

You can find reasons to maybe object to that or maybe you say it's not enough. Maybe some people think it's too much. When we implemented full-day learning, for example, in JK and SK, some members of this House felt that kids weren't worth investing in. I think this side of the House is saying that, as we move forward, the society that we know is going to engage itself in the information age. We know that our young people are going to have to be really well-educated and we know that that's an investment that we need to make.

We also look at the health of our young people. We hear about type 2 diabetes. We had people in the House today with children with diabetes. I think we're learning more and more about the food we eat, the diets that our children are eating and that we've started eating that may not always be the healthiest. What we've decided to do as a government is to provide assistance to help young people with those health-oriented activities that make them grow into healthy adults. It's that simple.

I can understand the opposition saying it should be more. I can see some members of the opposition saying it should be less. But I think we should all agree in this House that we should do something to help young people and young families to be able to afford organized activities, and that's anything from hockey to dance to drama. Whatever it is that keeps young people active, healthy and fit, the province of Ontario should be helping where it can.

That's clearly the intent of that bill. It's that simple. You either support that or you oppose it.

**The Acting Speaker (Mrs. Julia Munro):** The member for Whitby–Oshawa.

**Mrs. Christine Elliott:** The member from Durham has raised some really important issues on a variety of topics this afternoon. I think we should heed his advice on a number of issues, but one thing that hasn't really been discussed right now until the member from Oakville brought up the issue of children—what about children with disabilities? I know that children can receive a \$50 tax credit and it can go up to \$100 for children with a disability, but the fact of the matter is, there are many programs and services that simply aren't available to children with disabilities in the province of Ontario.

Let's look at children with autism. There are many children who have an autism spectrum disorder who simply can't get into things like summer camps, athletic programs and so on because, on top of paying for their own child's enrolment fee, you have to send a caregiver to some of these programs and services because the staff simply can't handle them. That means that a lot of these programs really aren't even available to these children at all. They have no ability to go out and socialize, and that's not helped with the lack of children's mental health facilities in the province of Ontario, the lack of assistance for children with autism, the lack of funding for children's treatment centres.

Right now, we have children's treatment centres in the province of Ontario that are having to have their foundations do fundraising for operational services—not capital costs, not adding on new buildings and extra things; this is for basic services for the children who need their help for physiotherapy, for occupational therapy, for speech therapy, for social work assistance. All of these children's services are crying out for help, and they're not getting that from this government.

Similarly with young children—children grow into adults. If they are children with an intellectual disability, once they graduate from high school, they simply fall off a cliff. There are no programs and services for them. Any funding they would have received is cut off at that point and they're left sitting at home watching TV in their parents' basement.

That's the reality for many children and young people in Ontario today, and that's something that's certainly not being addressed by this children's activity tax credit.

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

**Mr. Jeff Leal:** I was here for the duration of the comments this afternoon by the member from Durham.

I have a son who's 12 and a daughter who's 11. Both play sports, so I spend an awful lot of time at the hockey arena, and indeed the basketball court now and certainly at indoor soccer.

But what's interesting is that the member from Durham missed an important part of history here. From 1995 to 2003, if you recall those eight years, the biggest barrier for sports for many people in communities was the exorbitant cost of trying to rent public facilities. You could not afford to rent a school gym because there were no dollars in the budget for community use of schools.

Well before we ever brought into being this proposal for a tax credit for kids' sports and other activities, we brought in a program after we were given the privilege of governing in the fall of 2003—funding for community use of schools. Let me tell you who took advantage of that: indoor soccer, indoor basketball, Cubs, Scouts and Girl Guides. We provided the funding so you could hire custodians to be there at gyms and school facilities over the weekend, because prior to 2003, it was prohibitive, from a costing perspective, for community groups to hire a custodian, because under the collective agreement, they had to be paid time-and-a-half to be there. So by funding community use of schools, community groups were able to take advantage and play basketball and play indoor soccer.

**The Acting Speaker (Mrs. Julia Munro):** The member for Durham has two minutes to respond.

**Mr. John O'Toole:** The member from Hamilton East–Stoney Creek spoke about how he was insulted about it. The member from Oakville spoke about caring about children. He presented it as a wedge issue, politically, as if other people don't care about children, a rather elitist position. The member from Whitby–Oshawa spoke about not addressing the abilities issue. She is the chair of the Abilities Centre in Durham, working hard both in children's treatment centres and broadly in the community, so don't disgrace yourself by tearing someone else like her down.

The member from Peterborough, I thought, talked about community use of schools. I think it's important to

recognize that this society we live in today is quite different. I know that because I've been involved with my children and always use the schools. That never, ever stopped. In fact, they stopped extracurricular activities as part of a demonstration at the time. I would only say that—

*Interjection.*

**Mr. John O'Toole:** The member over there is piping up, but I guess my point is that even under this bill, Bill 99, what we've tried to do is put a couple of suggestions on the table, to not be discriminatory and extend it to seniors. I said clearly at the beginning of my remarks, if you were listening, that we support children's activities, whether they're artistic—in fact, they copied their idea from the federal government. The federal government has an activity tax credit as well for children.

But my point is, there doesn't seem to be any consistency here. When you have to say that this is only for children or only for elderly people, they've realized that this whole HST implementation plan was faulty. In fact, it's a failed implementation. I don't think the people have fully engaged on it, not like in British Columbia, but this bill is an admission that their HST taxes are simply wrong.

*Third reading debate deemed adjourned.*

**The Acting Speaker (Mrs. Julia Munro):** It being close to 6 of the clock, this House stands adjourned until 9 a.m. tomorrow.

*The House adjourned at 1758.*

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