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## **Official Report of Debates (Hansard)**

## **Journal des débats (Hansard)**

**Wednesday 1 December 2010**

**Mercredi 1<sup>er</sup> décembre 2010**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 1 December 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 1<sup>er</sup> décembre 2010

*The House met at 0900.*

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

*Prayers.*

### ORDERS OF THE DAY

#### GOOD GOVERNMENT ACT, 2010

#### LOI DE 2010 SUR LA SAINTE GESTION PUBLIQUE

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

Bill 110, An Act to promote good government by amending or repealing certain Acts / Projet de loi 110, Loi visant à promouvoir une saine gestion publique en modifiant ou en abrogeant certaines lois.

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

**Hon. Monique M. Smith:** I'm delighted to rise today to introduce third reading of Bill 110, and I will be sharing my time with my esteemed colleague from Willowdale.

**Mr. David Zimmer:** It's my pleasure to speak today on third reading of the Good Government Act, 2010. Let me just go over some of the points that we've been discussing in the debate in first and second reading.

The Good Government Act would strengthen the efficiency and effectiveness of government operations. It does respond to the changing needs of Ontario in the 21st century. It ensures that the province's legislation is in keeping with modern times. This bill is a housekeeping measure, but a very important and necessary one.

As everyone here knows, the bill builds on our Open for Business initiative. Our government has demonstrated its commitment to working with businesses to address barriers to investment and growth. If passed, this bill will further our Open for Business goals. Those goals are to decrease the regulatory burden and to better respond to businesses. If passed, this act would benefit both business and the public by improving and streamlining government services. This bill includes approximately 70 amendments to legislation from seven different ministries, including several changes to the Ministry of the Attorney General statutes.

Let me first say a few words about the Justices of the Peace Act. Justices of the peace are an integral and

important part of our justice system here in Ontario. In 2006, our government amended the Justices of the Peace Act to ensure continued public confidence by creating a more open and transparent appointment process, and establishing minimum qualification standards for justices of the peace. The reforms also established a new Justices of the Peace Appointments Advisory Committee to make the appointment process more open and more transparent.

However, the challenge is that while people from all over the province are always invited to apply, in some areas there may not actually be an opening for a justice of the peace, or there may be a lot of openings in another area. Through our latest government bill, we are proposing changes that would further enhance the recruitment process for justices of the peace. The Justices of the Peace Appointments Advisory Committee's recruitment process would change from an annual, province-wide process to a more targeted process. Advertising could be done within the region where and when a vacancy occurs in fact.

If this bill is passed, the new recruitment model would be similar to the one that is used by the Judicial Appointments Advisory Committee to recommend provincial judicial candidates to the Attorney General. What this does is it gives the committee more flexibility to tailor its search for candidates to the specific region and the specific needs of the vacant position, such as bilingual or aboriginal candidates. This amendment is very important. It would help to create a more effective, focused and efficient recruiting process based on vacancies when appointing justices of the peace.

Let me say a few words about some of the amendments relating to the Provincial Offences Act. The Good Government Act includes a proposed change to the Provincial Offences Act. Courthouses are very busy places. There are times when parties involved in a matter submit a notice of appeal and, for whatever reason, fail to move forward with that appeal. These are called abandoned appeals. The proposed amendment would expand the ability of the court clerk to seek dismissal of appeals that appear to be abandoned. This proposal reflects and facilitates the recommendations of a municipal and provincial working group that was looking for ways to simplify court procedures and improve service to the public. This is yet another way we are making government more efficient and more effective.

Let me say a few words about the Alcohol and Gaming Commission of Ontario and the Licence Appeal Tribunal. This legislation includes proposed changes to

several statutes that would transfer the adjudicative function, under several statutes, from the Alcohol and Gaming Commission of Ontario to the Licence Appeal Tribunal. The Licence Appeal Tribunal provides an expert appeals process for compensation claims and licensing activities under 22 different statutes regulated by the government of Ontario. The Licence Appeal Tribunal would take over the adjudicative matters from the Alcohol and Gaming Commission of Ontario as directed under the Alcohol and Gaming Regulation and Public Protection Act, the Gaming Control Act, the Liquor Licence Act and the Vintners Quality Alliance Act. These amendments would allow the Alcohol and Gaming Commission to better focus on its governance and policy-making roles, including the regulation of the sale, service and consumption of alcohol in public places—and casinos, commercial lotteries and charitable gaming, including electronic gaming.

Let me say a few words about some of the amendments relating to the Business Corporations Act. The proposed amendments to the Business Corporations Act would, if passed, improve services to businesses. This would provide more flexibility and increase the government's ability to respond to the needs of the business community when it comes to making changes to regulations and forms. A proposed change would clarify that a person who enters into an oral or written contract on behalf of a corporation prior to the corporation coming into existence may assign, amend or terminate that contract up to the time when the contract is formally adopted by the corporation.

Further proposed changes would also address situations where a shareholder holds shares without a shareholder certificate. The changes would allow for an exception to the requirement that shareholders who do not agree with the majority decision must surrender share certificates to that corporation. For example, if the majority of shareholders agree to sell off the majority of a corporation's assets, the dissenting shareholder is entitled to have the corporation buy back his or her shares. Usually what happens is the dissenting shareholder must surrender the share certificates. However, sometimes the shareholder holds the uncertified shares, so no such surrender can take place. What this proposed amendment provides is an exception to the surrender of share certificates where the dissenting shareholder holds the uncertified shares.

The proposed changes would also, if passed, deal with a takeover bid situation where the purchaser has bought at least 90% of the shares. In these cases, the purchaser is currently entitled to buy out the remaining 10% of the shares and certificates are normally surrendered to the purchaser. The amendment we are proposing would make a similar exception to the requirement to surrender share certificates.

## 0910

Other proposed amendments to the Business Corporations Act would, if passed, transfer seven regulation-making powers from the Lieutenant Governor in Council

to the Minister of Government Services. Similar amendments are proposed for the Business Names Act, the Corporations Information Act, the Extra-Provincial Corporations Act and the Limited Partnerships Act.

Let me say now a few words about some of the amendments relating to the Ontario Energy Board Act. A proposed amendment to the Ontario Energy Board Act would support our government's Open for Business initiative by improving clarity for businesses. It would help the province move forward with its commitment to a green economy by removing some of the uncertainty in the act that may have discouraged local distribution companies from proceeding with clean, renewable energy projects.

Let me say a few words about the Employment Standards Act, 2000, and the amendments relating to it. There is a proposed amendment to replace "week" with the words "work week" under the Employment Standards Act. If passed, this would ensure consistent wording and interpretation among the provisions in the act and its regulation. The amendment would make the language in the section consistent with the Ministry of Labour's long-standing interpretation, which is that overtime pay entitlements under the act are determined with reference to the employee's established workweek and not to any period of seven days.

Let me say a few words about the amendments relating to the Education Act. The Ministry of Education is proposing technical amendments that would, if passed, rescind the outdated Essex County French-language Secondary School Act, 1977—and I know that may be of particular interest to the Speaker—which is now redundant, since the province created the French-language school boards serving that area.

Another proposed amendment, to the definition of "French-language instructional unit," would, if passed, correct a previous drafting inconsistency in the Education Act. It would clarify the minister's authority in relation to the permission given to school boards to offer French immersion programs. This would clarify the intent of the legislation for both English and French school boards in the context of extended day programming and full-day kindergarten.

Let me say a few words about some of the amendments relating to the Evidence Act. The proposed changes to the Evidence Act would, if passed, help courts adjust to new technology in court reporting and transcribing services. As well, a proposed change to the Occupational Health and Safety Act would, if passed, repeal sections that refer to outdated technology such as telegrams. When is the last time anyone in this chamber, or indeed, in Ontario, dealt with the concept of telegrams?

A few words about the Occupational Health and Safety Act: There are several other amendments proposed under the Occupational Health and Safety Act. These changes would, if passed, help to clarify the legislation and ensure consistent wording.

As a part of Ontario's and Canada's participation in a global program to systematically classify and label chem-

icals, proposed changes would, if passed, unify technology to bring Ontario in line with the global system.

In conclusion, we are proposing to update our laws to clarify them, make technical amendments, and strengthen the efficiency and effectiveness of government operations. It's important that we keep the law in step with the needs of society and Ontario.

The ambition here in Ontario with our Open for Business Act is to make Ontario a jurisdiction where everyone wants to do business. One way that we do that is to, from time to time, comb through various statutes and clean out the inconsistencies. We bring some rationalizations; we update those statutes. We want to make our laws in Ontario at the leading edge of what works best for business, what works best for the citizens and what will truly make Ontario a leading economy in the global context.

I encourage all members of this Legislature to support this bill.

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

**Mr. Ted Chudleigh:** I was wondering which set of hearings the member was at, because he described a set of circumstances that were totally different than my recollection of the hearings. I'll be speaking about this in a few minutes, and I'll bring to the attention of the House and the listening audience the people who came into the hearings and talked about how they were being bullied, how they were being mistreated by the government, how they lived in fear in the province of Ontario and how this bill wasn't going to change anything.

The substantive amendments that were put in place—that were moved and seconded and discussed and then voted down by the Liberal majority on the committee—that would have solved some of those problems for people who serve in the alcohol and gaming industry were just totally ignored by this government as they rammed this bill through committee and ignored the amendments that would have given some of the hardest-working and lowest-paid workers in Ontario some satisfaction that they wouldn't be out of work next week for a period of one week or 45 days or 60 days.

This bill had the opportunity to move toward equity and fairness in that industry, and they totally ignored the myriad of individuals who came to the committee, asking that the committee move in this direction. They were totally ignored by this committee.

So I wonder which committee the member from Willowdale was at when he talks about the positive changes that this government brought in, because certainly in the Alcohol and Gaming Commission of Ontario's area of responsibility, there are no positive changes.

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

**Mr. Jeff Leal:** I heard the presentation this morning from my colleague the member from Willowdale, who, of course, prior to his election here in 2003 had a very distinguished career as a member of the Law Society of Upper Canada, being a lawyer.

When I look at this, it harkens me back to the period of time when I was a municipal councillor. You have by-laws that sit on books. I know in our particular case there were bylaws that sat on books for almost 50 or 60 years, and there comes a time when those bylaws need to be culled; they need to be looked at. They need to have language that's more relevant to the current day. The Good Government Act, 2010, does a lot to go through various parts and regulations of 70 pieces of legislation that provide a framework to how Ontario operates each and every day.

One of the things that I would find helpful, going through this process, of course, is using language that is readily understood. I think nothing frustrates people more than when they look at specific pieces of legislation and the language is either not clearly understood or perhaps it could have several meanings. So the opportunity to go through these various statutes, clean up the language and make it more straightforward will certainly assist us each and every day here in Ontario.

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

**Mr. John O'Toole:** Thank you, Mr. Speaker. It's nice to see you in the chair.

Bill 110 was first introduced on October 5. It actually was in hearings on November 22 and 29, and today we're at the final stage, I guess.

I'm waiting very patiently for the member from Halton, our critic on this file, who carries another bill—an omnibus bill, I might add—that strikes down a number of existing regulations and sections.

**0920**

My section specifically, which I'm not sure the member for Willowdale commented on, is under the Ministry of Government Services. There are actually five schedules where what they're doing—suspiciously, I add—is transferring the decision-making ability. In one case here it says that the director or registrar, as the case may be, may now delegate their duties or powers to any public service employee under part III of the Public Service Act of Ontario. I had a question this week which was about the control of licensing information and 93 cases of violations. I don't want them to give up this authority; I want it done properly.

Under the Business Corporations Act, the regulatory power of the Lieutenant Governor in Council with respect to certificates, documents, forms and their manner of acceptance is transferred to the minister.

I've become suspicious, because over the last seven years under the current government I've noticed a number of cases, whether it's eHealth or whether it's the OLG or the WSIB—these are all code languages. But in each case, the Auditor General has to step in. Now, I'm waiting: Next week, the AG is going to report again. I'm wondering what he'll find out, because in the last while it seems like the Premier has sort of lost his focus. This bill here is loosening up some of the controls, and that's troublesome.

I'm sure our member from Halton will point out very specifically some examples of things that we should all be worried about.

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

**Mr. Rosario Marchese:** The member from Willowdale, Mr. Zimmer, spoke about the Good Government Act. He said, "This is an act that promotes good government and a government that's open for business." I would just like him to comment on what a good government does when food banks are growing.

*Interjections.*

**Mr. Rosario Marchese:** Mr. Zimmer? Mr. Zimmer, you're not listening. You won't be able to respond to this.

Food banks are growing and people are lining up on a daily basis. What is your good government doing about those things, and what is your good government bill going to do for public housing? You know, 140,000 people are lining up.

What is your good government doing for pensions? You understand, people are losing their pensions. The defined benefit plan—we don't have it, and 75% of the people don't have it; in fact, those who do are going to lose those pensions.

I wonder whether you could comment on those things, including the fact that wages are diminishing by the year, which means the middle class is going to become extinct in the next 10 years. You might want to comment on what your good government is doing about that, and the fact that you're giving \$5 billion away to the corporations and what that does for the middle class, in terms of how those corporate taxes are helping the middle class.

You might want to comment on the harmonized sales tax and how that's whacking people beyond their ability to pay. You might want to comment on the hydro rates shooting through the roof as the middle class is shrinking and getting whacked by good Liberal policies.

Mr. Zimmer from Willowdale, if you could just comment on those things, it would make me feel a little better.

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Willowdale, you have up to two minutes to respond.

**Mr. David Zimmer:** One of the themes in the debate on this bill over first, second and third reading—indeed, today—is that it's essentially a housekeeping bill. It's incumbent on all governments who form the government of the day to, from time to time at regular intervals, comb through the volumes of legislation on the books and to amend, to clean up, to disregard, to adjust those acts and the regulations made pursuant to those acts so that we don't drown under a pile of legislation that perhaps no longer serves its purposes. In my remarks, I went through a number of the acts and the amendments that we're proposing, and you will see that in each case the proposed amendments are designed to modernize the application of the act, eliminate inconsistencies and make the legislation relevant to how the real world operates today in Ontario. Just by example, I made reference to something

having to do with our adjusting and eliminating the use of telegrams in some procedures. I use that as an example of how we are trying to modernize our legislation. When was the last time anyone dealt with a telegram in this age of email and BlackBerrys and so on? So—

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

**Mr. Ted Chudleigh:** I say to the member for Trinity-Spadina that I didn't hear the member for Willowdale say anything about the whacking of—

*Interjection.*

**Mr. Ted Chudleigh:** Would you like to get unanimous consent to have more time? I don't think he wants it.

This bill, of course, has seven different schedules and speaks to—in an omnibus bill like this, quite often there are many sections that are very worthy. But the opportunity doesn't come along every day to speak to every one of those schedules.

What I would like to do is go through some of the people who attended the committee—what they talked about, what they asked for and how they asked for it—and you can make up your mind as to whether or not it was a reasonable ask, and then you can make up your mind as to whether or not the government did the right thing when they didn't pass a lot of amendments and brought this bill back for third reading in something less than pristine condition.

Every time I speak to a Liberal Good Government Act, it's a bit of an irony and it leaves me a little bit amused. I wonder sometimes whether this government made it back from Woodstock. I'm not sure that some of the younger generation who might be listening understand that, but of course the time of Woodstock, 1968, was a wonderful time.

**Hon. John Gerretsen:** Were you there?

**Mr. Ted Chudleigh:** I might have been there. It wasn't far from where I lived at that time. In actual fact, no, I was not there, although I was there in spirit. But it was a time of sex, drugs and rock 'n' roll. A small percentage of the people who were at—

**Hon. John Gerretsen:** Can you say that in here?

**Mr. Ted Chudleigh:** I believe that is parliamentary.

Some people who went to Woodstock just never really got home again. They got lost in the haze of the 1960s and just never quite made it home. I remember being in an establishment in the 1980s or so, and there was a chap sitting at the bar who had never quite made it home from Woodstock. He was quite amusing, but quite a sad situation as well.

I wonder, sometimes, when this government brings in a Good Government Act whether or not this government has a firm grasp on reality. That's what we mean when we say this government never made it home from Woodstock. "Liberal" and "good government" just don't go together all the same time, and that won't change no matter how often the party opposite writes it on paper.

Bill 110, the Liberal Good Government Act, is a good example of this. The Liberal response to the concerns of

businesses and employees from across Ontario who spoke to members of the committee considering this bill was an example of bad and unresponsive government, in my opinion. Deputants told the committee about their negative experiences and the implications for employees, and we even heard from employees themselves who rely on their jobs to put food on the table for their families or pay their rent, or indeed to pay their tuition.

Many of these people work in the service industry, such as Gyneva Dicks, an employee from Ottawa working in a restaurant, who told the committee, “As employees, we represent the most vulnerable group that has faced the consequences of the actions of the AGCO in the past, and we will continue to do so in the future. That is why we urge you as our representatives to take our concerns seriously.”

**0930**

She went on to say, “These closures”—and this is when a bar or a restaurant serves alcohol in a manner which is deemed to be inappropriate by the inspector, and the inspector then issues an order, which goes through a kangaroo-type court where you negotiate the penalty and you try to negotiate a closure of the bar for as short a period of time; that’s what she’s referring to. And, yes, the owner of the establishment is punished, but so too are the innocent employees. She says, “These closures result in innocent employees, such as us, facing the prospect of scrambling to pay bills and put food on the table. This is the fear that we live with on a day-to-day basis, and the consequences of the actions of a government agency funded by us as hard-working taxpayers, many of whom make minimum wage and work long hours on weekends and late nights when the bureaucrats at the AGCO are enjoying the luxurious benefits afforded under the Ontario public service.”

I give you the sunshine list of those 100-odd employees at the Alcohol and Gaming Commission of Ontario who make in excess of \$100,000 a year, and I see that Jean Major, the chief executive officer, makes \$243,899.93, with an additional \$14,481.30 in bonuses. That’s well over \$260,000 a year. Her decisions can put a waitress making minimum wage out of business for a week, two weeks, 45 days, whatever the suspension of that restaurant’s licence is, and this person is saying that that’s just not fair.

We go on and hear from Rina Angelstand, an employee from London. She told the committee: “I myself have been employed in the hospitality industry for 21 years, and I support my family this way. If I was to lose work due to a licence being pulled for an infraction that may not have occurred under my influence”—or under her watch or when she was on duty—“I would not be able to put food on the table. During the time I would be off of work, I would not be able to afford to secure a position for my children in daycare. The way that daycare works in Ontario, generally, if you cannot secure a position, they do not save a space for you to return. If I was to be off work even as little as two weeks, this could affect my ability to return to work as I’d have to pull my

child from the daycare, as I’m not making money and I can’t pay for daycare. Then when my position becomes available at work again, there’s nowhere for my daughter to go.” Now, she’s a welfare mom, receiving welfare, staying at home “totally against action of my own and against my will.”

Did the government listen to this person? No. Did they pass amendments that we put forward that would have influenced the position this woman finds herself in? No, they did not. And, yes, that amendment was put forward. Did it pass? No, it did not.

Adam Barnard, who is a student at Waterloo, told the committee: “Pretty much any amount of time off caused by suspension”—and “suspension” means the closure of the bar that he works in—“even if it was no cause of my own, would pretty much make it impossible for me to pay tuition for next term.” These are people who work hard. They work long for little pay, and they count on these jobs on a carefully budgeted lifestyle.

Again, did the government listen? I don’t believe they did. Were there amendments put forward that would correct this situation? Yes, there were. Our party, the PC Party, put those amendments forward, and did they pass? No, they did not.

Michael Lerner, a London-based lawyer, told the committee, “My clients strongly believe in enforcement and believe that the liquor laws in this province ought to be enforced. What we’re asking you is not to allow establishments that break the law to get away with it. We’re not asking you to weaken the laws as they presently exist. What I’m asking you to do is, as the group before us did, put another bullet in the chamber of the adjudicative tribunal so it can fine, as well as revoke and suspend licences.”

He went on to say, “The fact that it puts employees out of work, in my humble opinion, puts the people who can least afford it out of work. These are people who actually work for less than minimum wage because they factor in the fact that they are going to get tips and gratuities. You have students, as the student who sat in this very chair before me. You have single parents. You have people who have established a family business, who have no record.”

He also said, “If we’re going to punish, let’s punish the offender, not the innocent people who may not even be at work when the offence is committed.”

A compelling argument, a very compelling argument, and I ask you, did the government listen to this compelling argument? No, they did not. Was there an amendment?

**Hon. John Gerretsen:** How do you know? How do you know who listens to what?

**Mr. Ted Chudleigh:** I’m telling the member from Kingston. Did you listen?

**Hon. John Gerretsen:** Yes.

**Mr. Ted Chudleigh:** There was an amendment put forward that would have fixed this situation. Did you vote for that amendment? Did you pass that amendment? I say to the member for Kingston, he did not pass that amendment—

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Halton and the minister: I feel left out of this conversation, so I'd like to be included in it.

**Mr. Ted Chudleigh:** Mr. Speaker, he did not fix that situation. He had an opportunity to fix that situation and that member from Kingston did not fix that situation.

**Hon. John Gerretsen:** It didn't need fixing.

**Mr. Ted Chudleigh:** Fixing that situation was a no-brainer. Obviously this government is not the shiniest penny in the roll—

*Interjection.*

**The Deputy Speaker (Mr. Bruce Crozier):** Minister. Come to order.

**Mr. Ted Chudleigh:** Did they listen? No, they did not. Was there an amendment presented? Yes, there was. Did it pass? With a Liberal majority on the committee, no, it did not, sadly.

The Ontario Restaurant Hotel and Motel Association: This association has been around for many, many years and is one that has great respect in the halls of this place. They also spoke to the committee, and on their behalf Tony Elenis said, “The transfer of hearings from the” Alcohol and Gaming Commission of Ontario “to the Licence Appeal Tribunal is a positive step to address this conflict and bias. However, the government must not overestimate this measure as one that will resolve licensee concerns.”

Tony asked; were you listening? Were you listening? Will it solve the problem? Mr. Elenis says no, it will not solve the problem. Was there an amendment presented that would have solved this problem? Yes, there was an amendment presented, by the opposition, the PC government, the PC Party—

**Hon. John Gerretsen:** PC government?

**Mr. Ted Chudleigh:** I'm a little ahead of myself.

Was there an amendment presented? Yes, there was. And did it pass? No; no, it did not pass, because this government didn't listen to Tony Elenis.

The Ontario Restaurant and Bar Association spoke to the committee, and on their behalf, John Couse said, “Specifically with regard to Bill 110, we are here to ask you three things”—now, this is very important. This was one of the best presenters, I thought; one of the most distinct presenters at the hearings. He said, “We're here to ask you three things: First, that the proposed separation of the adjudication function of the AGCO to the licensing tribunal be carried through; second, that the licensing tribunal be given the authority to levy fines in place of suspensions”—and I point out that suspensions, in this, means the suspension of the liquor licence, which basically closes the restaurant for some period of time. So he wants fines levied in place of suspensions—“and third, that the roles of the CEO and registrar be held by two people instead of the current one person.”

**0940**

What happens here is that the judge and the policeman are indeed the same person; the CEO and the registrar are the police and the judge, and they're the same person. You can have no fairness in a system where that exists.

That's the third thing that they're asking: that those two positions be severed. Was that done? No, it wasn't. Was there an amendment? Yes, there was an amendment. Did it pass? No. The Liberal domination on the committee failed to pass that amendment.

There was also an amendment that would have allowed the registrar to levy fines in place of suspensions. I ask you, did that pass? No, that amendment did not pass. You take all of these things in combination, and it seems to develop a position where this government was not listening to the deputants who came before the committee and gave their opinions on these very important matters.

On behalf of the service staff of restaurants, hotel restaurants, Alex Munro said: “The government has already recognized that there should be a separation of powers at the commissioner's level, but because of the apprehension of bias and lack of effective governance, it should go further and eliminate the root cause of it. We ask how you can allow such a situation to prevail in Ontario when a separation of powers is fundamental to maintaining trust and integrity of the judicial or adjudicative system you oversee as legislators.” This is in reference to the CEO and the registrar.

There were amendments presented. Did the government listen? No. Were there amendments presented? Yes, there were amendments. Did they pass? No, they did not pass, because this government did not listen.

Mike Smith came before the committee and said: “Almost all of the operators that I talk to from across the province don't feel this is being driven by the local inspectors or local offices. They feel it is coming from the top down. Most every licensee wants rules and regulations to protect good operators from the less honourable ones.” This is the basis of all law in Ontario and indeed in all civilized societies. We want law and order to protect the just from those who would cut a corner or two, and this is what Mike Smith wants as well. They want rules and regulations to protect good operators from the less honourable ones. “We want to work with the Alcohol and Gaming Commission of Ontario to make our operations the best they can be. What we don't want is to be afraid of them, and that is the way we feel right now.”

That was Mike Smith who said that. The government would be very wise to listen. There were amendments put forward, and those amendments didn't pass, because this government isn't listening to people like Mike Smith from across this province.

Mike Wilson also attended the committee hearings. Mike Wilson runs a bar and restaurant—a couple of them actually. He is from Brix Napa Valley Grille and Wine Bar Nava Restaurant and Bar. He said to the committee: “Well, we understand from the industry associations that what the government is trying to do with Bill 110 is fix some of the problems with the Alcohol and Gaming Commission of Ontario. Frankly, I believe this falls way short of fixing the problems that our employees and our businesses face. There are no accountability provisions for oversight of the CEO and registrar, the actions of his agents, and no measure of independent verification of

their actions. I stress the word ‘independent.’” These are his words; these are Mike Wilson’s words. “There is no independence. Essentially, you’re telling us, through Bill 110, that you know there are problems with the AGCO; indeed your own review has said that. But spending money on an appeal against well-paid government lawyers and hoping to win at the Licence Appeal Tribunal is futile.”

Of course, one of the examples he used in the committee was that the inspector was in his place and a woman was walking across the floor, going to the washroom, and she tripped. She had very high heels on and she tripped and stumbled. She caught herself on the way down. She did not fall, but caught herself on the way down. The inspector said, “You’re overserving. This woman is intoxicated; you’re overserving her,” and he wrote up a citation for the restaurant. When they checked, they found out that this woman was on her second drink. She had not had two drinks; she was simply on her second drink.

It’s very, very difficult under the current system to fight that charge. Once you’re written up by an inspector, it goes to what the industry calls the “kangaroo court,” where the judge and the police officer who arrested you are sitting in judgment on you and all you can do is negotiate a minimum suspension, if at all possible.

When you go to these tribunals, of course, the Alcohol and Gaming Commission of Ontario is fast to tell you, “You’re coming in and you simply have to present your case. You have to tell what the situation was, as you saw it. You don’t need expensive lawyers to go before the tribunal. You can represent yourself.”

**Hon. John Gerretsen:** Oh, you’ve got to have a lawyer.

**Mr. Ted Chudleigh:** No, the Alcohol and Gaming Commission of Ontario says that you don’t need expensive lawyers; it doesn’t have to be expensive. If that is true, why does the Alcohol and Gaming Commission of Ontario bring three, four or five lawyers sometimes to these hearings?

**Hon. John Gerretsen:** Because they want to win.

**Mr. Ted Chudleigh:** Well, they’ve already got it rigged up pretty good, because they very seldom lose. The member for Kingston says they do that because they want to win. They want to abuse the people of Ontario, and for some reason the member from Kingston thinks that’s somewhat amusing. The way this government has treated business, across the whole spectrum of businesses, is anything but amusing to the people of Ontario, and they will soon have their time. We’ll soon find out how they feel about that.

Mike Wilson also said, “The problem is not solved at the hearing level. Currently, licensees refer to the AGCO ... as a ‘kangaroo court’ where the rules change from regular court and the chance of leaving with a positive result is virtually impossible. This makes it a complete waste of time and money.”

“As a licensee, you avoid the hearing process altogether and just try to negotiate a deal to minimize the

penalty. The penalty is usually a suspension where they close your business for one day, one week, 45 days, 60 days; or they just take your liquor licence away. That puts a lot of people out of work and can create an insurmountable financial strain on an already recession-weary business.”

He continued on to say, “It emanates from the bureaucratic level. There are no checks and balances on the AGCO, and even if you want to, you can’t because their own board appointees can’t question the CEO on operational matters.” They want to win, all right. They’ve got it set up so they can’t lose.

He goes on to say, “If the board can’t do it, imagine the situation we are in”—people who operate bars and restaurants. “We live it every day. It’s called fear, intimidation and bullying, and if you stand up against them, you’re punished with more visits by the AGCO, more harassment by AGCO personnel, more stress on your staff and management, loss of sales, and increased legal bills to the point where they just run you out of business.”

#### 0950

Did the government listen to Mike Wilson? No. Were there amendments presented that would have helped solve this problem? Yes, there were. Did they pass at the committee level? No, they did not; they were voted down by the Liberal majority on the committee. It is a surprise that the Liberal Party didn’t at least listen to Mike Wilson, who acknowledged: “At our establishments, we have had many events, including parties for Premier Dalton McGuinty; John Manley when he was the Minister of Industry” in the Liberal government in Ottawa; “our member of Parliament, Bryon Wilfert; Frank Scarpitti, mayor of Markham; Michael Joliffe when he was president of the Ontario Liberal Riding Association; and the Young Liberals of Canada.” This man has covered his bases. He’s had fundraisers for all the Liberals. In return, all he got was hassled to the point where he’s had to close his restaurant on occasion, where his employees have been out of work through no fault of their own. The government wouldn’t listen.

I asked Mr. Wilson if he’d ever had a PC fundraiser at his establishments? He said no, he hadn’t, but he was certainly open to the possibility. He represents—

#### *Interjections.*

**Mr. Ted Chudleigh:** If the government was wise they’d be listening because he represents a tremendous number of Ontarians who are fed up with this government because of the way they’re being treated and because this government won’t listen.

Having heard these concerns, the PC Party responded by drafting motions amending Bill 110 that would ensure that public safety remains paramount while improving fairness for licensees and their hard-working employees. We heard and we accepted that this is the tip of the iceberg. We accept that a full review may be needed. But we listened and took the first steps.

I may very well be sharing my time this morning, probably with the member for Durham, if he were to step

back in the Legislature for a moment. Hopefully he is listening from the—maybe somebody will go get him.

We heard and we accept that this is the tip of the iceberg. We accept that a full review may be needed. But we listened and we took the first step by putting amendments before the committee, and this government didn't listen. It's not only sad politically; it's sad for the people of Ontario, those people who came with heart-rending stories, who said that they've been out of work through no fault of their own for two weeks, when they're living hand to mouth, paycheque to paycheque.

It could have been solved, not by letting people off, not by letting owners who would cut corners get away with something, but simply by changing the penalty from a suspension of licence—a closing of the facility which punishes all of the employees—to fining them; to putting a fine in place that would be equally as hurtful. I'm sure there are formulas that could be worked out that would be equally as hurtful to the owners when they try to cut a corner. How did the Liberal government respond? They voted against our motions.

The PC Party has called for fairness, and fairness, in this respect, is very simply just good government, but it's good government that this bill and this Liberal government don't seem to be interested in. You had an opportunity to make a difference and you fell short; you fell far short.

*Interjection.*

**Mr. Ted Chudleigh:** I'm afraid the member for Willowdale is making light of the situation. The member for Willowdale, it's on your head that single mothers and students are out of work through no fault of their own, because you wouldn't listen at committee, you wouldn't put forward amendments and you wouldn't pass those amendments.

That member, more than most, because he was vice-chair of the committee—he was the point man on the committee and he failed to listen. In a government that fails to listen, that member, from Willowdale, failed to listen more than most.

I'm afraid this summarizes why "Liberal" and "good government" never fit properly together. No matter how hard that party may try to make appearances and to deceive the people of Ontario, it just won't work.

If you go by recent polls, they seem to be showing that the public does feel uncomfortable with this government. I would point out to this government that much of that discomfort, no matter what the issue is, whether it's electricity, whether it's the taxes, whether it's this, that or the other thing—there's a myriad of them that people are upset about. But the basis, the commonality, amongst all those things is that this government stopped listening to the people of Ontario.

I suppose this shows all of us that this is in fact not a good government, and that the Premier and his Liberal Party are perhaps not the shiniest pennies in the roll.

I would now ask the member for Durham to make some comments on this bill.

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

**Mr. John O'Toole:** I'm so pleased that the member from Halton—he and I have been here, some would say too long, but certainly since 1995. And his enthusiasm in standing up for those vulnerable persons in our society, and families, is not surprising. It's always been his consistent reference: "How does this affect my most vulnerable constituents?"

It's in that vein that I think his remarks with respect to the testimony he presented, or listened to and presented here, on the single parent is commendable, and I thank him for that advocacy.

This bill, again, is under the suspicious shadow of being an omnibus bill. Furthermore, there seems to be a bit of a time sensitivity component to this as well. As has been said, there are 36 pages; it's seven sections. It's dealing with pretty well all the major ministries. I want to go through it, because it's a good time to review where we are.

Schedule 1 is a broader area: It's the Ministry of the Attorney General. It imposes monetary penalties under section 14.1 of the Alcohol and Gaming Regulation and Public Protection Act, 1996, which he spoke about. The hearings of matters under the Gaming Control Act, 1992, all of which—he was giving some testimony about the conditions in the bar where the employees are assuming some of the responsibilities under that.

The Evidence Act as well is amended to shift regulation-making authority under the subsection from the Lieutenant Governor to the Attorney General specifically. That's a bit troubling, because we've had—the member from Halton, being a critic in that area, has raised several times issues that have been thrown out of the courts or not addressed or saying that they haven't had enough resources. We all remember the assistant crown attorney who was pictured in the paper, rather arrogantly, if you will, tossing the scarf carefully over his shoulder, who was laughing and grinning and disrupting a trial about a mother who had a daughter who had died. The charge, I guess, was that she was—and I thought it was completely inflammatory, if not—some other accusation, I guess, could apply too. But the jury members seemed to be upset.

Now, he could have made some—in this section here, I won't get carried away. It shifts it to—perhaps that's a good thing here.

The Justice of the Peace Act: This one here is another one. I raise this because I have raised it in caucus. "Subsection 2.1(12) of the act is amended to change the process for applying for justice of the peace positions and reviewing these applications. Subsection (12.1) is added to the section to address transition. Obsolete transition provisions in the section are repealed."

**1000**

Under that, I want to make it very clear: I think highly of those who serve in the role of justices of the peace. In fact, if I wasn't so old, I would probably be seeking one of those myself. I would say that the person should meet certain criteria and qualifications and be reviewed by the judiciary panel, I guess. They don't necessarily have to

be lawyers. I know a lot of good people—I know some personally. In fact, I want to put it on the record here that my cousin Mike O'Toole from Peterborough—and Jeff Leal often refers to him; I'm sorry the member for Peterborough is not here—served for a good number of years.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Durham knows that we don't refer to a member's presence or absence.

**Mr. John O'Toole:** Pardon me. In that respect, I won't refer to Jeff Leal, because—

**The Deputy Speaker (Mr. Bruce Crozier):** Or by name, for that matter.

**Mr. John O'Toole:** The member for Peterborough. Mr. Speaker, in deference to your future participation here, I respect your ruling and always do. My point being, though, that Mike served, I would say, very commendably, not because he's a relative of mine. He probably would disown me.

But I say that in—I know several others, too, who have served and served, I believe, competently, because there's a great deal of training that enters into that before they're able to make decisions on a bail hearing or on Highway Traffic Act offences. It's mostly provincial offences where they're not at the Superior Court level. Often it's pre-trial hearings and bail and release things that they're dealing with.

The thing is, with the justice of the peace part, I still believe that the Premier and the Attorney General could appoint people who meet the smell test. If we disembark this privilege of appointing, some members who leave here—some are leaving. In fact, the Speaker will be leaving, and there's others who have said they're leaving. There's about nine people who won't run in the next election so far. There will probably be a lot more. I look over at the member for Northumberland–Quinte West. He might be—

*Interjections.*

**Mr. John O'Toole:** Well, look, I'm only saying here, and I say it respectfully, that he has served as a mayor, and he's served well. He's here. His constituents respect him. I would say that he continues to serve. I think he would be easily and objectively appointed to sit as a justice of the peace.

Quite frankly, I'm being quite specific here: When we leave here, we do have a pension of a sort. A group RRSP is what it is, really. It's a defined contribution plan. What I'm saying there is that this would not buy much of an annuity. There's no pension as you know it. That's all history, and as it is, it might have been a mistake that Mike Harris made. I would say it right here on the record. I say it here—

*Interjections.*

**Mr. John O'Toole:** They're saying that we voted for it. Well, there are a few things they voted for where they're going to sort of, I would say, rue the day. One of them might be Bill 135, that other bill that was time-allocated yesterday. They will rue the day.

**Hon. John Gerretsen:** Did you vote the wrong way?

**Mr. John O'Toole:** Yes, in that case I did. To the member from Kingston and the Islands: I did, in fact, out of respect for everyone here.

I don't want to be distracted from the point I'm trying to make, and that easily happens, my point being the appointment of certain members who meet criteria. I know the member from Kingston and the Islands, the minister, was the mayor of Kingston. He's a qualified lawyer, a member of the bar and the law society, I guess. But I would say that they could easily be—and should be—eligible for appointment. I say that publicly here and now, because they can serve the public. All politicians aren't completely useless. I would say they can serve and continue to serve the public in a less obviously political way, and I say that respectfully.

Section 2 is another one; it's a section that does trouble me. Some of the stuff gets a bit technical. Even for myself, I have to read it, but I help the public by reading it in layman's interpretation here. Under this one here, the Business Corporation Act—I'm not going to spend much time on it—it says, "The definition of 'auditor' in subsection 1(1) of the act is amended to include not only a partnership of auditors but also an auditor that is incorporated." There are different rules of liability when one is incorporated. That's really what's happening here.

"Several provisions are updated to reflect the fact that notice of a change of location of the registered office must now be filed under the Corporations Information Act rather than the Business Corporations Act."

In small business, here's the deal: When you're dealing with these arcane rule changes, small businesses could find themselves in a problem. Now, how do they find this? All these regulations are gazetted. A lot of small businesses don't read those things, so it sounds like a fair amount of red tape to me. I don't disparage all red tape, but I think often they have to take the time and have the flexibility not to penalize very small businesses that are incorporated under the Business Corporations Act for not being aware of the law. Ignorance is no excuse of the law; I understand that. But certainly there should be, within the authority of the Attorney General or the minister, the ability not to prosecute because of sincere ignorance of the law in these cases of whether or not they're registered and have filed appropriately.

I'd say that under the Motor Vehicle Dealers Act this thing here is a piece of housekeeping, really: "The Registrar no longer requires the approval of the director to require a motor vehicle dealer to file a financial statement under section 24 of the act." I think that's good; it's elimination of paperwork there.

The Payday Loans Act: "... section 52 of the act which allows the director under that act to make freeze orders." Well, I'm not big on the payday loan operations anyway—period. I have no time for them at all. I don't care who set them up.

TICO, the Travel Industry Act: That's another one. It's a very important one here. A lot of people don't even know that travel insurance, the travel industry, under

TICO, the Travel Industry Council of Ontario, can insure certain things if they're registered members. Here's what it says: "The schedule clarifies that the other services mentioned in the definition of 'travel services' must be combined with transportation or sleeping accommodation for the use of a traveller, tourist or sightseer." In fact, that is important. There are a lot of online businesses that are not members, so I guess the most important advice here is just to pay for it with your credit card; often your credit card will insure your trip.

Schedule 3, the Ministry of Education: "The schedule amends the act to clarify that the definition of 'French-language instructional unit' does not include a program established under paragraph 25.1 of subsection 8(1), which authorizes the minister to permit boards to establish for English-speaking pupils extended day programs involving the use of French." This is allowing some of the programs that they have under that child credit, the \$50 credit—you can spend up to \$500 and get \$25 or \$50 back for language training in a second language. That's probably not a bad idea, if families want to pay, and that's what it's about.

With respect to "English-speaking pupils programs involving the use of French, the minister may impose terms and conditions on the permission." I'd say something a little bit radical here. When I look around Ontario in the 15 years I've been here, I've actually been around in Timmins and various places in northern Ontario where you'll often find boards will have sparse populations, all four panels—remember in Ontario they have four panels: English, French, public and separate, so there are four panels. Now, French immersion then becomes an issue. With French immersion, you have to have a parent whose first language is French to actually go to the French system. I'm not sure that's a good idea, personally. If you really want to learn French—I lived in Quebec for a while—go to a French-language school; you'll learn French, guaranteed, especially if you're a child.

French immersion, which is partial programming—I have a couple of grandchildren in the program—there you go. I think that's something you could change or look at in the future to improve French language penetration: allowing children who fully understand—the school would be entirely French, from recess to report cards to whatever would be in French, and parents should have the option to go there, even if their first language is not French. The children should be able to go. That's what I think. It works in northern Ontario. Go around. They have schools that have public, separate, French and English all in the same school. Some of the kids in French language actually take the math courses because they don't have enough kids to offer the program unless they all work together. That's good business. I think it's good for the students and it's good for the community that wants to have a school that offers calculus at grade 11 or whatever, otherwise it wouldn't be offered. I'll leave that alone.

## 1010

Schedule 4, the Ministry of Energy: Now there's a ministry that needs a bit of attention—a lot of attention. I

would say that the Ontario Energy Board has been rendered kind of useless, actually. I shouldn't say that, because I know people—competent, qualified people—on the energy board.

Here's what it says here: "Clauses 71(3)(a) to (c) of the act are re-enacted to provide that an electricity distributor may own and operate a renewable energy generation facility, a generation facility that uses technology that produces power and thermal energy from a single source or an energy storage facility whether or not any criteria for the facility have been prescribed by regulations."

Actually, energy distributors, as we would know, are Hydro One, Toronto Hydro, Veridian or several larger distributors. These are the ones that take the power from the big wires—the transmission system—to the distribution system, which is the smaller wires that deliver to homes and businesses. What the bill is saying is that Toronto Hydro can have—which it does—a wind turbine at the Exhibition grounds that generates energy, and it's owned, I believe, as well as thermal energy, which would be the deep-shore water retrieval program in Lake Ontario. I'm not sure what it's called; do you know what that's called? That's the big core lines out in Lake Ontario. It's heat transfer; they cool and heat buildings in downtown Toronto from Lake Ontario. I think that's under this. It just allows these utilities—I think this is a respectable idea.

I honestly believe that the old system of the large generators, large transmission and now large distributors—the three components of electricity systems from generation to use—could be changed. I don't know why we have great big generators up on the Bruce Peninsula sending all those electrons down that billion-dollar transmission system to Toronto. By the time it gets here, 20% of the energy has dissipated. It's a waste, and you see that on your bill; you have the line loss charge. That line loss charge is because the generator gets paid for all the electrons it dispatches to your house. But when you dispatch one kilowatt, by the time it gets to the house there's only 0.8 kilowatts left. So you're paying for that 20% loss because they have to get paid. They generated it, whether it's through natural gas, hydro or whatever. So I probably agree with that section too.

When you get these omnibus bills, there are sections that are right; generally, the bill has particularly optimal things. But they've slipped in a couple that I can't support. That's the problem: They stick the poison pill in there. They've done it with Bill 135, the other omnibus bill we're dealing with. It's become trouble for them, because they've have to time-allocate it; they're ramming it through. We hear the hearings are going to be on Thursday, the amendments will be moved on Monday and it'll all be done. This is a budget bill. This is a staggering bill.

One section of that bill, a 10% reduction in your energy bill—that's what is in Bill 135. Your bill at home that is \$200 now will have a 10% reduction; it will be \$180. How are they funding that? I often wonder, where is—they forecast revenue based on these things, and now

they're going to cut your bill by 10%. I kind of looked into it—this is worth knowing about Bill 135. The cost of that 10% reduction is \$1.3 billion annually. They have an \$18.3-billion deficit—I mean, they're short. So where are they getting this \$1.3 billion?

Do you know what they did? Teranet, the province of Ontario land registry system—it used to be called Polaris; it's now Teranet. It's a digital system that manages property records for different purposes—assessment. They've sold the rights to MPAC and Teranet—they sold the rights to use it for 50 years and they got \$1.1 billion for that. That's how these things happen. With respect, Speaker—I see you watch very carefully. You keep an eye on me.

**The Deputy Speaker (Mr. Bruce Crozier):** I'm keeping a really close eye on you.

Pursuant to standing order 8(a), this House is in recess until 10:30 of the clock.

*Third reading debate deemed adjourned.*

*The House recessed from 1015 to 1030.*

#### WEARING OF RIBBONS

**The Speaker (Hon. Steve Peters):** The Minister of Government Services on a point of order.

**Hon. Harinder S. Takhar:** We would like to have unanimous consent to wear red ribbons.

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

#### INTRODUCTION OF VISITORS

**Mr. Ernie Hardeman:** I'm pleased to rise today to recognize John Gignac, a retired firefighter from Brantford, and Pat Folliott; he's from Toronto. They both work for the foundation to support the introduction of carbon monoxide detectors in all homes in Ontario. They will be holding a press conference at noon today. I want to thank John and Pat for being here; they're in the members' gallery.

**Mr. Jeff Leal:** It's an honour for me to introduce Dr. Tom Phillips, who's in the members' east gallery today. Tom is a member of both the faculty at Fleming College and Trent University in Peterborough. A well-known national economist, he also recently was inducted into the Canadian Lacrosse Hall of Fame in British Columbia. We welcome Tom with us today.

**Hon. Sophia Aggelonitis:** I would like to introduce to the House Erin Torsney, who is here for the day.

**Mr. Bob Delaney:** I have two special guests to introduce to the House today. Albert Wong is the president of AKW Global Enterprises, with many close connections to Chinese entrepreneurs and investors here and abroad. Judy Yeung is an employee of Bell Canada and the volunteer vice-chair of membership for the Mississauga Board of Chinese Professionals and Businesses, the vice-president of the Association for Learning and Preserving the History of World War II in Asia and a volunteer with the Yee Hong foundation. Both Albert and Judy are the

organizers of the annual Phoenix Ball in Mississauga. I'd like members to welcome them to the House.

**Mr. Randy Hillier:** I'd like to welcome and introduce to the House Laverne Brennan, the mother of our page Drew Brennan.

**Mr. Tony Ruprecht:** I'm delighted to introduce a delegation of representatives from the government of Romania and, indeed, of Canadian Romanian organizations. The delegation is here, as all of us know, to raise the colours of the Romanian flag outside at 12 noon, and all the members are invited.

I'm delighted to introduce them to you: Dr. Valentin Naumescu, who is the consul general of Romania, and his wife, Mrs. Naumescu; Mr. George Oprea, who is the president of the Association of Romanian Engineers in Canada; Mrs. Maia Morgenstern, an actress at the Jewish State Theatre in Bucharest; Mr. Tudor Aaron Istodor, an actor; Mr. Dumitru Popescu, a director of the Romanian cultural journal Observatorul; Mr. Rares Pateanu, a professor at York University; Mrs. Roxana Pateanu; and Mr. Doru Liciu, who is the vice-consul. Thank you very much and congratulations on your special day today.

**Mr. John Yakabuski:** Not precisely an introduction, but more a recognition: On December 1, 1980, my colleague Garfield Dunlop was sworn in for the first time as a councillor in the village of Coldwater. Today marks 30 years for him in elected office and I think he should be congratulated.

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

**Hon. Kathleen O. Wynne:** I rise in the House today to welcome the Denlow Public School choir from Don Valley West. They'll be joining us and singing on the main staircase at 12:15 today. I encourage my colleagues to join them in the holiday season songs.

**Mr. Jean-Marc Lalonde:** I'm delighted to say that the Legiskaters played hockey last night against Malahide. They won their first game in three years—5 to 3—and we're glad to say that we have familiar faces in here: John O'Toole, Jerry Ouellette, Norm Miller, Steve Clark, Howard Hampton and Bob Delaney, and assistant coach Steve Peters. We won.

**Mr. Dave Levac:** In the gallery today we have the gentleman who has formed, founded and chairs the Hawkins-Gignac Foundation to raise money for CO detectors. He's a member of the Friends of the Firefighters in Brantford, my friend and former firefighter John Gignac. John, welcome and thank you for being here.

**The Speaker (Hon. Steve Peters):** I would like to take this opportunity to congratulate our coach last night, the honourable member from Glengarry-Prescott-Russell, but also to say thank you to the member from Hamilton East-Stoney Creek for the even-handed, fair and impartial way he refereed the hockey game last night. The honourable member only warned the water boy twice during that hockey game.

I just want to recognize those players because it was a great win of 5-2 for the Legiskaters. I want to thank the following individuals from Legiskaters side: Bob Delaney, Rob Bongers, Paul Miller, Howard Hampton, Jerry

Ouellette, Norm Miller, Steve Clark, John O'Toole, Steve Paikin, Geoff Turner, Miranda Hussey, Gerry Frenette, Paul Yeung, John Bongers, Scott Lovell, Adam Grachnik, James Berry, Marty Wall, Alex Webster and Matt Cable.

I would also like to take this opportunity to thank those who were visiting from Malahide township in my riding: Coach John Wilson, Rob Johnson, Matt Wilson, Johnny Wilson, Brad Smale, Paul Groeneveld, John Hoover, Bill Sleegers, Craig Kalman, Matt Teeple, Mark Steele, Andrew Sleegers, Mike Phillimore, Lloyd Perrin, Tom Marks, Steve Carr and John Smith, who was the bus driver.

Thank you again to the honourable member.

**Mr. Jim Wilson:** On a point of order, Mr. Speaker: Standing order 40(b) concerning annual reports and other sessional papers states, "The minister concerned shall distribute copies of all reports to all members of the House and copies of any background material to the critics of the recognized opposition parties."

However, yesterday Liberal staffers handed out pamphlets that said there was a 10% savings on hydro bills, when on page 11 of the fall economic statement we are told it's a 46% increase. So I think it only fair to opposition members of this House that the finance minister provide background material that shows the math and explains how a 46% increase is a 10% cut.

**The Speaker (Hon. Steve Peters):** I thank the honourable member. It is not a point of order.

#### NOTICES OF REASONED AMENDMENTS

**The Speaker (Hon. Steve Peters):** I beg to inform the House that pursuant to standing order 71(b), the House leader of the official opposition, the member for Renfrew–Nipissing–Pembroke, has notified the Clerk of his intention to file notice of a reasoned amendment for the motion for second reading of Bill 141, An Act to amend the Health Protection and Promotion Act. The order for second reading of Bill 141 may therefore not be called today.

I beg to inform the House that pursuant to standing order 71(c), the House leader of the official opposition, the member for Renfrew–Nipissing–Pembroke, has filed notice of a reasoned amendment to the motion for second reading of Bill 140, An Act to enact the Housing Services Act, 2010, repeal the Social Housing Reform Act, 2000 and make complementary and other amendments to other Acts. The order for second reading of Bill 140 may therefore not be called today.

**Mr. Jim Wilson:** On the same point of order, Mr. Speaker: I recall a Speaker's ruling that to hand out material about a piece of legislation that isn't passed—

**The Speaker (Hon. Steve Peters):** I've already ruled on that point of order.

*Interjections.*

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

It is now time for oral questions.

#### ORAL QUESTIONS

##### SMART METERS

**Mr. Tim Hudak:** The first question is to the Premier. First, on behalf of the PC caucus, we want to thank the Environmental Commissioner for the thorough, helpful and objective report he tabled yesterday.

Premier, his report shows that your well-deserved reputation for making all kinds of promises, then breaking them one by one, once elected, continues. In his report, though, the Environmental Commissioner does note that Premier McGuinty actually hit one target, and that's the installation of his smart meter tax machines.

The Premier missed targets for electronic recycling. You missed your promises on closure of coal plants. You missed your promises on energy conservation and job creation. So, Premier, why is it that the only target that you actually hit is the one that takes more money out of the pockets of Ontario families?

**1040**

**Hon. Dalton McGuinty:** It's always good to hear from the man without a plan. I think my honourable colleague opposite in fact recognizes that the Environmental Commissioner fully supports smart meters. In addition to that, I would have thought that my honourable colleague would make reference to the health benefits associated with our coal closure.

I want to refer him to a statement made by the Canadian Association of Physicians for the Environment. They said, "When you burn fossil fuel, you produce toxic by-products.... The plants also release lead and mercury (brain poisons), dioxin (an endocrine disrupter), chromium and arsenic (carcinogens), and sulphur dioxide and nitrogen oxide (which cause acid rain)."

You would think that the member opposite would want to stand up and support our plan to do a number of things, including shutting down dirty coal in the province of Ontario.

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

**Mr. Tim Hudak:** Premier, come on. You promised this back in 2007; the coal plants continue now deep into 2010.

Premier, you make all kinds of promises, and then you break them one by one by one once elected. The only plan the Premier has is to squeeze more money out of the pockets of Ontario middle class families, seniors and students.

Premier, let's get back to your smart meter tax machines. You know you were warned by Hydro One and 20 other distributors that there were serious bugs in the system. Measurement Canada, the federal agency, said they had significant concerns. On August 4, the Ontario Energy Board acknowledged the problem. It is a bad plan, off the rails. It's costing Ontario families more and more.

Premier I'll ask you again, why is the only promise you seem to keep is one that will squeeze more money out of the pockets of families?

**Hon. Dalton McGuinty:** It was my honourable colleague who raised the issue of the environment and I think that we should stick to that.

Let's hear what some of his colleagues have said in the past on the matter of coal. This comes from the MPP for York-Simcoe: "Even if we closed all the coal plants, we would make little difference to air quality...." That's the member for York-Simcoe.

The member for Haldimand-Norfolk: "I ask that the present government not overlook the fact that coal is both affordable and abundant.... There are significant benefits."

Then of course, there's the member for Sarnia-Lambton, who said, "We need more coal."

We bring a decidedly and proudly different approach. We think it's time to move away from coal in Ontario. We think we can lead North America in this effort. We think we owe it to the future, and we owe it to our kids today.

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

**Mr. Tim Hudak:** Premier, I know this is embarrassing for you and your government—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. The member from Peterborough, Minister of Education, please come to order. Member from Oxford.

Please continue.

**Mr. Tim Hudak:** I know it's embarrassing for your government that you've made so many promises and then broken them one after the other: electronic recycling promise made, promise broken; closure of coal plants promise made, promise broken; energy conservation promise made, promise broken; job creation promise made, promise broken; not to increase taxes on Ontario families—broken, torn, ripped up, absolutely shredded.

Premier, people simply don't believe the McGuinty government any longer. Now with your smart meter tax machines, we know that Ontario families are paying more as a result. You've heard now from some nine different utilities that they don't want to go ahead with your aggressive plan to take more money out of the pockets of Ontario families.

Premier, why do you believe it's important for people to work for government instead of government working for the families who pay the bills?

*Interjections.*

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

*Interjections.*

**The Speaker (Hon. Steve Peters):** Minister of Consumer Services. Minister of Labour.

Premier?

**Hon. Dalton McGuinty:** Again, it's good to hear from the pro-coal party in Ontario. I gather that's what "PC" stands for. Who would have known? I think one of the things that's very important to our families, in addition to clean air and a reliable supply of electricity, of course, are good jobs. Let's just go over our recent record

in that regard: Two weeks ago, we announced 300 jobs at JNE Consulting in Hamilton; a few days ago, it was 150 jobs in Cambridge; yesterday, it was 126 jobs in Essex county; today, it's 700 jobs in Windsor; tomorrow, it's 900 jobs in Tillsonburg.

At the end of the day, we stand by our firm belief that families want clean air, reliable electricity and clean energy jobs, and that's what we stand for.

## TAXATION

**Mr. Tim Hudak:** Back to the Premier of broken promises: Premier, we have a very strong disagreement. You believe that Ontario families should be working harder to pay for more, bigger government; we believe that government should work for the families who actually pay the bills. There's probably no better example than your expensive eco tax experiment. We now see that families are paying eco taxes as high as \$2.75 for a \$10 clock radio. This program has gone badly off the rails, where you're collecting only 2% of recycled material—only 2% of the promise that Premier McGuinty made.

Now, Premier, you're going to be heading into the Christmas season, charging this eco tax on iPods, on iPads, on flat-screen TVs and on DVD and Blu-ray players. Will you have some mercy as we head towards Christmas? Will you abolish this latest eco—

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

**Hon. Dalton McGuinty:** Again, if they're not talking about holding us and holding Ontario firmly nailed down to the past, where we burn coal, now they're firmly committed and determined to ensure—

*Interjections.*

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

And no, the Speaker is not a grinch, by the way, as I heard over there.

**Hon. Dalton McGuinty:** If the party opposite, if the official opposition—not only are they committed to coal, a fuel of the past, but now they're saying they're adamantly opposed to any efforts made by Ontarians collectively to better and properly manage their toxic waste. They're against that. That's not where families stand. I think that families are looking for more plans and fewer pranks; they're looking for action and not antics.

I'll just tell you what we did yesterday on behalf of the people of Ontario. We announced 126 new jobs in Essex county as a result of our investments in green energy. We introduced legislation to prepare our health care system for the next pandemic. We also announced a review of social assistance to help get more Ontarians more jobs more quickly. Today, we're announcing 700 new jobs in Windsor. That's a result of our Green Energy Act and an agreement with Samsung.

That's what leadership is all about. It's about standing up for families. It's about taking action. It's about getting beyond antics and moving beyond pranks, and putting forward solid plans.

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

**Mr. Tim Hudak:** Premier, leadership is about keeping your promises, keeping your word, creating jobs in the province of Ontario. Only a Premier as out of touch as Premier McGuinty would defend a \$2.75 tax on a \$10 clock radio. This simply shows a Premier who keeps hitting the snooze button over and over again when it comes to standing up for Ontario families.

Premier, you simply believe that seniors on fixed incomes need to work harder to pay for your bigger and bigger government. The Ontario PCs will stand up for those seniors who are saying, “Enough is enough is enough.”

Premier, even the Environmental Commissioner says that your eco tax scam is not diverting from landfills. You have hit 2% of your goal, and if you had report cards with grades, even that is a failure, Premier, by your standards. Will you give families a break as we head toward Christmas and scrap this program that has gone way off the rails?

**1050**

**Hon. Dalton McGuinty:** No, we won’t. We’re committed to assuming our responsibility together to ensure that we properly manage toxic waste. We think that’s the right thing to do. We’re not saying it’s an easy thing to do, but we’re committed to that on behalf of our families.

In terms of support for families, I want to remind my honourable colleague—it would be nice to have him stand in his place and applaud our efforts—that this month 220,000 students are receiving the \$150 textbook and technology grant. This month, HST transition cheques: Some 6.5 million Ontario families and individuals will receive either \$335 or \$100. Starting in January of next year, there’s a 10% clean energy benefit reduction on all electricity bills for five years. There’s also our new children’s activity tax credit: \$50 per child. Believe me, when it comes to helping families right inside the home, we’re there for them.

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

**Mr. Tim Hudak:** Again, it just shows a Premier so dramatically out of touch with the needs of middle-class families, seniors and students that he’s embracing his latest eco tax grab.

We’re going to keep the pressure up, and I want to put him on flip-flop alert, because I think this Premier is going to backtrack once again. The sacrifices you make seniors pay, the sacrifices you make families and students pay, Premier, mean that we have to stand up and continually defend the family budget.

Take, for example, your foreign scholarship giveaway. At a time when our sons and daughters are struggling to make ends meet, are struggling to pay the bills, you give away rich \$40,000-per-year scholarships to foreign students. The best and the brightest Ontario students cannot apply. That’s wrong, Premier. That money, each and every penny, should go to Ontario students first.

Premier, when will you understand that it’s government that should work for the people who pay the bills, not the other way around?

**Hon. Dalton McGuinty:** There’s more jargon, more slogans, more empty rhetoric, more pranks, more antics. I think Ontario families deserve a lot better than just that. I think they deserve some unwavering commitment to some fundamental values.

For one thing—I’m glad that my honourable colleague has finally had the nerve to raise this—we embrace the global economy. We embrace all those people who have chosen to come to Ontario and help us build this society and our economy. We’re after the brain game in the province of Ontario. We’re committed to winning this competition. We want the best and the brightest from abroad to come and join the best and the brightest who are right here so that we have an unbeatable combination. It’s about pulling the best together so that we can do what we’ve always done: We’ll deliver the most competitive team that we can put on the ice in a global economy, and we’ll keep winning.

*Interjections.*

**The Speaker (Hon. Steve Peters):** The member from Hamilton East should be in his seat. The Speaker doesn’t appreciate this. Notwithstanding what some people might think, this is not a zoo, and hearing some of the comments or noises that I just heard, perhaps you should go to Bowmanville.

**Interjection:** That’s a very good zoo.

**The Speaker (Hon. Steve Peters):** It is a very good zoo.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Members will please come to order. As well, during the answer from the Premier—I just remind the member from Nepean–Carleton that she should be respectful.

New question. The member from Toronto–Danforth.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. That comment that I just directed to the member from Nepean–Carleton is the same comment that I will direct to the Minister of Agriculture, Food and Rural Affairs. Again, we need to endeavour to be respectful of one another.

*Interjection.*

**The Speaker (Hon. Steve Peters):** That’s not helpful from the member from Halton as well.

New question.

## ENERGY POLICIES

**Mr. Peter Tabuns:** My question is to the Premier. Premier, homeowners are struggling to pay soaring hydro bills. They need help to reduce energy use and make their bills more affordable. Why is the McGuinty government making life even more difficult for homeowners by ending the home energy savings program, which provides homeowners with rebates on home energy audits and retrofits? Why?

**Hon. Dalton McGuinty:** I’m always pleased to hear from my colleague opposite. My colleague knows—they stood up for months on end and asked that we provide

some support to ratepayers by eliminating the HST. In fact, we've gone further than that. We've put in place a clean energy benefit, which is going to help families and farms and small businesses by 10%; it's 2% more than they originally asked for. We're proud of that. We think it's going to help families through this transition period, as we move to a cleaner electricity system.

My honourable colleague the Minister of Energy has indicated that we're going to shut down this particular program. We've extended it for a certain period of time. We're going to shut it down, but there's going to be more news forthcoming in terms of more supports for our families when it comes to acting in a way that conserves electricity.

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

**Mr. Peter Tabuns:** The Environmental Commissioner of Ontario says that uncertainty about the future of the home energy savings program, which was not corrected by that answer, is undermining conservation capacity in Ontario and threatening the survival of companies that perform audits and retrofits, the very ones that will be needed to deliver any program. The commissioner urges the Minister of Finance to tell Ontarians as soon as possible about whether the government will continue the program.

When will the Premier put an end to the uncertainty and tell homeowners what support they'll get to improve the energy efficiency of their homes, instead of waiting until he gets to make an election announcement?

**Hon. Dalton McGuinty:** Again, the program has served its purpose and has reinforced the notion that all of us have a role to play when it comes to using less electricity, and taxpayers have funded a program which brought a lot of families on board.

The other program that is very important for us to continue to pursue is smart meters. It'd be great to have the NDP's support in this regard as well. Progressive jurisdictions around the world have taken advantage of smart meters, to install those in homes and businesses and farms as well. It's one thing that is completely supported by the Environmental Commissioner. So I'd love to hear my honourable colleague stand up right now and say that he's in support of our plan to continue to install smart meters throughout the province of Ontario.

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

**Mr. Peter Tabuns:** Investing in conservation that delivers real results is far cheaper than investing in new supply. It's less damaging to the environment. The government is committed to investing untold, unpredictable billions in new nuclear supply. That adds to an already unaffordable hydro rate. They won't spend a fraction of that on home retrofit programs that could actually make life more affordable for homeowners.

Why does the government put expensive new nuclear supply ahead of cost-effective energy conservation?

**Hon. Dalton McGuinty:** The NDP is held captive by an ideology that says that they're adamantly opposed to the generation of electricity by means of nuclear reactors.

We don't enjoy that luxury. One half of our electricity in the province of Ontario is generated by nuclear reactors.

I want to say as well that our plan for conservation has one of the most aggressive targets in North America: 7,100 megawatts by 2030. That's the equivalent of taking 2.4 million homes off the grid. The fact of the matter is, it is very, very aggressive. It's going to be a challenge for us to meet that target, but I'm absolutely confident that with the support of the member opposite, including for smart meters as well, we'll do everything that we need to do to achieve that target.

## PUBLIC TRANSIT

**Mr. Michael Prue:** My question is to the Premier. Published reports indicate Toronto's new mayor will meet today with TTC management and slam the brakes on the much-needed light-rail public transit plan. Will the Premier please be clear and explicit to this Legislature and the people of Ontario: What is his government prepared to do to ensure Transit City gets built?

1100

**Hon. Dalton McGuinty:** We're going to sit down and meet and we're going to talk. There is a new mayor; there is a new council. The fact of the matter is, they have been duly elected as part of a democratic exercise.

We're going to sit down and find out what it is they would like to do, we'll talk to them about what we would like to do, and we're going to work as hard as we can to find some common ground. I believe both sides are interested in promoting public transit. Both sides want to invest in more public transit. We'll talk about the details in terms of how we'll get there.

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

**Mr. Michael Prue:** Allowing Transit City to be scuttled would be a very grave error on this government's part.

After years and years of waiting, people saw a plan to make their daily commute a little easier. Then the province started backtracking on funding. And now the city wants to back out of the plan, a plan that will provide good jobs for hundreds of workers at Bombardier in Thunder Bay for years to come.

Given what's at stake, why isn't the McGuinty government taking a strong, clear position on saving Transit City?

**Hon. Dalton McGuinty:** If the new, duly elected council, led by their new mayor, comes to us with something different, a different representation on behalf of the people of Toronto who elected that council, is my friend honestly suggesting that we tell them to go away, that we're not prepared to listen to anything they have to say, that they are entirely, exclusively and unremittingly bound to the work of the previous council? I don't think so. I just don't think that's the way democracy works.

Again, we'll sit down, we'll meet, we'll find common ground and we'll find a way to continue to build public transit not only in Toronto but throughout the province.

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

**Mr. Michael Prue:** This former mayor and this present MPP thinks that Transit City contracts have already been signed. Work has started. Yet the McGuinty government appears ready to sit back and watch Transit City be stopped dead in its tracks at a cost of hundreds of millions of dollars to the taxpayers of this province.

People in parts of Toronto harshly remember the Premier who killed the Eglinton subway. Does this Premier want to go down in history as the one who helped to kill the Eglinton LRT, or will he do the right thing and join with New Democrats to save Transit City?

**Hon. Dalton McGuinty:** If we follow this through to its logical conclusion, the NDP is effectively saying they do not accept the results of the recent municipal election in the city of Toronto. That's what they're saying. They're saying that the new council does not have the legislative and political authority to make decisions regarding the future of public transit in the city.

I think he's got it wrong and I think we've got it right. I think our responsibility is to sit down with the duly elected new council and the mayor to find that common ground.

My colleague the Minister of Transportation has made it perfectly clear that if there are changes to be proposed connected with the original plan, and there are costs associated with that, those will be visited upon the council and the people of Toronto. That will be an important factor for them to take into account.

But again, we're going to bring a lot of goodwill to this discussion. We're committed to more public transit.

#### WIND TURBINES

**Mr. John Yakabuski:** My question is to the Premier. Premier, in February of this year, you said your Green Energy Act will "make it perfectly clear that NIMBYism will no longer prevail when it comes to putting up wind turbines...."

In practice, the rule applies to everywhere in the province but the Minister of Energy's riding in Scarborough. The setback for the rest of the province is 500 metres. This summer, cabinet made an exception in the minister's hometown by creating a five-kilometre setback that appeased families who don't want wind turbines obscuring their view of Lake Ontario.

Did the Minister of Energy declare his conflict of interest and recuse himself from the decision and discussions to keep windmills out of his backyard?

**Hon. Dalton McGuinty:** I know that my honourable colleague knows the difference between the setback requirements for land-based wind turbines and those that are located offshore. There is a difference there. If we focus for a moment on those that are land-based, we have the most aggressive setback requirements in all of North America, and some of the most aggressive in the world. As well, while there can be challenges associated with wind turbines, they're related to location. That's what our setback requirements are designed to address.

But you cannot get beyond the challenges presented to the environment and our health when it comes to burning

coal. It would be nice for the member opposite to stand up on behalf of his party and say, "We're no longer going to burn coal in the province of Ontario. We're going to do everything we can together to shut down all coal-fired generation by 2014." Now, that would be a commitment to the environment.

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

**Mr. John Yakabuski:** We're no longer going to break promises in the province of Ontario.

When my colleague the member for Dufferin-Caledon asked the minister about conflict of interest, he just sloughed it off, but it is not up to him to pass judgment on his own conflict or appearance of conflict. In fact, if he brought the issue to cabinet or participated in the discussion to give special treatment to his riding, his judgment is in question and his response to my colleague cannot be trusted. So it falls upon you, Premier: Were you concerned enough about the appearance of conflict to ensure that the minister took no part in any discussions to keep windmills out of his backyard?

**Hon. Dalton McGuinty:** This is a standard, province-wide policy. My honourable colleague is aware of that.

We have one policy for land-based wind turbines. In fact, we have a proposal at this point in time for offshore turbines, and it's one that will apply across the province. So I think it's rather interesting and creative on the part of my colleague to allege what he is alleging, but the fact of the matter is, there are so many Ontarians who live near water throughout the province.

This is something that stands to benefit all of us, and we will be working hard to make sure we get it right offshore, as we have got it right on land.

#### NIAGARA PARKS COMMISSION

**Mr. Peter Kormos:** To the Premier: Reports have emerged that the McGuinty government heard about financial improprieties at the Niagara Parks Commission as far back as 2005 and did nothing about it. When did the Premier himself first hear about possible financial improprieties at the Niagara Parks Commission?

**Hon. Dalton McGuinty:** To the Minister of Tourism and Culture.

**Hon. Michael Chan:** Thank you very much for the question.

Our government has an important responsibility, and that is to ensure that our agencies are accountable to the public and to ensure that our agencies are transparent to the public. On this side of the House we are committed to moving Ontario forward and to working towards strengthening the Niagara Parks Commission. Niagara's tourism industry depends on it, the Ontario tourism industry depends on it and our economy depends on it. We need this agency at its best as we take the necessary steps.

Chair Fay Booker has my full confidence to guide the commission in the right direction and to bring greater accountability and transparency. We are committed to the

people of Niagara Falls and committed to the people of Ontario.

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

**Mr. Peter Kormos:** This government's handling of the Niagara Parks Commission scandal has been a complete botch-up, and down where I come from, in Niagara region, struggling families are disgusted with the stories of sole-source deals and executives treating the Niagara Parks Commission as their personal ATM. When will the Premier call in the Auditor General and maybe even the police to get to the bottom of these improprieties?

**Hon. Michael Chan:** Thank you very much again for the question.

To build a stronger tourism industry and to build a stronger economy we need a strong Niagara Parks Commission: one that is more accountable and one that is more transparent. We are moving forward to do just that.

We have a chair who is determined to move the commission in the right direction. In her short time at the Niagara Parks Commission, she has redefined the governance structure for board committees, she has developed a new code of conduct for the board and employees, and she is consulting with residents in Niagara region through public meetings.

Chair Booker has my full confidence to take all necessary action to bring greater accountability and transparency.

1110

## SOCIAL ASSISTANCE

**Mrs. Liz Sandals:** My question is for the Minister of Community and Social Services. Minister, in Guelph we have a poverty elimination task force composed of many community agencies, including my office. They expect this government to build upon its record of achievements in reducing poverty and supporting Ontario families. We must help people overcome barriers in the long term and provide them with the tools necessary in order to get ahead in life.

The social assistance system has been described by the Premier as one that stomps people into the ground. This system should work better for families, clients and taxpayers. As part of the poverty reduction strategy, it was announced that the social assistance system would be reviewed. What is the status of the social assistance review?

**Hon. Madeleine Meilleur:** First of all, let me say thank you to the member for Guelph for her support all through this exercise.

Ontario's two social assistance programs need an update. Yesterday, I announced that we have appointed two very credible people to serve as commissioners of this extensive, 18-month social service review: the honourable Frances Larkin, former Minister of Health; and Dr. Munir Sheikh, an economist, an academic and the former chief statistician of Canada.

This review, the largest in 20 years, is the first step in developing a concrete action plan that will make social assistance more effective at getting people into jobs,

easier to understand, work better with other income security programs and more accountable to taxpayers and fiscally sustainable.

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

**Mrs. Liz Sandals:** There have been many concerns raised regarding the elimination of the special diet allowance announced in last year's budget. Many individuals in my riding depend on this dietary allowance that is provided over and above their social assistance entitlement.

Although it is clear that the government must address misuse in this program, we cannot repeat the mistakes of the 1990s, when governments tarred and feathered Ontario's most vulnerable. There are many Ontarians who need our help.

How will we respond to the concerns regarding misuse and the needs of those with serious medical conditions who require additional support for a special diet?

**Hon. Madeleine Meilleur:** We do not want to disadvantage people who truly need a special diet to manage their medical condition. We will keep the special diet allowance, and it will be part of the overall social assistance review. It is not the time to start tinkering with social assistance programs as a major review gets underway.

But the status quo is not an option. We must comply with the Human Rights Tribunal decision and also take specific steps to make it more accountable and fair to taxpayers. A new schedule, based on a medical expert panel's recommendations, will come into force on April 1, 2011, and we will work closely with our partners and clients to ensure a smooth transition.

In closing, I want to thank the members of ISAC for their good recommendations and good advice and for being supportive of what we are doing.

## CONSUMER PROTECTION

**Ms. Lisa MacLeod:** My question is to the Minister of Community Safety and Correctional Services. The McGuinty Liberals' belief that Ontario families should be working for them instead of government working for Ontario families is so hardwired that they've begun to miss the no-brainers.

The Ontario Real Estate Association confirms that the number of grow operations and drug labs has grown and increased dramatically on the Premier's watch, and on behalf of the Ontario PC caucus, I put forward a bill that would tell Ontario families if the house that they want to buy was a drug lab or a grow op. Why are you standing in the way of government working for Ontario families who work hard and who play by the rules?

**Hon. James J. Bradley:** To the Minister of Consumer Services.

**Hon. John Gerretsen:** I'm aware of your private member's bill. I had a meeting with the Ontario Real Estate Association last Friday, and as I indicated to them, we'll certainly take a look at any bill that may come along to deal with that situation. That's what we intend to do: Take a look at any good idea that comes along and see if we can work it into the system.

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

**Ms. Lisa MacLeod:** If he acknowledges that my idea is good and that the Ontario Real Estate Association is behind it, why doesn't he just adopt it? They've got the votes on that side of the House to do something about it.

He knows as well as I do in the Ontario PC caucus that a home is the single biggest investment for most Ontario families. Houses that were grow ops or drug labs are often ineligible for insurance coverage, often leaving the families who purchased them helpless. They could be families in Caledon, where \$1.2 million worth of marijuana was found and seized by police last night, or families in Liberal ridings like your own, in Kingston, Peterborough and London, where several times a month police are uncovering grow ops.

The McGuinty Liberals make Ontario families work for them with their civil asset forfeiture scheme. How about the McGuinty Liberals working for Ontario families by creating the grow op registry that will help protect homes across Ontario?

**Hon. John Gerretsen:** First of all, let me be absolutely clear: We will take a look at any bill that comes along and review it. That's number one. I did not say your bill was a good one at all. We'll wait and see about that.

Secondly, smart meters will give us a pretty good idea as to whether or not there is a grow op or not. If you want to deal with your issue, then you've got to support us on smart meters, because they will probably be the best indicator as to whether or not a grow op is going on.

Let's be absolutely clear: This government has absolutely zero tolerance when it comes to grow ops. We will deal with that situation collectively, through a number of different ministries. But I would suggest to you that if you really want to do something about the situation, then you've got to adhere and support us in the whole notion of smart meters, because they will give us a good idea as to what's going on.

#### MULTIPLE SCLEROSIS TREATMENT

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

People—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Honourable members, I'd like to give the member from Nickel Belt the opportunity to ask a question.

Please continue.

**M<sup>me</sup> France Gélinas:** People living with multiple sclerosis have been given some hope with CCSVI, better known as the liberation treatment. This treatment provides hope for people where very little hope existed before.

I acknowledge that the procedure needs to undergo basic research as well as clinical trials before being approved, and I have no intention of circumventing the need for evidence-informed decisions, but people living with MS want to know: Will this government commit to having the necessary funding in place should research

support approving the treatment so there is no delay? People want to have a commitment from this minister.

**Hon. Deborah Matthews:** I really do welcome the question from the member opposite. This liberation treatment, CCSVI, is obviously providing a glimmer of hope for people with MS, people who up till now haven't had a lot of hope in the treatment of their disease. I have received, as you can imagine, many, many letters and stories that are heartbreaking—they're nothing short of heartbreaking.

I think we owe it to the people with MS to follow this very, very closely. If, in fact, this glimmer of hope turns into something that will help people with MS, we're going to be there for them. I want people with MS to understand we do have to follow the science. I'm very pleased that the member opposite does acknowledge the importance of following the science, following the research. If, in fact, this turns out to be what we all hope it is, then we will be there.

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

**M<sup>me</sup> France Gélinas:** When the minister says that she will be there for them, does she mean she will do like New Brunswick, Manitoba and Saskatchewan and put money on the table to be ready once this treatment—if this treatment—proves effective? CCSVI treatment needs to be researched, and if the clinical trials warrant funding, then people with MS and their supporters want to have the assurance from this government that, in fact, the Minister of Health will be ready to move immediately to fund the procedure.

Will the minister do like her colleagues in other provinces and commit monies, both for the trials and to ensure that the system is in place so that people living with MS will not have to wait if this procedure is approved?

1120

**Hon. Deborah Matthews:** I think the member opposite understands that we rely very heavily on the evidence here. We do have experts who give us advice on what procedures to fund and what procedures need more research. We will rely on our experts.

What I can tell you is that if in fact this is something that provides relief for people with MS, of course we will fund it. Of course we will be there for the people.

There is now not a great deal of hope for people with MS. It is a progressive disease. If in fact there is help for them, of course we will be there.

#### EDUCATION

**Mrs. Maria Van Bommel:** My question is for the Minister of Education. Minister, I am hearing from constituents in Lambton–Kent–Middlesex about our education system here in Ontario. Parents and grandparents want to know that their children and grandchildren are being well equipped for tomorrow's workforce. Parents want to be engaged in their children's learning and want to work with teachers to achieve learning continuity both at school and at home.

All around the world, education is a top priority for all orders of government. They all recognize that investing in our future generations is the best way to move a society forward. Minister, this government can be proud of its investments in education, which focus on student achievement, but my constituents want to know how our educational system is stacking up against the rest of the world. Is our approach working?

**Hon. Leona Dombrowsky:** I'm very happy that the honourable member has brought this forward. What I am able to share with her—and what she can share with her constituents—is that we certainly are cognizant of the importance of education and all of their concerns.

You can tell them that just this week, there was a report released by McKinsey and Co. that cites Ontario's education system as one of the best in the world. So we're very proud, certainly, of our students and the work that goes on in our schools; of our excellent teachers and principals. We have representatives here today from the Ontario Principals' Council.

We know that parents play a huge role in the success of our students. In fact, the McKinsey report did cite our efforts to engage parents through our Parents Reaching Out grant. It has been a particularly good investment.

The investments we've made overall in education are delivering results, so I encourage the honourable member to share this report with her constituents.

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

**Mrs. Maria Van Bommel:** Minister, my constituents will certainly be very pleased with this news. We can be proud of how well Ontario is doing on the world stage.

While we're making considerable progress, Minister, I would also like to raise a concern with you that a constituent has brought to my attention. Considering how much we have achieved over our mandate, there is still some concern that we are going to begin to plateau and results will stagnate. What are we doing to ensure that our education system changes with the times to ensure continued student success for the future?

**Hon. Leona Dombrowsky:** Studies have shown that by investing in our earliest learners, that is the best way to support student success and achievement. We have been doing that, and that is why our government has committed to full-day kindergarten. We believe that making those investments for children before they arrive in school will enable them to be successful when they get there and results will continue to improve.

We are absolutely committed to the implementation of full-day kindergarten. We know this is what parents want. We know the opposition call it a frill. They are not committed to it. They voted against it in this House. We are committed to full-day kindergarten because we know it will support improved student achievement in the province of Ontario.

#### GROWTH PLANNING

**Mr. Garfield Dunlop:** My question is to the Minister of Infrastructure. Minister, on November 18, you refused to extend the ridiculous deadline of January 31 for re-

sponse to the amendments to the Simcoe growth plan. Last Tuesday, I called for a late show because clearly you didn't understand the question and instead found ways to insult me because I was standing up for my municipalities. Then, for the late show, you sent the parliamentary assistant, who had no idea what he was talking about. For an example, he said, "There were only seven new councillors elected in the whole county...." In fact, Minister, there was a changeover of 50%, with 70 new councillors being elected from across the county of Simcoe.

Now that I have given you the facts, will you extend the deadline dates so that newly elected councillors can be properly educated on a process that will impact their municipalities for the next 20 years?

**Hon. Bob Chiarelli:** I thank the member for the question. First of all, Simcoe county is part of the greater Golden Horseshoe planning area under the Places to Grow Act, and there are certain very significant principles that are involved in that.

First of all, it's to prevent urban sprawl, to have organized growth, to identify employment areas, to identify where the growth will occur and to identify the green spaces for a particular community. That occurred in Simcoe county.

What happened was, an official plan was prepared by Simcoe county. The plan did not go far enough, so my ministry started a very significant consultation process where we received over 100 submissions over 18 months. The consultation was extremely significant. We are now having another three months of consultation.

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

**Mr. Garfield Dunlop:** Again, you never answered the question. I asked for an extension.

Minister, I have received letters from the county of Simcoe, numerous municipalities, trade unions, the construction industry and chambers of commerce which basically call your process a sham. They all wonder why you are trying to move the amendment process through at lightning speed after sitting on it for 18 months. They also question why you are micromanaging the Simcoe growth program and not other municipalities under Places to Grow.

Minister, will you make a deputation, then, at the January meeting of Simcoe county council, explain your reasoning and answer questions to the 15 new mayors and deputy mayors, as other ministers have done in the past under Places to Grow? Or will we have to clean up this mess next fall, next October?

**Hon. Bob Chiarelli:** We're very proud of our growth plan in the greater Golden Horseshoe. Two years of extensive consultations on Simcoe's strategy have taken place. We now have a three-month consultation period, which will give new municipal councillors time to review the draft amendment which has been put forward.

Many municipal councillors and officials attended three technical sessions we've already held to help everyone get up to speed on the draft amendment. Two more are scheduled. I also have an open door for any person,

any stakeholder, from the county who wants to come to my office and speak about this issue. We've done it with many, and we'll continue to do so.

The process is responsible. The process is responsive to the people in Simcoe. We intend to move forward with our three-month consultation process before we consider the final draft.

## G20 SUMMIT

**Mr. Peter Kormos:** To the Premier: With more disturbing accounts of police brutality during the G20 summit, Chief Blair in denial and the peculiar instance of the SIU reopening their investigation into allegations of excessive force right here on the grounds of this Legislature, with so many troubling questions still unanswered and more arising each day, when will the Premier finally agree that the only way to clear the stench is through a full public inquiry into the events surrounding the G20?

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

**Hon. James J. Bradley:** It was interesting to note that the Canadian Civil Liberties Association, in fact, weighed in on this particular subject. What they said is, "What is needed is a comprehensive review that can examine the decisions and policies of all of the actors involved in the G20. The G20 was a federal summit, hosted by the federal government, policed by a federal security agency and paid for by federal funds. The federal government is therefore best suited to coordinate such an inquiry...."

It would be useful if the member were to speak to his federal colleague in the House of Commons to direct that particular question to the Prime Minister or to whatever minister in the federal government it would be most appropriate to direct it to, but that is the conclusion of the Canadian Civil Liberties Association.

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

**Mr. Peter Kormos:** We're talking about police who are mandated by provincial legislation to perform their duties. We're talking about a Public Inquiries Act that is provincial legislation. We're talking about a situation that is entirely within the jurisdiction of this government, around which to call a public inquiry: excessive force, brutality, illegal arrests by Ontario police officers, blatant disregard of fundamental rights by Ontario police officers, damage done to local businesses. People have serious questions about what happened during the G20 summit, and for that matter, what happened in Premier McGuinty's cabinet when they passed their fake regulation, and these people aren't getting any answers.

The hodgepodge of narrowly focused investigations won't cut it. Why does the Premier continue to ignore the call for a public inquiry by this government in this province and in this city?

**1130**

**Hon. James J. Bradley:** I have a great deal of respect for the Canadian Civil Liberties Association and their recommendation, but let me inform the member, as I

think he knows, of what inquiries are going on at this time.

First of all, the Toronto Police Services Board announced that it is leading an independent review, with an eminent justice at the head of that review; the Office of the Independent Police Review Director announced that it is conducting a systematic review; the Ontario Ombudsman is conducting an investigation into the specifics of the G20 regulation; and Justice McMurtry will be reviewing the Public Works Protection Act, a World War II-era piece of legislation. Justice McMurtry's review is moving forward in this exercise to determine the best use of this legislation in 2010.

There are several specific reviews of a provincial nature going on at the present time. The member may want to ask his federal—

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

## MEDICAL RESEARCH AND INNOVATION

**Mr. Dave Levac:** My question is for the Minister of Research and Innovation. Four decades ago, Dr. James Till and Dr. Ernest McCulloch from the University of Toronto discovered the existence of stem cells. Stem cells can be powerful tools in repairing tissue and fighting illnesses and diseases. Since then, Ontario has been on the leading edge of continued research around stem cells, including the development of viable adult stem cell retrieval, which would be used to enhance the quality of life for Ontario families.

Dr. Janet Rossant, chief researcher at Toronto's Hospital for Sick Children, said, "Stem cells have a capacity to copy themselves and to make endless supplies of cells that ... could be used to repair many tissues in diseases like Parkinson's"—which my brother Norm fights—"diabetes ... chronic conditions, and spinal cord injury."

For my brother, for those in my constituency affected by these and other diseases and for all Ontarians, I ask the minister: How is your ministry advancing Ontario as a world leader in stem cell research?

**Hon. Glen R. Murray:** I want to thank the member for his question and assure him that Ontario will continue to lead in stem cell research. It's one of our focal points of a \$3.2-billion commitment to research and innovation.

As he noted, we have a long-standing history of stem cell research, and our discoveries have not only gone national but they've gone global in their impact, with breakthroughs in this important field.

The government is proud of relationships like the one with the Stem Cell Network, made up of over 80 experts drawn from universities and hospitals not just in Ontario but, indeed, across Canada.

In the 2009 budget, we committed \$100 million for genomics and gene-related research focused on discovering new therapies and technologies that will help people live healthier lives. MRI has invested \$32.9 million alone

in projects related to stem cell research and regenerative medicine—

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

**Mr. Dave Levac:** I know that my brother and my family are grateful for this kind of investment, and I know that all Ontarians with Parkinson's and other debilitating diseases are thankful. Ontario families want to know, though, that investing their tax dollars is being done wisely. Creating benefits through research will make a real difference when it comes to improving the lives of them and their loved ones.

Instead of scaling back research, this government takes the position that research and innovation in the life sciences, clean technologies and digital communications will not only improve the overall quality of life that we have, but also opportunities for new jobs and economic growth, and for that I know Ontarians—all Ontarians—are grateful.

I've heard the minister many times say how this effort can create jobs and support companies that have been working on health technologies and life sciences innovations. This government created Canada's only stand-alone ministry devoted to research and innovation. I want to know from the minister: What research, what actual results are we seeing by investing in science and health research?

**Hon. Glen R. Murray:** Our Premier, in establishing this important ministry, took a very long view, and we're starting to see early results. I'd like to just give you one example.

In 2010, Dr. Mick Bhatia, the scientific director at the McMaster Stem Cell and Cancer Research Institute in the great city of Hamilton, partly funded by our government, published his team's finding on the breakthrough discovery that enables scientists to transform human skin into blood. This is a revolutionary discovery bringing new hope to those suffering from blood-borne cancers: that skin from their own bodies can be used to cure them. This could eliminate the need for rare donor matches or the fear that their bodies may reject transplanted stem cells.

Ontarians are proud of their researchers and doctors, who are now solving problems thought to be impossible only years ago. This work that is being done by Ontario's top researchers is invaluable in creating—

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

#### CHICKEN INDUSTRY

**Mrs. Julia Munro:** My question is to the Minister of Agriculture. The Ontario Farm Products Marketing Commission is planning to establish an advisory committee for the Chicken Farmers of Ontario marketing board. The goal of this new committee is purportedly to promote good relations in the industry and to advise the Chicken Farmers of Ontario marketing board on issues, yet your ministry is proposing to set up this advisory committee

with no representatives from the Ontario Independent Poultry Processors.

Minister, why are you excluding smaller chicken processors from your new committee to advise on the chicken industry?

**Hon. Carol Mitchell:** I do want to thank the member for the question. I also want to say how proud I am of the industry for how well they have done and the working relationships that they have developed between the producers and the processors.

I can say to the member from across the way that they understood that in order to continue to attract consumers and have them engaged, the products that they produce need to be expanded. I want to say for the record how pleased I am about the work that is happening.

Obviously, when we look at the processing sector, there are many things that have to be taken into consideration. I have met with the producers and I have met with the processors, and they are working very diligently to ensure that the products are available to our consumers.

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

**Mrs. Julia Munro:** My riding contains one of the largest independent chicken processing firms in Ontario, employing almost 600 people in the town of Bradford-West Gwillimbury. In such a heavily regulated industry, independent processors need marketing boards and advisory committees that listen to their concerns and allow them a voice. You know as well as I do that once an advisory committee is set up, the board is unlikely to solicit advice from outside, from those independent operators.

Minister, taking away their voice is a bad idea. Will you change this misguided plan and let all chicken producers and processors be represented?

**Hon. Carol Mitchell:** I do want to thank the member for the question, and I do want to question the member on this fact: We've made significant investments in making local food available in Ontario, and the people of Ontario recognize that Ontario food is safe and affordable and high quality, but the member from across the way constantly votes against it; against \$80 million in investment.

We understand that all processors need to have their considerations taken to the table. That's what they're working towards; it is an industry-driven initiative. Local food is a part of that: In order to ensure that we have the maximum retail shelf, that's why we have made significant investments in our local food.

So I say to the member from across the way: Why will they not support our farmers? They recognize that that investment in local food has made a difference in their income, and it's made a—

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

#### COMMUNITY HEALTH CENTRES

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

On Monday, the minister spoke to the Association of Ontario Health Centres assembled at Queen's Park. The minister spoke glowingly of community health centres: "Community health centres reflect the very best in Ontario's health system." That's pretty good. But in March of this year, when she responded to the French Language Services Commissioner's report, the minister said, "No funding is currently available for a CHC, and there are no plans to open a new CHC." How can the minister explain this contradiction?

**1140**

**Hon. Deborah Matthews:** I'm so happy to have this opportunity to talk about the extraordinarily fine work that is happening in CHCs right across this province. I'm very proud that this is the government that has doubled the number of community health centres across this province. When we are done, we will have almost half a million Ontarians gaining access to community health centres. I am enormously proud of the work that is happening there.

I had the honour of attending, with the Minister of Transportation, at Flemington community health centre just yesterday to see the exceptional work they are doing in the South Asian community for the early detection and prevention of diabetes.

Community health centres are doing great work. Our commitment is—well, what can I say? We've doubled the number of community health centres, and I'm extremely proud of the work that they are doing.

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

**M<sup>me</sup> France Gélinas:** The announcements made in 2005 are finally rolling out, but what we're talking about is the minister—nice words she says again. Community health centres are so much more than just health care. They build community health and meet so many needs.

AOHC released their report addressing the great health divide and have documented the evidence supporting the need to expand access to community health centres and AHACs. How can the minister, on the one hand, praise community health centres and, on the other hand, say, "No more"?

**Hon. Deborah Matthews:** I really think the member opposite needs to actually listen to what I said. We have doubled the number of community health centres. We believe in the model of community health centres. We are doing the work on the ground to roll out all of the community health centres we have committed to.

I cannot speak to future commitments, because we have a process on this side that we go through.

Look at our record. We have nothing but respect for the work done in community health centres. They are exceptional primary health care providers. My support for them is unequivocal. And yes, of course, I look forward to doing more.

#### CORRECTION OF RECORD

**Hon. Madeleine Meilleur:** I would like to correct the name of the organization. It was not ISAC, even though I thank them, but it's SARAC, chaired by Gail Nyberg.

#### VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity today to welcome some guests from my riding seated in the Speaker's gallery. A good friend of mine, Annie Robert, has brought with her to visit Queen's Park today my good friend and neighbour Richard Sitzes and Frank Skonieczny. Frank is the ultimate paper shredder, who works in my constituency office once a week. Great job, Frank. Welcome, all of you, to Queen's Park today.

*Interjections.*

**The Speaker (Hon. Steve Peters):** I thank the member from government services for his comments.

#### GOVERNMENT ANNOUNCEMENTS

**The Speaker (Hon. Steve Peters):** The member for Dufferin–Caledon, Ms. Jones, has provided me with notice of her intention to raise a point of privilege. I want to advise that I will be ruling on this matter without hearing further directly from the member, as standing order 21(d) permits me to do.

The member raises with me the same issue that has already been raised several other times in the recent past; namely, the matter of government announcements being made outside the chamber. Specifically, the member refers to yesterday's announcement by the Minister of Community and Social Services concerning the formation of a Social Assistance Review Committee.

As has been ruled on numerous occasions, the Speaker has no jurisdiction over announcements that are made in other places, nor can he compel the announcements to be made only in the chamber.

While I appreciate that the member does feel aggrieved that the announcement she refers to was made outside this House, and Speakers have certainly expressed the consistent view that important announcements should first be made to the Legislative Assembly, what she has brought forward does not raise a *prima facie* case of privilege.

#### DEFERRED VOTES

#### TIME ALLOCATION

**The Speaker (Hon. Steve Peters):** We have a deferred vote on the motion by Mr. Gravelle for allocation of time on Bill 135, An Act respecting financial and Budget measures and other matters.

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

*The division bells rang from 1145 to 1150.*

**The Speaker (Hon. Steve Peters):** Members please take their seats.

On November 30, Mr. Gravelle moved government notice of motion number 51. All those in favour will rise one at a time and be recorded by the Clerk.

<b>Ayes</b>	
Aggelonitis, Sophia	Fonseca, Peter
Albanese, Laura	Gerretsen, John
Arthurs, Wayne	Gravelle, Michael
Balkissoon, Bas	Hoskins, Eric
Bartolucci, Rick	Hoy, Pat
Bentley, Christopher	Jaczek, Helena
Best, Margaret	Jeffrey, Linda
Bradley, James J.	Johnson, Rick
Broten, Laurel C.	Kwinter, Monte
Brown, Michael A.	Lalonde, Jean-Marc
Brownell, Jim	Leal, Jeff
Carroll, Aileen	Levac, Dave
Chan, Michael	Matthews, Deborah
Chiarelli, Bob	McNeely, Phil
Colle, Mike	Meilleur, Madeleine
Crozier, Bruce	Milloy, John
Delaney, Bob	Mitchell, Carol
Dombrowsky, Leona	Moridi, Reza

  

<b>Nays</b>	
Arnott, Ted	Kormos, Peter
Bailey, Robert	MacLeod, Lisa
Chudleigh, Ted	Marchese, Rosario
Elliott, Christine	Martiniuk, Gerry
Gélinas, France	Miller, Norm
Hillier, Randy	Miller, Paul
Hudak, Tim	Munro, Julia
Jones, Sylvia	Murdoch, Bill

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

#### Nays

Arnott, Ted	Kormos, Peter
Bailey, Robert	MacLeod, Lisa
Chudleigh, Ted	Marchese, Rosario
Elliott, Christine	Martiniuk, Gerry
Gélinas, France	Miller, Norm
Hillier, Randy	Miller, Paul
Hudak, Tim	Munro, Julia
Jones, Sylvia	Murdoch, Bill

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 52; the nays are 24.

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

*Motion agreed to.*

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

*The House recessed from 1153 to 1500.*

#### MEMBERS' STATEMENTS

##### WORLD AIDS DAY

**Mrs. Christine Elliott:** I'm pleased to rise on behalf of the PC caucus to pay tribute to the 22nd annual World AIDS Day. Thirty-three million people worldwide are living with HIV today, and two million of those are children.

The first cases of HIV/AIDS in North America were medically recognized nearly 30 years ago, and while there has been commendable progress, there is still no cure.

In Canada, over 50% of grade 9 students wrongly believe that there is a cure for AIDS, and 8% of Canadians believe that they could not be friends with someone who has HIV/AIDS.

Awareness campaigns like the Canadian Foundation for AIDS Research's red ribbon campaign work to dispel these kinds of myths among young people and among Canadians in general.

Another important aspect that Canfar excels in is obtaining funding for AIDS research. Thanks to Canfar-

funded research, the risk of transmitting HIV between a mother and her baby has been almost completely eliminated. A critical component of the AIDS drug cocktail has been found, which keeps many alive today, often into their 70s. And thanks to new CANFAR-funded research, just this year an HIV vaccine candidate has been discovered that is able to reduce and in some cases prevent HIV progression.

I would like to thank all of the dedicated professionals and volunteers involved in the work toward eradicating HIV/AIDS today.

#### RAIL SERVICE

**Mrs. Laura Albanese:** I am pleased to rise in the House this afternoon to share with my colleagues and constituents of York South-Weston that earlier today I tabled a private member's motion calling for electrification to be embraced as an environmentally safe means of powering commuter trains.

The resolution supports and reflects the concerns of communities living along the Georgetown transit corridor, including those of Weston and Mount Dennis, located in York South-Weston, worried about pollution from the expanded rail service planned to start in 2015.

My resolution seeks, in particular, for this corridor to be made a priority for the electrification of commuter trains, as there are a number of high-density neighbourhoods along it.

It's important for me to acknowledge the advocacy and active support of the member for Davenport on this issue. I look forward to working very closely with him.

I urge my colleagues from all sides of the House to support this motion when it is debated. This will help address the concerns of the different communities that live along the Georgetown rail corridor.

#### ASSISTANCE TO FARMERS

**Mr. Ernie Hardeman:** Last week, over 800 farmers gathered in Stratford at the Farmers Matter town hall to talk about the challenges that Ontario farmers are facing. I want to commend the organizers for putting together this important event.

Ontario PC leader Tim Hudak and I met with the organizers last Thursday. They were pleased at the response to the event, but raised concerns about the delay from the government on a cost-of-production business risk management program.

I want to commend the farmers who came out to the town hall and offered constructive ideas, as well as those who shared the challenges of dealing with a high dollar, long-term low market prices and high input costs.

There were a number of important questions from the audience, including: What is the solution to food labelling? Where was the Minister of Agriculture? Why won't the provincial government fund their share of the cost-of-production program now?

We heard clearly that the current risk management programs aren't working and they believe a cost-of-production-based program is part of the solution. The PC caucus agrees.

Farmers aren't asking for a bailout. They're asking for a predictable, bankable program that is in place for more than a year at a time.

As a young farmer, Stewart Skinner, said, "Give me the tools that put me on a level playing field with both my provincial counterparts and my international competitors, and I promise we'll thrive."

I hope the organizers hold more events like this. I assure them that the PC caucus is looking forward to their input, because we understand farmers matter.

#### LEGISLATIVE STAFF

**Mr. Paul Miller:** It's the time of year when we reflect on how things went over the past 11 months and how we can improve the lives of our constituents, families and friends.

I've been quite disappointed in the way this government has handled many files and, in particular, the protection of fragile, vulnerable seniors in retirement homes whose safety has not been improved.

But through all of the heated debate, the government's abuse of democracy by its use of procedures and its majority to stifle opposition bills, motions and good works for their constituents, there have been two constant and extremely professional groups in this Legislature.

I refer to our Legislative Assembly staff. We have the best Clerk's staff, and that includes her many departments, both here at the Legislature and in Whitney Block. Equally, we have the best security staff, including the Sergeant-at-Arms and his many departments at the Legislature, Whitney, and those who face the elements in their outside work sites every day.

I want to take this opportunity to extend to them my sincere thanks. Without your advice and support, we would not have the best, most professional operations that make our daily work so much easier.

Thank you, and my best wishes for the holiday season and the coming new year.

#### ST. MATTHEW CATHOLIC HIGH SCHOOL

**Mr. Phil McNeely:** Last Friday, I had the pleasure of going on a tour of the new "right size" addition at St. Matthew Catholic High School in Orléans.

My host was school principal Christopher Mes, who was understandably excited about the opportunities the addition provides to both staff and students.

The funds to build the new addition were part of an initiative to help save taxpayers' dollars by making our schools more energy-efficient. The green energy retrofit program was unveiled in April 2009, and while the main focus of the program was to make plant improvements at individual schools, there was an allowance to replace

older, highly inefficient portable classrooms with new school additions.

This was the case at St. Matthew high school, which was using nine portables to help house students just a year ago. Thanks to the efforts of parents like Mike Buzzetti and former school board trustee Stephen Blais, we were able to work with the staff of the Ministry of Education to get the necessary funding to build the five-room addition.

During my tour, I was able to visit the school's new fitness room, which provides students who might not otherwise have access to fitness equipment with a place to exercise, and several classrooms, including one equipped with a new smartboard.

Thanks to our government's efforts, students at St. Matthew no longer have to go to class in aging, drafty portables. They can now look forward to studying with the rest of the school population in brightly lit classrooms where they are taught by a dedicated team of teachers.

It was indeed a pleasure to see and hear the level of enthusiasm and dedication that exist at St. Matthew high school. It is incumbent on us to give educators the facilities to make it easier for them to create the atmosphere of excellence in all our schools.

#### TIGER JEET SINGH FOUNDATION

**Mr. Ted Chudleigh:** I'm pleased to talk about the Tiger Jeet Singh Foundation, which was created to raise awareness and funding where it is desperately needed as a result of government funding shortfalls in hospitals and public schools.

Together with Troy Newton, owner of Troy's Diner in Milton, the foundation hosted a toy drive in 2009 where over 1,200 people came together and raised over \$30,000 worth of toys for children. To the delight of many children, donations were delivered to Halton's Women's Place, Toronto's Hospital for Sick Children, Milton hospital and the Milton Salvation Army.

Together over the last year, Troy Newton and the Tiger Jeet Singh Foundation have raised over \$110,000 for local charities, and they're back at it again. In the spirit of giving, I'll be joining Troy's Diner and the Tiger Jeet Singh Foundation, who are hosting the 2010 toy drive on December 20. Donations will go to brighten the homes of families through the Salvation Army, Halton's Women's Place, Milton hospital and the Hospital for Sick Children.

For their continued generosity and dedication to the families and children of Halton, I would like to thank Troy Newton and Tiger Jeet Singh, and encourage people to donate to this worthy fundraising event to make a positive difference in the lives of Ontario families at a time of year when giving is a hallmark of the season.

#### NORTHERN ECONOMY

**Mr. Bill Mauro:** Last week, AbitibiBowater announced that as part of the restructuring process, it has entered into agreements with the governments of both

Quebec and Ontario with regard to the company's pension obligations. This request to help them exit bankruptcy protection has the support of the union, the workers and the company. This agreement will become effective if and when AbiBow fully emerges from creditor protection, and that seems more likely every day.

There's been a tremendous amount of good economic news in Thunder Bay and northwestern Ontario. Recent announcements have meant hundreds of jobs at Bombardier, roughly 200 jobs at the Lac des Iles mine and around 340 jobs at Terrace Bay Pulp. There's also the conversion of the two coal plants in my riding, which is expected to result in hundreds of construction jobs in addition to all the jobs that will be saved by keeping the plants in operation. And the list goes on.

Now with the news from AbiBow, we see hope and excitement at another major employer in Thunder Bay. It is very possible that the company, should it fully exit creditor protection, will go forward with a \$50-million condensing turbine project.

Many will remember that at AbiBow in Fort Frances, our government provided a \$22-million grant for a cogen there. Our government remains committed to helping with a similar initiative in Thunder Bay. Not only could this create another major construction project for northwestern Ontario, but it would also represent a long-term commitment to AbiBow's operation in Thunder Bay and its roughly 450 employees.

This project could make the mill more energy efficient and allow them to sell excess power back to the grid, and along with our government's energy relief for large industrials in northern Ontario, make AbiBow's Thunder Bay operations extremely competitive for years to come.

**1510**

### ROMANIA

**Mr. Tony Ruprecht:** On December 1, 1918, a momentous occasion took place in the history of Romania: The establishment of the Republic of Romania by uniting Transylvania, Bessarabia and Bukovina. On December 1, Romanians all over the world celebrate this independence of the great union of 1918, when, by freely expressing their will, Romanians from all historical provinces previously under foreign domination proclaimed their union with the motherland, thus accomplishing the centuries-long dream of their ancestors of creating the great Romania.

The First World War finds Romania on the Allied side, the Second World War on the Axis side. In 1948, Romania falls under Soviet hegemony and becomes communist.

I had the chance to meet the last communist president, Mr. Ceausescu, in 1987 at the industrial fair in Bucharest. While uniting the Barzan family and Nicolescu families on humanitarian grounds with my mother who, as you know, speaks Romanian fluently and speaks seven other languages, I experienced firsthand the suffering and pain that Mr. Ceausescu's economic reforms caused. I'll provide details to my friends some other time.

Today, Romanians are able to dream again. They are part of the united Europe and also part of NATO. This membership represents the aspirations of the Romanian people to look west to democracy, to liberty and to freedom.

Representing the government today as we raised the flag outside were the Consul General and a number of representatives.

To the Romanian people we say today congratulations on this special unity day.

### PROSTATE CANCER

**Mr. Rick Johnson:** Two weeks ago, my honourable colleague Ted McMeekin rose in the House to share the startling fact that one in six men will be diagnosed with prostate cancer in their lifetime. For the 24,600 Canadian men who will be diagnosed with prostate cancer this year alone, I'm pleased to rise today to share another startling fact: Over \$19.3 million has been raised across Canada during this year's Movember campaign.

Now, November is certainly not the longest month of the year, but try convincing my family of that. While I'm sure, deep inside, my wife and kids saw my moustache as a sort of ribbon for men's health, I know they've been waiting for today.

Though I hoped my "mo" would afford me the intelligence of Albert Einstein, the strength of Hulk Hogan, the allure of Tom Selleck, the wit of Charlie Chaplin and the omnipotence of Steve Peters, it didn't. But it did impress upon me and everyone I spoke with the importance of understanding the symptoms and undergoing the risk assessments for prostate cancer.

As the number one cancer affecting men my age, this is something we need to be mindful of. Thanks to this year's over 118,000 Movember campaign registrants, Canadians continue to change the face of men's health. Men of all ages are listening and taking positive action with their own health, diet, exercise and lifestyle, and the funds raised for Prostate Cancer Canada will support further vital research and services for survivors.

For the past month, every time I put my face forward I helped thousands of other Canadians spread the message and today my "mo" will go. I'd like to again remind all men over 40 to please talk to their doctors about a prostate examination.

### ORDER OF BUSINESS

**Mr. Peter Kormos:** On a point of order: I'm advised that this afternoon the government will be calling Bill 122, which is a time-allocated bill, for third reading, which will be dealt with in relatively short order. I'm advised that it will then be calling Bill 172, the Ticket Speculation Act amendments. Bill 172 is in committee this afternoon, was dealt with by a committee, was sent back to the House for third reading and if it is called for third reading this afternoon it will not have been reprinted.

Now, it's clear that the time allocation motion, the order that flowed, permits the bill to be called this afternoon. But it remains that people will be forced to debate that bill as amended—because it was amended in committee—without having a copy of the bill as amended.

Now, I'm not disputing that the bill can be called. What I'm saying to you is that we need the assistance of the Speaker to ensure that members have the bill as amended, perhaps not in the third reading version but certainly as close to that as possible. What I'm suggesting that consists of is, the bill plus the amendment that was made this afternoon.

So I need your help. I'm bringing this point of order now rather than when the bill is called, so that the government has time to prepare that document and distribute it to members of the assembly.

**The Speaker (Hon. Steve Peters):** I'd like to thank the honourable member for his point of order.

I would just like to inform all members who may be participating in that debate this afternoon that copies of that bill are available at the table, as well as copies of the amendments to that bill that have been made. They are there for all members.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON JUSTICE POLICY

**Mr. Lorenzo Berardinetti:** I beg leave to present a report from the Standing Committee on Justice Policy and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill as amended:

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):** Shall the report be received and adopted? Agreed? Agreed.

*Report adopted.*

**The Speaker (Hon. Steve Peters):** Pursuant to the order of the House dated November 17, 2010, the bill is ordered for third reading.

### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mr. Pat Hoy:** I beg leave to present a report from the Standing Committee on Finance and Economic Affairs and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 120, An Act to amend the Pension Benefits Act and the Pension Benefits Amendment Act, 2010 / Projet de loi 120, Loi modifiant la Loi sur les régimes de

retraite et la Loi de 2010 modifiant la Loi sur les régimes de retraite.

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

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it. Agreed.

*Report adopted.*

**The Speaker (Hon. Steve Peters):** Pursuant to the order of the House dated November 3, 2010, the bill is ordered for third reading.

## INTRODUCTION OF BILLS

### CHRISTOPHER'S AMENDMENT ACT (SEX OFFENDER REGISTRY), 2010

#### LOI DE 2010 MODIFIANT

#### LA LOI CHRISTOPHER

#### SUR LE REGISTRE

#### DES DÉLINQUANTS SEXUELS

Mr. Martiniuk moved first reading of the following bill:

Bill 142, An Act to protect our children from sexual predators by amending Christopher's Law (Sex Offender Registry), 2000 / Projet de loi 142, Loi visant à protéger nos enfants des prédateurs sexuels en modifiant la Loi Christopher de 2000 sur le registre des délinquants sexuels.

**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. Gerry Martiniuk:** This bill does two things. Firstly, it amends Christopher's Law so that a sex offender registry will cover a person who, to the knowledge of the ministry under the act is a resident of Ontario and who is an offender with respect to a sex offence in a jurisdiction outside of Canada, if the minister considers the offence equivalent to a sex offence in Canada and if the regulations made under the act prescribe the jurisdiction.

Secondly, subject to the limitations prescribed by regulations, any person, not just an employee of a police force or the ministry, as at present, is entitled at no charge to inspect the sex offender registry and to make copies of any part of the registry.

### PROPERTY TAX DEFERRAL ACT, 2010

#### LOI DE 2010 SUR LE REPORT

#### DES IMPÔTS FONCIERS

Mr. Shurman moved first reading of the following bill:

Bill 143, An Act to provide property tax deferrals to low-income seniors and low-income persons with

disabilities / Projet de loi 143, Loi visant à accorder des reports d'impôts fonciers aux personnes âgées à faible revenu et aux personnes à faible revenu atteintes d'une invalidité.

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

*First reading agreed to.*

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

**1520**

**Mr. Peter Shurman:** This is an updated version of a bill that was debated and lost back in 2008, which sought to provide some relief to fixed income seniors and people on Ontario disability who were having problems meeting their commitments, particularly commitments with regard to property tax.

This is a way to allow people across the province equitable and equal access to a deferral opportunity at no cost whatsoever to the cities where they live or to the province of Ontario. I look forward to debating it.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### HANUKKAH

**Hon. Eric Hoskins:** It's my pleasure to rise in the Legislature today to offer my best wishes to Ontario's Jewish community on the occasion of Hanukkah, the festival of lights. The tradition of Hanukkah originated with the rededication of the holy temple in Jerusalem after its desecration.

As the story of Hanukkah goes, there was only enough consecrated olive oil to fuel the flame of the menorah in the holy temple for one day. Miraculously, the flame burned for eight days. In a testament to this miracle, the candles of the hanukkiah are lit, beginning with one and adding another each night until all eight candles are lit.

The story of Hanukkah symbolizes spirit and strength, faith and hope—all core traits of the Jewish people throughout the ages. These are powerful traits which have endured for millennia and continue to endure today.

Ontario is fortunate to benefit from a vibrant Jewish community, and for generations, Ontario's Jewish community has made its mark in every field, in every endeavour and in every facet of this province. Their contributions have helped us build a stronger, more prosperous and more vibrant Ontario.

Today, on the first day of the festival of lights, the achievements of Ontario's Jewish community shine brighter than ever. The brightly burning flames are a powerful symbol. They light the way. They are a beacon of hope and inspiration.

Similarly, that is what diversity means to Ontario: the bringing together of different religions, different races and different ethnicities in our great province to enrich all of us, socially, culturally and economically. We live as

one people, as Ontarians in the best province in the greatest country in the world, and we serve as a model in the way our diverse and dynamic communities contribute to our common well-being and also in how we celebrate each other's traditions.

In that spirit, I hope that my colleagues and all Ontarians will join me in wishing our Jewish friends a very happy Hanukkah and Chag Sameach. As Jewish Ontarians light the first Hanukkah light tonight, I hope that they are filled with great joy and blessings this holiday season.

**Mr. Peter Shurman:** We celebrate Hanukkah, the festival of lights, for eight days commencing on the eve of the 25th day of Kislev, which this year coincides with today, December 1, 2010. Hanukkah, the holiday or festival of lights, is a holiday that celebrates freedom, something that we can all relate to.

Coming in the dead of winter, Hanukkah celebrates the triumph of light over darkness, of purity over contamination, of spirituality over materialism. Hanukkah talks about freedom and a commemoration of a miracle that occurred during the time of the Maccabees. After Alexander the Great took Jerusalem, he endeared himself to the Jewish people by respecting their religion—something, sadly, that many people over the course of history have not done, and I might add, still don't do in too many cases.

The miracle of Hanukkah, the festival of lights, is commemorated with an eight-candle plus one menorah, hanukkiah or candelabra. The one elevated candle, or shamash, is kindled daily and is used to light the other candles, one additional per day for all eight days.

What is the significance of the eight days? It is the same amount of time the holy temple's miraculous menorah burned in Jerusalem over 2,100 years ago, using an amount of oil nowhere near sufficient for such a time span. On each night, Jewish families gather together to say the blessings over the hanukkiah and to share prayer, which is sung. The blessings are sung in unison and well do I remember this nightly ritual when my two then young boys and I and my wife and our family dog Rocky felt compelled to lend to our voices in unison singing the blessings. Rocky was quite a singer.

On the first night of Hanukkah two candles are lit, the shamash plus one; on the second night three, and so on.

Hanukkah customs also include eating foods fried in oil—not diet-conscious, perhaps, but commemorative of the miracle. Foods like potato latkes or pancakes and jelly doughnuts are prime menu items. We have all heard about children playing with a dreidel, or as most know it, a top. This is another Hanukkah custom, fun for kids, which involves minor gambling for nuts and pennies.

During the holiday, adults are reminded and children learn about the scriptures and stories of their ancestors and presents are exchanged. This exchange is to share the memory of the gift given to the Jewish people by God through his zealous servants the Maccabees: the gifts of religious, cultural and political freedom.

Hanukkah is therefore a holiday that has great relevance for all Canadians, living as we do in a land that is likewise very blessed with such gifts. Our job is to illuminate. How better to illuminate the world than through the festival of lights.

At this time of year, Jews the world over give thanks for what we have and what we hope and expect as the future unfolds. Happy Hanukkah to us all.

**Mr. Michael Prue:** It is my honour to speak about Hanukkah today. I have known about Hanukkah indirectly since I was a boy growing up in Regent Park and in the area of Cabbagetown. It was a place of many cultures and of many religions and you grew up learning a lot of things about people's cultures and their beliefs. My friends who were Jewish celebrated Hanukkah and taught me a lot about their religion and their beliefs and the things that they held very dear.

It was not until I had the opportunity to go to university, though, that I discovered the true meaning of Hanukkah and some of the history around it. Growing up with a copy of the King James Bible, I was totally unfamiliar with those sections, First and Second Maccabees, which in the Douay-Rheims or Catholic Bible one would ordinarily find and read.

They were fascinating to me as they outlined the ancient history of the struggle of the Maccabees to take back the temple of Jerusalem and to free the citizens of Israel. As a student of ancient history, it was one of the places I went often to read the minute detail of what occurred in the second century BC.

In fact, the Maccabees today are renowned and are known universally as the first guerrilla fighters because they were the ones who knew the land. They knew the terrain and the people and who lived there and they were able to hide during the day amongst their people so that they could not be found by the soldiers of Antiochus IV, who was intent upon Hellenizing all of the Middle East. So it is to the Maccabees that we look today when you see a freedom movement. You see, they are held in high esteem for the lessons they taught us all.

The story is well-known, the miracle of Hanukkah and the eight-flamed lamp, but I want to say a few words about my own community in Beaches—East York. There is a very small synagogue in the Beach. It's a very small synagogue but a very great one, and it has been there for many, many years unbeknownst to most people. In fact, there is a gentleman named Arie Nerman who was not an observant Jew and who came from Winnipeg.

He settled in the Beach and one day a person asked him whether or not he had been to the synagogue. He scoffed at them and said, "What synagogue?" He was totally unaware that there had been a synagogue in the Beach since the 1940s. He went on to discover that it was there, that there were not enough men; I believe it requires 10 or 12 to actually hold the ceremony. He single-handedly went about organizing to have those people present and today it is a vibrant little synagogue.

I know that today at the start of Hanukkah and over the next eight nights, Arie Nerman and a very small but

dedicated group of Jewish citizens will be there to celebrate Hanukkah. They will be blessing the candles, they will be doing the Hallel of praise and gratitude, they will be singing hymns in Hebrew—and I'm sure in English, because they do that as well. I want to congratulate them and all of the 180,000 Jewish citizens of Ontario at this time of Hanukkah.

**1530**

I also want to thank those people from my boyhood who gave me wonderful memories of things that my friend from Thornhill has already talked about: of dreidels, those marvellous little tops; of latkes and jelly doughnuts; of gelt, and understanding for the first time in my life what gelt was—it was money, or chocolate made up to look like money—and it is still a word that is often used in vocabulary here in Ontario.

We have a great history and a great melting pot here in Ontario of people of all cultures. I am particularly proud of the 180,000 citizens who are Jewish, who are of the Jewish faith here in Ontario for the remarkable and long-lasting contribution they have made to all of us in this wonderful place we call Ontario. Happy Hanukkah.

## PETITIONS

### HOSPITAL SERVICES

**Mr. Peter Kormos:** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the Niagara Health System's (NHS) closure of the ERs in Port Colborne and in Fort Erie has led to increases of wait times of more than 18 hours for complex care in the ERs of Niagara Falls, St. Catharines and Welland;

"Whereas the closure of the two ERs has led to an increase in travel time to the remaining ERs, thus endangering the lives of patients in need of critical care. Two people so far have died in the ambulance en route to the Welland hospital from Fort Erie and Port Colborne;

"Whereas the Niagara Health System increased the taxpayers' burden to pay for additional ambulances and paramedics without first consulting municipalities and the public;

"Whereas the Niagara Health System, by greatly reducing the number of beds available in all of its hospitals, created a serious bed shortage resulting in the cancellation of surgeries and patients waiting in the ER for days before being transferred for appropriate care;

"Whereas the Niagara Health System, by drastically reducing the number of nurses, medical professionals and support staff, has created a situation where due to a lack of staffing surgeries are cancelled, wait times in the ERs have increased, ambulance gridlock is the norm, and housekeeping and maintenance of hospitals have deteriorated;

"Whereas the Niagara Health System has reduced and cut hospital services in many municipalities, thereby

denying equal access to hospital care for over 50,000 people in Fort Erie, Port Colborne and Welland. Higher transportation costs for ambulance and patient transfer have created an unfair barrier to health care for those residents;

“Whereas the Niagara Health System, by continuing to implement its restructuring plan (hospital improvement plan) without first evaluating its impact to date on patient care and access to hospitals, will make further cuts to hospital services and beds in Niagara Falls, St. Catharines and Welland and adversely affect over 300,000 residents;

“We, the undersigned, urge the Legislative Assembly of Ontario under the provisions of the Public Hospitals Act to send an independent investigator to investigate the Niagara Health System and to act quickly on his/her recommendations in order to improve the quality of management, patient care and access to hospital services throughout the region and to meet all of Niagara’s communities’ growing health care needs, and to ensure that there is a substantive improvement in the quality and accessibility to health care in the Niagara region.”

This petition is signed by approximately 7,000 people. It’s certified by the Clerk, pursuant to the standing orders, and I have affixed my signature and endorse its proposal.

**The Speaker (Hon. Steve Peters):** That’s a new record, over two and a half minutes.

#### IDENTITY THEFT

**Mr. Tony Ruprecht:** I have a petition addressed to the Parliament of Ontario and the Minister of Government Services. It reads as follows:

“Whereas identity theft is the fastest-growing crime in North America;

“Whereas confidential and private information is being stolen on a regular basis, affecting literally thousands of people;

“Whereas the cost of this crime exceeds billions of dollars;

“Whereas countless hours are wasted to restore one’s good credit rating;

“Therefore we, the undersigned, demand that Bill 38, which passed the second reading unanimously in the Ontario Legislature ... be brought before committee and that the following issues be included for consideration and debate:

“(1) All consumer reports should be provided in a truncated (masked-out) form, protecting our vital private information, such as SIN and loan account numbers.

“(2) Should a consumer reporting agency discover that there has been an unlawful disclosure of consumer information, the agency should immediately inform the affected consumer.

“(3) The consumer reporting agency shall only report credit-inquiry records resulting from actual applications for credit or increase of credit, except in a report given to the consumer.

“(4) The consumer reporting agency shall investigate disputed information within 30 days and correct, supplement or automatically delete any information found unconfirmed, incomplete or inaccurate.”

Mr. Speaker, I am so happy with this petition that I’m signing it right now and sending it to you.

#### POWER PLANT

**Mrs. Julia Munro:** “To the Legislative Assembly of Ontario:

“Whereas the Ontario government has cancelled the Oakville peaker plant, citing a decrease in need for power in that community, proposing to meet needs by better transmission, and despite the fact that the government may face a \$1-billion lawsuit due to the cancellation;

“Whereas the King township peaker plant is going forward, with the Ontario government having shut off debate about the plan at the OMB through regulation, after failing to provide a proper environmental assessment or community consultation;

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

“To give the King township peaker plant and the local community the same consideration as residents of Oakville, and to decide on the future of the peaker plant on a non-partisan basis.”

I’ve affixed my signature.

#### DIAGNOSTIC SERVICES

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

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

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

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

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

I fully support this petition, will affix my name to it and ask Kyle to bring it to the Clerk.

#### CEMETERIES

**Mr. Dave Levac:** This is a petition 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.”

I sign my name, as I agree with this petition, and hand it over to Gabriella.

#### ASSISTANCE TO FARMERS

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

“Whereas PC MPP Bob Bailey has introduced a significant tax credit for farmers who donate agricultural goods to food banks, to help provide tax relief to farmers and assist local food banks; and

“Whereas stagnating economic growth and increasing unemployment over the last two years have strained the ability of food banks to support Ontario’s most vulnerable citizens; and

“Whereas over 25 million pounds of fresh produce is disposed of or plowed back into Ontario’s fields each year while local food banks,” go wanting; and

“Whereas PC MPP Bob Bailey’s ‘A Bill to Fight Hunger with Local Food’ provides an inexpensive and common-sense solution to a critical problem for Ontario’s most vulnerable;

**1540**

“Whereas if the McGuinty Liberals truly support a healthy Ontario and wish to fight poverty, the Legislative Assembly of Ontario should immediately pass MPP Bob Bailey’s bill;

“We, the undersigned, call upon the Legislative Assembly of Ontario to call MPP Bob Bailey’s private member’s bill, Bill 78, the Taxation Amendment Act (Food Bank Donation Tax Credit for Farmers), 2010, to committee immediately for consideration and then on to third reading and implementation without delay.”

I agree with this petition, and I’ll send it down with Drew.

#### TAXATION

**Mr. Michael Prue:** I have a petition that reads as follows, and I think it sets a record:

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

“Be it resolved that Dalton McGuinty immediately exempt electricity from the harmonized sales tax (HST).”

I’m in agreement, will put my signature thereto and send it down with William.

#### CEMETERIES

**Mr. Dave Levac:** I found another petition that I’m sure you’ll agree with regarding cemeteries, and I have a member from the United Empire Loyalists and Six Nations who agrees with it and has signed his name.

“To the Legislative Assembly of Ontario:

“Whereas members of the Ontario Genealogical Society are concerned about protecting and preserving Ontario’s cemeteries in their original locations; 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.”

I agree with this petition, sign it and hand it over to Kyle, our page.

**The Speaker (Hon. Steve Peters):** I’m going to need the services of the Sergeant-at-Arms. I believe there may be a stranger in the House. There’s somebody sitting in the seat of the member from Haliburton-Kawartha Lakes-Brock, and it doesn’t look like the member who was in the chamber a few moments ago. He seems to be missing his moustache.

**Mr. Rick Johnson:** On a point of order, I want to thank Frank Filice, barber extraordinaire downstairs, for bringing me back to normal.

#### HOSPITAL FUNDING

**Mr. Gerry Martiniuk:** I have a petition addressed to the Legislative Assembly of Ontario.

“Whereas Cambridge Memorial Hospital and other hospitals in the Waterloo region are experiencing substantial increased demands due to population growth; and

“Whereas the McGuinty government’s freeze on new long-term-care facilities has resulted in additional long-term-care patients in our hospitals; and

“Whereas the McGuinty government’s cuts to hospital funding have resulted in a dangerous environment for patients and staff in Cambridge and across Ontario;

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

“(1) That the McGuinty government meet its obligations to introduce a population-needs-based funding formula for hospitals, as has been done in other Canadian provinces.”

As I agree with the petition, I affix my name thereto.

#### REPLACEMENT WORKERS

**M<sup>me</sup> France Gélinas:** I have this petition from the people of my riding 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, and I will ask Connor to bring it to the Clerk.

*Applause.*

**M<sup>me</sup> France Gélinas:** Thank you to my colleague from Brant for the clapping.

#### HYDRO RATES

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

“Whereas soaring hydro costs across the province are making electricity unaffordable for many hard-working Ontario families and seniors;

“Whereas energy experts suggest that over the course of 2010, residential hydro bills in Ontario will increase 26% or more, costing a minimum of \$300 for the average homeowner;

“Whereas, over the last year alone, the McGuinty Liberal government added \$150 minimum to hydro generation premiums, \$50 in smart meter fees and then placed \$98 in harmonized sales taxes on the average Ontario hydro household bill;

“Whereas Dalton McGuinty’s smart meters are forcing hard-working and busy Ontarians to pay exorbitant premiums to do regular chores, such as laundry, outside of the Premier’s ‘preferred’ time-of-use energy schedule;

“We, the undersigned, call upon the Legislative Assembly of Ontario to demand that the McGuinty Liberal government immediately reduce hydro rates for all Ontarians, cease with the time-of-use pricing and remove the HST tax placed upon electricity, as it is an essential service.”

I agree with this, affix my signature and send it down with Emily.

#### TAXATION

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

“Whereas Ontario has lost 171,000 jobs since October and over 300,000 manufacturing and resource sector jobs since 2004; and

“Whereas many families are facing the threat of layoffs or reduced hours; and

“Whereas, rather than introducing a plan to sustain jobs and put Ontario’s economy back on track, Dalton McGuinty and his government chose to slap an 8% tax on everyday purchases while giving profitable corporations a \$2-billion income tax cut;

“Be it resolved that the undersigned call on the Legislature to cancel the scheduled implementation of sales tax harmonization.”

A little bit tardy, but nonetheless very effective. I support this petition and will ask Elizabeth to bring it to the Clerk.

#### ORDERS OF THE DAY

#### HELPING ONTARIO FAMILIES AND MANAGING RESPONSIBLY ACT, 2010

#### LOI DE 2010 SUR L'AIDE AUX FAMILLES ONTARIENNES ET LA GESTION RESPONSABLE

Resuming the debated adjourned on November 29, 2010, on the motion for second reading of Bill 135, An Act respecting financial and Budget measures and other matters / Projet de loi 135, Loi concernant les mesures financières et budgétaires et d'autres questions.

**The Speaker (Hon. Steve Peters):** Pursuant to the order of the House dated December 1, 2010, I’m now required to put the question.

On November 24, 2010, Mr. Phillips moved second reading of Bill 135, An Act respecting financial and Budget measures and other matters.

Is it the pleasure of the House the motion carry?

All those in favour will say “aye.”

All those opposed will say “nay.”

In my opinion, the ayes have it.

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

*The division bells rang from 1547 to 1552.*

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

Mr. Phillips has moved second reading of Bill 135. All those in favour will rise one at a time and be recorded by the Clerk.

**Ayes**

Aggelonitis, Sophia	Gélinas, France
Albanese, Laura	Gravelle, Michael
Arthurs, Wayne	Hampton, Howard
Balkissoon, Bas	Hoskins, Eric
Bentley, Christopher	Hoy, Pat
Berardinetti, Lorenzo	Jaczek, Helena
Bradley, James J.	Johnson, Rick
Brown, Michael A.	Kormos, Peter
Cansfield, Donna H.	Kular, Kuldeep
Carroll, Aileen	Kwinter, Monte
Colle, Mike	Leal, Jeff
Crozier, Bruce	Levac, Dave
Delaney, Bob	Matthews, Deborah
Dickson, Joe	Mauro, Bill
Dombrowsky, Leona	McGuinty, Dalton
Duguid, Brad	McNeely, Phil
Duncan, Dwight	Milloy, John
Gerretsen, John	Mitchell, Carol
	Moridi, Reza
	Murray, Glen R.
	Naqvi, Yasir
	Orazietti, David
	Pendergast, Leeanna
	Phillips, Gerry
	Pupatello, Sandra
	Ramsay, David
	Ruprecht, Tony
	Sandals, Liz
	Sergio, Mario
	Smith, Monique
	Sorbara, Greg
	Sousa, Charles
	Van Bommel, Maria
	Wilkinson, John
	Wynne, Kathleen O.
	Zimmer, David

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

**Nays**

Arnott, Ted	Hardeman, Ernie
Bailey, Robert	Hillier, Randy
Barrett, Toby	Miller, Norm
Chudleigh, Ted	Munro, Julia

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 54; the nays are 11.

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

*Second reading agreed to.*

**The Speaker (Hon. Steve Peters):** Pursuant to the order of the House dated December 1, 2010, the bill is ordered referred to the Standing Committee on Finance and Economic Affairs.

BROADER PUBLIC SECTOR  
ACCOUNTABILITY ACT, 2010  
LOI DE 2010 SUR  
LA RESPONSABILISATION  
DU SECTEUR PARAPUBLIC

Resuming the debate adjourned on November 30, 2010, on the motion for third 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):** Further debate?

**Mr. Peter Shurman:** I'm going to pick up where my friend the member from Nepean–Carleton left off yesterday afternoon because of the clock expiring; she can't be with us today. I would like to add some things to the record on her behalf as well as speak on my own behalf to Bill 122, which is a bill about accountability. I find

this rather interesting because Liberal accountability strikes me as a bit of an oxymoron.

However, I'm not pleased about, nor should the people of Ontario be pleased about, the fact that Bill 122, an accountability bill, indeed does not go far enough. This bill was really nothing more than a response to what we call eHealth 2.0, the second scandal pertaining to that particular organization.

Very particularly, what I wanted to put on record on behalf of the member for Nepean–Carleton was the fact that she had introduced Bill 39, the Truth in Government Act, on May 6, 2010. If that bill had been adopted, a lot of the problems that the Auditor General recently raised would have been avoided. At the time, the PC caucus sought all-party support for Bill 39 because we believed that it was a sensible plan that could be done and enacted at really no cost, effectively and immediately.

In overview, the provisions of that bill which addressed what the Liberals purport to address in Bill 122 were:

—to expand Freedom of Information and Protection of Privacy Act provisions to apply to all public bodies, not to a select few but to all public bodies;

—full proactive disclosure of contracts over \$10,000 in value, again to apply to all public bodies;

—full proactive disclosure of all travel and hospitality expenses to apply to all public bodies—do you see the repetition in that? All public bodies, not some public bodies, not the public bodies that are represented by Bill 122, but all public bodies;

—full proactive disclosure of all position reclassifications to apply to all public bodies;

—full proactive disclosure of all grant and contribution awards over \$10,000 to apply to all public bodies.

It's repetitive, but it closes the gap. It fills in all of the cracks. It doesn't allow anything to fall through. If this august chamber had decided to support my colleague, we wouldn't be here debating half measures under Bill 122 now.

After major scandals like those at eHealth, Cancer Care Ontario, the Ontario Lottery and Gaming Corp., and the most recent scandal where hospital dollars that were intended for front-line patient care have been used on Liberal lobbyists, this government finally decided to take action using Bill 122 as the medium. But Bill 122 stops well short of what the PC caucus would have enacted with the Truth in Government Act, and it does not go far enough to protect tax dollars, to watch those tax dollars carefully and not allow to happen what has happened repeatedly under the watch of the McGuinty government.

**1600**

This bill only opens hospitals to freedom of information, not all provincial public bodies; this bill only requires expenses to be disclosed at hospitals and LHINs, not all provincial public bodies; and this bill only requires reporting on consultants and not all contracts for goods and services at all provincial public bodies. These so-called reforms are only now being implemented because the Auditor General has yet again exposed this

Liberal government for what it is: an unaccountable, out-of-touch and ill-advised government.

This is reactionary rather than preventative. That's the whole issue surrounding Bill 122 and so much legislation that's put forward by the McGuinty Liberals: It is reactionary and not preventative. And if you don't want to have to stick your fingers in the cracks to keep things from leaking, you don't have to do reactive things. You can be preventive, take the guesswork out of it and create an ability to stop things from happening before they do. If this Liberal government truly believed in protecting tax dollars, they would have supported the amendments the PC caucus brought forward at committee to Bill 122, but as is their custom, they did not.

It's a real shame that after all the Liberal scandals, this government refuses to operate in anything resembling a transparent manner. Scandal after scandal after scandal, the lack of accountability when spending taxpayers' money knows no bounds with this government. You don't have to take my word for it; you can look at the Liberal eHealth boondoggle, by way of example. Then we had eHealth 2.0. Now, most recently, we hear that a Niagara Parks commissioner spent—are you ready?—\$400,000 on flights, high-end hotels, a nightclub and pricey restaurants—\$400,000. I wonder when the last time was that a hard-working Ontario family was able to stay at a pricey hotel, much less \$400,000, under the Dalton McGuinty government.

Hard-working, law-abiding Ontario moms and dads have been terrified by this government, terrified to the point where surveys show that over 50% of all people in Ontario who have jobs fear losing them. That's what you've done.

The lack of accountability for taxpayers' hard-earned dollars is shameful, but never fear, Bill 122 is here. If the McGuinty Liberals introduce a bill about accountability, well then, the McGuinty Liberals must therefore be accountable. That's the way it works around here. It's kind of like reading news in the Toronto Star: If the Toronto Star says it, it must be true. So if you introduce a bill called an accountability bill or anything resembling that, my goodness, you must be accountable. Isn't that true? You're not nodding. I'm surprised.

We're still waiting for the promised disclosure of expense records at 22 large, significant provincial agencies—22. We were promised these documents more than a year after the government said the records would be made public. How is this delay considered accountable in any way to taxpayers?

**Interjection:** Unbelievable.

**Mr. Peter Shurman:** My friend says it's unbelievable. It is quite unbelievable. We on this side know where that information is. It's being held as long as it is feasible, as long as it is possible, just like every other piece of information that has been looked for, sought after, by freedom of information requests.

This government consistently fails when trying to protect the interests of Ontarians and to ensure accountability for hard-earned tax dollars, and that's why they've

lost confidence; that's why people have lost confidence in that government. It isn't about the polls that you read that put one party against another party. We don't pay any more attention to those than you do. Take a look at the answer to that question: Do you think it's time for change in Ontario? Any poll you see by any polling organization says it's roughly 75% of Ontarians that have lost confidence. Why would that be? Because you're not accountable. Liberals are not accountable.

We on this side of the House believe that all taxpayers deserve a government that fully accounts for their money and tells them how their money is spent, but the McGuinty Liberals don't want that. Halfway measures, as far as we are concerned, are not good enough. The experts at halfway measures over there were out at subway stops yesterday trying to convince—and I might say that "convince" is just the long form of "con"—people who ride the subway into believing that 10% is a great idea in reversing the effects of the hydro bills they get to open every day. Halfway measures are not good enough.

Unlike that side of the House, our actions match our words, and that is why the member for—

*Interjections.*

**Mr. Peter Shurman:** Oh, you'll get your day in court. It's called October 6, 2011. And trust me, this side can't wait.

This is why the member for Nepean–Carleton introduced Bill 39, the Truth in Government Act, which, as I detailed previously, would have brought full accountability—full accountability—to government spending. That's what you promised. That's what people expected. That's why the confidence levels are not there. That's why you've got a lot of work to do if you think you're going to be even contenders in next year's election. I know you're not.

Bill 39 would definitely have expanded the Freedom of Information and Protection of Privacy Act and, as I said, would have applied to all public bodies. I can't say that enough: all public bodies. Why would you exclude any? I can't think of any reason why we would want to exclude any public bodies. If we're going to be accountable for public dollars and the expenditure of public dollars, public bodies are the ones that use them. It would provide full, proactive disclosure of contracts over \$10,000 in value—not an insignificant amount of money to most families—to apply to all public bodies, and would ensure full, proactive disclosure of all travel and hospitality expenses, to apply to all public bodies—all public bodies.

**Interjection:** Would that be retroactive to 1995?

**Mr. Peter Shurman:** I don't even remember 1995.

It would demand full, proactive disclosure of all position reclassifications, to apply to all public bodies, and full, proactive disclosure of all grant and contribution awards over \$10,000, to apply to all public bodies.

But as you know, this government does not support full accountability. You can see this lack of accountability in spending. Cancer Care Ontario comes to mind. And the Ontario Lottery and Gaming Corp. I spent so

much time on that. I wonder if that Windsor Energy Centre is producing any energy that's used in the system yet. I think not. A lot of hot air, but that's manufactured in Windsor as a matter of course. And the most recent scandal: Hospital dollars intended for front-line patient care have been used for Liberal lobbyists.

The Liberals did have an option. They could have supported Bill 39. They could have exposed the truth about this spending. But you see, if they had supported Bill 39, we would have been able to avoid many of the concerns that the auditor raised; instead, here we are on third reading of Bill 122, which does not go far enough but will be passed nonetheless, in the name of accountability.

Bill 122 only opens hospitals, not all provincial public bodies, to freedom of information. This bill only requires expenses to be disclosed at hospitals and LHINs, not all provincial public bodies. This bill only requires reporting on consultants, not all contracts for goods and services at all provincial public bodies. And these so-called reforms are now only being implemented because the Auditor General has once again exposed this Liberal government for what it is: an unaccountable, out-of-touch, ill-advised government, a government whose time is ticking away, ticking away.

If this Liberal government truly believes in protecting tax dollars, they will support the amendments the PC caucus have been bringing to committee, but such has not been the case.

#### 1610

This bill does not protect the interests of Ontarians. It allows for the veil of secrecy to protect Liberal friends, and will continue to protect this Liberal government.

This is not the first time that this government has failed Ontario families and businesses. Look at the record of enforcement. This government likes to introduce all of the new laws but never takes responsibility to enforce.

#### *Interjections.*

**Mr. Peter Shurman:** I hear the noises coming from the other side.

We can all recount, off the top of our heads, the number and the names of the different pieces of legislation that have been enacted over the course of this term alone—forget about anything that goes before—where enforcement is completely lacking or, in some cases, lacking in large substance: smoking in cars; hand-held cellphones in cars; Smoke-Free Ontario—there's a good one; contraband and the enforcement there.

We have 309 days, and then you can come over here and take your turn as opposition, and we will talk about accountability then.

We only have to look at the local convenience stores I've been working with recently. They're in a survival battle. The Ontario Convenience Stores Association, with over 8,600 stores, are the most diligent people when it comes to checking the ages of their consumers in order to ensure that cigarettes are not sold to minors. With the toughest ID check program in Canada, OCSA is indeed helping to protect our youth from the dangers of tobacco

products. But what does this government go ahead and do? They refuse to address the issue of contraband tobacco at all. So where are we? Approximately 50% of tobacco sold in the province of Ontario is contraband tobacco. The tax dollars that are not coming in, at a time when even the most liberal of Liberals can agree with me that we are wanting for dollars in that kitty—we're half a billion dollars, minimum, shy when it comes to collecting what is our due on the sale of tobacco because of the fact that it circumvents normal channels.

It doesn't end there. The McGuinty government, since 2005, has brought in regulation after regulation after regulation on tobacco sales that negatively affect the convenience store owners. So you can see, whether it's an issue of accountability or enforcement or smart tax policies, the government just doesn't get it.

What more proof is needed than a comparison of our Bill 39 and this Bill 122? Already we see a dramatic shift in the political climate of Ontario, and this bill is another reason why. It is just plain not good enough. Ontarians deserve better, and Ontarians are signifying in their numbers that they're going to get better. We know, and it's sad that our friends across the way don't seem to know it.

This Liberal government has to come back to earth and has to actually bring some accountability and some honour back to the province of Ontario. But with legislation like Bill 122, I am afraid that they are still only talking the talk. They are not walking the walk.

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

**M<sup>me</sup> France Gélinas:** Well, here we are at third reading of Bill 122, the Broader Public Sector Accountability Act. I'd like to quickly go with my 20 minutes that have been allocated to this bill and remind everybody why we're here today.

The story starts a year ago, with the Auditor General releasing his report on eHealth, where he showed that a billion dollars had been spent by eHealth Ontario with not a whole lot to show for it. eHealth was supposed to bring the people of Ontario an electronic health record. It didn't. We are very far away from it. A billion dollars—that's 1,000 million dollars—has gone, vanished, and we are still nowhere near an electronic health record.

People were appalled. People were disgusted. Heads rolled. The president of eHealth went. The executive director went. The Minister of Health left his portfolio and a new Minister of Health got appointed. People felt like we had to act; we had to put that behind us. Taxpayers' money should not be used in that way.

While all of this was going on—I sit on the public accounts committee. I told the Auditor General that maybe he should have a look at practices that were very similar to what was disgusting us with eHealth actually happening in our hospitals, and I managed to get the public accounts committee to agree to ask the Auditor General to have a look at the use of consultants by our hospitals. On October 20 the following year—this is two months ago, six weeks ago—the Auditor General tabled his report.

The result of his report was just as disgusting as what eHealth had showed us. The result of his report showed us the use of consultants by hospitals in ways that are completely inappropriate. We saw consultants costing us \$300 for a meal, including \$140 worth of alcohol. Another one cost us \$350 for three people for a meal, including \$215 of alcohol. There are people in Ontario who work full-time at minimum wage who don't make that amount of money in a week, and we have consultants using hospitals' money to wine and dine.

We saw consultants being paid \$398 per hour, for a total of \$2.6 million. We saw people, consultants again, who were charging \$1,100 a day for an eight-hour day, take a one-week trip to Hong Kong, add a one-week trip to Japan—and all this while being paid his full consultant fee of \$1,100 a day, no questions asked. The list goes on and on.

**Mr. Howard Hampton:** But it's only \$1 billion.

**M<sup>me</sup> France Gélinas:** My colleague from Kenora-Rainy River says it's only \$1 billion.

The list goes on and on, but this is not what I want to talk about. I want to refocus on the bill.

Here we have this new report from the Auditor General. Nobody's questioning his findings. We all knew that what we had in black and white in front of us was the truth and we all knew that the truth was disgusting.

Before this, in the weeks leading to the October 20 release of the report, my leader, Andrea Horwath, raised in this House day after day and talked to us about the use of lobbyists by hospitals and by universities. By that she meant people who used to work for a Premier, people who used to work for the ministers in this House. People from the McGuinty government, who were being paid money to go and lobby their ex-employer—to go and lobby the ministers and the Premier. And you know what? It worked. If the hospital gave money to friends of the minister, the minister turned around and gave them money, so they were all on the bandwagon saying, "Well, we have to do this. If you give money to their friends, the ministers will give you money. This is a win-win. We should all do this." This is not the way it should work. This is not the way it should work in a democracy. This is not the way it should work in Ontario.

Then, after all of this, after we had exposed the use of lobbyists, after the Auditor General had exposed the use of consultants in a way that would disgust anybody who ever worked for his or her money, the government came forward with Bill 122—with a rather catchy title, if you ask me, the Broader Public Sector Accountability Act—because we all knew that if we wanted those practices to change we needed accountability. Accountability comes with transparency. Accountability will motivate people to do things better.

They introduced Bill 122. By the way, they introduced that bill the same day that the Auditor General released this report. This is to put you in the mood as to what was going on. This was important. It was so important to change the channel that on the same day that the Auditor General came out with his report, they came out with Bill

122. They were saying, loud and clear, that they could not stomach what they had read, that things had to change.

## 1620

Mr. Tom Clossen, the president of the Ontario Hospital Association, issued a public apology to the people of Ontario and said that he was sorry. Everybody knew that hospital money should not have been used that way, that this is unacceptable.

So here we are on October 20 and Bill 122 is being introduced, but we only go through about five opportunities for debate. By the time we had done our leads, that was it; the bill got time-allocated. "Time-allocated" is a fancy word for me that doesn't mean too much. What it means is that they cut off debate.

We knew that the bill had been slightly rushed out the door to meet the deadline of the Auditor General, and as we started to talk about this bill, we realized that it was a bit like Swiss cheese: There were some big holes in it. They agreed that the use of lobbyists was not right and that they shouldn't be used, but they left \$3 billion on the table that the hospital could use as they see fit and continue to hire lobbyists if they wanted to. Then the minister would tell us, "We won't pick up the phone," but what if you don't have call display or something like this? You'll still pick up the phone and there will be a lobbyist at the other end, and \$3 billion buys you a lot of lobbying.

So we started to see holes in the bill, but it didn't matter to the Liberals. They decided, "That's enough. You've had debate. We're going to move to public consultation." Okay. Time allocation, and we go to public consultation. At public consultation, we know that there are other jurisdictions that have been down this road before. We look to our federal colleagues who were also stuck with major scandals where taxpayers' money was used in ways that were completely unacceptable, and they brought forward accountability. There was a lot that Ontario could learn from their mistakes. You see, we don't have to make every single mistake in the book. We can learn from the federal government, a few of their mistakes, and fix up our legislation. But they refused.

The member from Nepean-Carleton and myself were at subcommittee. We agreed at the subcommittee level that we should travel, we should go to Ottawa, we should speak to the people who had worked on a similar bill at the federal level and learn from them. That was shot down. The Liberals did not want public consultations, to travel. Not only had they shut down debate in this House; they decided they didn't want to hear from the public either. So we had two days of hearings here in Toronto, and people came. People came and they showed us that the bill needed fixing at many levels. They showed us that maybe this had been taken out of the oven before it was fully baked, that the cake was not going to stay up, it was going to deflate, and that what had started out with good intentions, with accountability, may end up causing hospitals a serious problem with their continuous quality improvement program and it should be changed.

But here again we had limited debate. They said, “We’re not going to travel. We’re only going to have those two days,” which really comes up to about six hours of committee consultation—that happened on Monday and Tuesday—and then, by Friday, you have to have all of your amendments in.” Then follows the free-for-all. We ourselves at the NDP put forward 23 amendments. Colleagues from the PC Party put even more than us, amendments for changes they wanted to the bill, and even the Liberals put close to a dozen amendments to their own bill.

We went through clause-by-clause and realized that this needed changing. They say that they want to ban the practice of using lobbyists, but then, when you ask them to put that language in the bill, no, it’s not on. They put in language that basically says, “With the money that we transfer, you won’t be allowed, but if you have any other source of money, then you can do as you see fit with it.”

Everybody knows that every hospital, every university, every public sector does generate some of their own money: Think parking; think fees of all sorts; think fundraising. Every hospital has at least a fundraising effort going on every day of the week, of the month, of the year. We left all of that on the table. Quickly, just for hospitals, that’s \$3 billion.

Then we said, “Well, you know, the Auditor General looked at hospitals, but there are other big players within the health care system. Long-term-care homes account for \$3.3 billion in funding from the Ministry of Health alone. In my book, \$3.3 billion is a lot of money. I think they should be included.” “No, they’re not going to be included. It’s going to be that tiny wee list of people who will be included in the bill. You see, we want transparency, but we only want it for part of the money, for part of the people, for part of the agencies, for part of the time.” What good is that when you already know that they all do fundraising, they all have other money for which the practice can continue?

When you start to look at the use of consultants, Bill 122 does say they will have to report on their use of consultants. Remember, transparency is one of the pillars of accountability. Once you make things transparent, people know, people demand accountability, and agencies become accountable. That sounds pretty good. They will have to have report. Then we noticed that they don’t say exactly what they’re going to report on, so we started to file amendments. They should report. They didn’t talk about if those reports are going to be made public. Are they going to be accessible on a website?

When I started to put amendments forward asking them what should be in those reports, when they should be available and to whom, I got completely shot down. To this day, we have no idea if those reports will ever see the light of day.

The reports will be prepared, they will be submitted to somebody, but you and I and the rest of the people of Ontario who have demanded accountability, who want those practices to change, don’t know if we’ll ever get to see them. Why? If you’re going to be accountable, why

aren’t you accountable to the people of Ontario who elected us? Why don’t you bring accountability right back to the people who demand transparency, who demand accountability? Make a few deposits into the trust account. You’ll all know, if you’ve ever raised a teenager, that a trust account is something which you can make deposits to many, many times, but as soon as you take away from the trust account, it goes flat. Well, they want this trust account to be rebuilt. But, no, we have no idea.

I tried to bring forward amendments to this bill to make it accountable to the people of Ontario, to make it on schedule, to say that it’s going to be available on a website, but we don’t know. It was going to be left to somebody to decide, who isn’t willing to share that information with us, but I sure wish they would.

So here we have a bill that talks about banning the use of lobbyists but leaves a lot of money on the table and excludes a whole bunch of agencies. You talk about making the hospitals and universities accountable for the use of consultants through reporting, but we know very little about those reports and we may never get to see them.

Then came freedom-of-information access. People have been wanting to have access to hospital information. I remind you that we spent over \$22 billion on our hospitals in Ontario and yet there is no transparency. This entire \$22 billion was completely opaque to everybody. Finally, we’re going to have freedom-of-information access. You can file an FOI and the hospital will have to share that information with you.

There were issues happening with this. The Ontario Hospital Association, the Ontario Medical Association, HIROC, all came and said, “The way you have it written up right now puts our continuous quality improvement programs in jeopardy.”

### 1630

The language that was first submitted to me was way too broad. There was no way I could accept this. It basically would have excluded anything you could label as quality improvement. At the end of the day, somebody who’s way better at arguing than I am could make the argument that everything you do in a teaching hospital is to improve quality. You learn with your students, and you continuously improve quality. Therefore, everything that we do in a hospital is not FOI-able, which goes completely against what we’re trying to do here, which is to improve accountability and improve transparency. And a big piece of improving transparency is being able to file FOIs, freedom of information, to the hospital.

At the eleventh hour, they brought new wording to this. Unfortunately, I never got to see the new wording till the Sunday night. I tried my best on the Monday morning. I asked the minister in this House, “What does the new wording mean?” I’m not a lawyer, but I have good judgment, I think. “What exactly does it mean? What would be included? What wouldn’t be included?” I got as an answer: “We finally struck the right balance.”

I would like to be the judge of this. Let me decide if this is the right balance. Just tell me what will be

included and what will be excluded. But nobody was able to answer my question. So when it came time for the vote, I couldn't agree to vote for something I didn't understand that had been submitted to me at the last minute.

Do I support continuous quality improvement? Absolutely, and I am really proud of some of the improvements we have seen in our hospitals lately. I hope they will continue. But at the same time, we need to realize that sharing information—transparency—is directly linked to improved quality.

I have lists of everybody who is FOI-able. There are 157 agencies right now that people in Ontario can submit FOIs to. A lot of them have to do with health: HealthForceOntario, Healing Arts Radiation, the health professions appeal board etc. There are 157 of them. They're all FOI-able, and I can tell you that they all have continuous quality improvement programs and they all work on improving quality. Here, we finally have a bit of transparency.

But another part that the people of Ontario wanted, and have been asking for, for a long time, is Ombudsman oversight of our hospitals. Why is it that in 2010, Ontario sticks out like a sore thumb as the only province or territory in Canada that does not have Ombudsman oversight of its hospitals? Our Ombudsman got 340 complaints last year. Those are people who had exhausted the hospital complaint mechanism, did not get closure, did not get satisfaction, tried to get to the bottom of what had happened and called the Ombudsman, only to be told, "I'm really sorry. I cannot investigate complaints from hospitals." If we wanted transparency, if we wanted accountability, they would have agreed to the amendment that would have brought Ombudsman oversight under this bill, but they didn't.

The title Accountability Act sounds good, but it falls way short of that.

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

**Mr. Phil McNeely:** I'm pleased to rise in the House today to speak to third reading of our government's proposed Broader Public Sector Accountability Act which, if passed, would raise the bar on accountability and transparency for hospitals, local health integration networks and other broader public sector organizations.

In 2004, our government passed legislation that expanded the scope of the Auditor General to include broader public sector organizations, including hospitals, which past governments had refused to do. Last year, the Standing Committee on Public Accounts, with a majority of government members including myself, asked the Auditor General to look at the use of consultants and external lobbyists at hospitals and LHINs. In his report, released on October 20 this year, the auditor outlined certain practices by some hospitals and LHINs which our government felt could not be allowed to continue.

This government fully accepts the recommendations of the Auditor General. We are demonstrating our agreement with those recommendations by implementing each

and every one of them. Indeed, with this legislation we are going even further and setting even higher standards for accountability and transparency for the broader public sector.

The auditor's report shows that there is clearly more to do to improve procurement practices in the LHINs, and we're implementing all of those recommendations. LHINs are improving health care in our communities, giving people a say in local health care decisions, determining priorities through community engagement, supporting innovative programs, and removing silos through the integration of care.

We have seen the results of managing local health care from Queen's Park from past governments: closure of local hospitals, cuts to key programs, and a lack of understanding of local issues. Health care decisions are better made closer to home in the communities they serve by residents of those communities.

Instead, we have made significant investments in health care, over \$15 billion since taking office, and have given communities a voice in local health care decisions. LHINs are delivering results in the community. Every region has an integrated health services plan based on community input to guide decision-making for the next three years. Wait times are down; Ontario now has the lowest wait times in Canada for key surgeries and almost three hours shorter average waits for complex ER visits.

With this proposed legislation, we are taking strong action in order to send a very clear message: It is utterly unacceptable to our government for organizations to use precious public dollars for lobbyists instead of for the public service intended to benefit Ontarians.

Ce projet de loi nous permet de prendre des mesures énergiques et d'envoyer un message extrêmement clair : notre gouvernement estime qu'il est absolument inacceptable que les organismes utilisent les précieux deniers publics pour retenir les services de lobbyistes plutôt que pour assurer les services publics destinés aux Ontariennes et Ontariens.

This was one of the recommendations that came out of our public accounts committee some 10 months ago, when we discussed it: Procurement of significant IT developments was difficult to define, the deliverables were difficult to describe, the level of expertise was difficult to assess, and the timelines were complex. There is a history of IT projects being over budget, not meeting needs, delivered late. That goes back to when I was in business when I was with the city of Ottawa and we put the SAP project in: \$40 million. Purchasers within governments were often at the mercy of vendors. There was uneven technical expertise between vendor and purchaser.

At Infrastructure Ontario we have a group of experts who can deliver a building project through the planning, design, contracting and occupancy stages. They are available for all ministries. Why do we not have such a group that could plan, design, contract and implement large IT programs?

I'm pleased to note that our government has formed that group, IT Source. IT Source is a modern, mobile

force of OPS staff that can be deployed to IT projects across the government. We still need IT consultants, but we will be in a much better position to plan a program, to define the deliverables, and to estimate the costs and times. In addition, add-ons or modifications will not be sole-sourced, as there will be enough in-house knowledge and capacity to follow normal procurement rules. Public accounts, with the Auditor General, recognized this problem, and action has been taken by our government to facilitate procurement that will make it much easier to follow proper procurement rules and achieve better value for taxpayers.

In his report, the Auditor General mentioned that there will be improvements when it comes to procurement of consultants at my ministry and at LHINs. It is clear that there is much work to do when it comes to the use of consultants at hospitals. The current situation is not acceptable. That is why it was necessary to establish a new set of rules for hospitals and other broader public sector organizations, something, I might say, that previous governments neglected to do.

#### 1640

Since we came to office in 2003, we have made it one of our top priorities to increase transparency and accountability in government. Let me give you some examples of what we have achieved: We introduced strict new procurement rules for all ministries and agencies, and are publicly reporting expenses; we expanded the powers of the Auditor General to review hospitals, colleges, universities, school boards and crown corporations; we brought Cancer Care Ontario, universities, Hydro One, OPG and local public utilities under the requirements of the freedom-of-information legislation.

This proposed legislation would, if passed, raise the bar even further and bring an even higher level of accountability and transparency to broader public sector organizations. This action is intended to increase integrity in the use of public funds and elevate the importance of value for money.

Following second reading, the bill was referred to the Standing Committee on Social Policy. The committee received input, both orally, over two days of hearings, and in writing from interested individuals and many key stakeholder groups and organizations. Among the groups that came to present were the Ontario Hospital Association, the Ontario Medical Association, the Ontario Council of Hospital Unions, the Ontario Nurses' Association, the Registered Nurses' Association of Ontario, the Canadian Association of Management Consultants, the Office of the Information and Privacy Commissioner, the Office of the Integrity Commissioner of Ontario, the Ontario Nonprofit Network and others.

I'm pleased to say that the majority of submissions made by these groups were supportive of our government's drive towards greater accountability and transparency in the broader public sector.

Je suis heureux de vous annoncer que la majorité des soumissions de ces groupes soutenaient l'engagement de notre gouvernement envers une responsabilité et une transparence plus grandes au sein du secteur public.

The committee received a total of 29 submissions from individuals and groups. The committee passed a number of important amendments to strengthen the bill, and I'm pleased to highlight some of those now. Based on a suggestion from the Ontario Bar Association, the committee passed the motion from the government to clarify that the intent of the legislation is not to require organizations to disclose information that would be subject to solicitor-client privilege.

The Ontario Public School Boards' Association raised concerns regarding how associations were covered by the bill. Their associations do lobby our government, so the government put forward an amendment to clarify that membership dues to associations do not count as public funds, which the committee passed.

The committee also passed an amendment put forward by the government to clarify the administration of the new rules under the Lobbyists Registration Act. This amendment was suggested by the Integrity Commissioner, and we were pleased to put it forward.

We were happy to support amendments brought forward by the opposition. In each case, the same amendment was brought forward by both the official opposition party and the third party. The opposition amendments passed are as follows: Having hospitals submit their reports on use of consultants to the LHINs; requiring that directives respecting expense postings contain certain information; requiring the public posting of LHN attestations; and requiring the public posting of hospital attestations.

Unfortunately, we were unable to get unanimous consent for a provision that would have protected the quality groups that are being formed under the excellent care for all strategy, but that can be dealt with later.

We are fortunate to have some of the best hospitals in the world right here in Ontario. They are staffed by dedicated and committed people who have made it their life's work to help others. Our LHINs are doing an outstanding job planning and funding local health services, but we felt it was necessary to ensure that they applied more stringent controllership principles.

With this legislation, our aim is to ban the practice of hiring external lobbyists with taxpayer dollars in hospitals and other large public sector organizations and publicly funded organizations that receive more than \$10 million in government funds.

We're proposing to require large broader public sector organizations to follow new expense and procurement rules. In that vein, our legislation aims to—

#### *Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Order, you two.

**Mr. Phil McNeely:** — to ensure that publicly funded goods and services, including construction, consulting services and information technology, are acquired by broader public sector organizations through a process that is open, fair and transparent.

Our legislation aims to outline the responsibilities of broader public sector organizations throughout each stage

of the procurement process and to ensure that procurement processes are managed consistently throughout the broader public sector. This responds to the requests made by those who attended the public hearings to have clear and consistent rules in procurement for all publicly funded organizations.

We're proposing to require all hospitals and LHINs to report on their use of consultants and to post online the expense claims information for senior executives.

We're proposing to require that all hospitals and LHINs sign attestations attesting to the fact that they are in compliance with the legislation, including the new procurement requirements, and post these attestations on their websites.

We're proposing to make hospitals subject to the Freedom of Information and Protection of Privacy Act, effective January 1, 2012.

The Personal Health Information Protection Act would continue to govern all files containing any type of personal health information. No identifying information would be released by hospitals through freedom-of-information requests.

Finally, if senior executives of hospitals or LHINs fail to comply with these tough new rules, their pay could be reduced.

We are convinced that these measures are necessary to protect the interests of taxpayers and to strengthen government's accountability for the organizations it funds.

Nous sommes convaincus que ces mesures sont nécessaires pour protéger les intérêts des contribuables et pour renforcer la responsabilité du gouvernement relativement aux organismes qu'il finance.

We are absolutely focused on getting the very best value for our health care investments. That's why we're raising the bar for accountability and transparency across the board.

This legislation, if passed, would also be consistent with and reinforce the principles of our government's Excellent Care for All Act: that strengthened accountability and the prudent use of limited health care resources ultimately mean better value for the system and improved outcomes for Ontario patients.

Our goal is to ensure that we are doing everything in our power to improve public services for all Ontarians. What this proposed legislation would do is strengthen procurement rules and increase accountability and transparency in Ontario's broader public sector. This will go a long way towards protecting the integrity of public services in the province.

We need the support of every member for our act to increase the financial accountability of organizations in the broader public sector, and urge all members of this Legislature to pass this proposed legislation.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any member wish to speak?

Pursuant to the order of the House dated November 4, 2010, I am now required to put the question.

Ms. Smith has moved third 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, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

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

I have received, pursuant to standing order 28(h), the appropriate request for deferral, signed by the chief government whip. This vote will be deferred until Thursday, December 2, after question period.

*Third reading vote deferred.*

#### TICKET SPECULATION AMENDMENT ACT, 2010

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

Mr. Phillips, on behalf of Mr. Bentley, moved third reading of the following bill:

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.

**Hon. Gerry Phillips:** Mr. Speaker, I believe that this was time-allocated. I believe that the debate goes first to the opposition. If not, I'm happy to begin the debate.

**The Deputy Speaker (Mr. Bruce Crozier):** You have the first option, but you can stay seated if you like, and I will then ask for further debate.

**1650**

**Hon. Gerry Phillips:** I will begin the debate. I would say that I look forward to the vote on this particular bill, and I will be sharing the vast majority of my time with the member from Willowdale.

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

**Mr. David Zimmer:** I'm pleased to rise in the House today on behalf of the McGuinty government to bring forward for third reading proposed legislation that would, if passed, help to ensure fair access to entertainment tickets for Ontario's consumers.

For some time now, we've been hearing loud and clear from consumers that they are concerned about fair access to tickets. Why is that? Because at the moment ticket sellers in Ontario are able to profit from sales on both the primary and the secondary ticket markets. We have heard that tickets for Ontario events are finding their way into resale websites, to be sold at much higher prices, resulting in a shortage of tickets available at the original price established by the venue and the artist.

This is something you hear about wherever you go in the province of Ontario. Consumers are rightly infuriated by allegations that companies may be benefiting from both sides of the equation, thus restricting free markets. They just don't think that is fair, and this government—our government, the McGuinty government—agrees with

the people. That's why we've introduced this proposed legislation that would, if passed, respond to this growing concern.

While ticket scalping has been illegal in Ontario for some time, the advent of Internet ticket sales in 1996 and the development of software to defeat attempts by ticket agencies to limit Internet sales to a certain number per customer make enforcing existing laws extremely difficult.

**Hon. John Gerretsen:** How do the people in Willowdale feel about this?

**Mr. David Zimmer:** They are outraged, because they go to the North York arts centre and want to spend their consumer dollar wisely and they're often forced into the secondary market and pay a big buck, and then I get telephone calls. That's why I'm happy to speak to this legislation.

The members opposite should be happy to speak in favour of this legislation for the benefit of their respective constituents. Over here, we're all interested in the Ontario consumer and in our constituents. You should be too. That's why you should support this bill.

In addition, maximum fines for ticket scalping are not sufficient to deter scalpers, so we're going to do some more here. The proposed changes in Bill 172 would, if passed, remove the temptation to benefit from both markets at the same time. Removing temptation is a good thing. The current wording of the Ticket Speculation Act does not properly address certain issues central to the ticket resale market such as—here they are; this is key—related ticket vendors profiting from the primary and the secondary markets, and instances of corporate offences.

This legislation, if passed—I expect it will, and I urge the members opposite to support us in this—will help to ensure fair access at a fair price by preventing related primary and secondary ticket sellers, including brokers and agents, from profiting from secondary sales to the same event. The proposed changes would make it illegal for a primary seller to limit the number of tickets made available to the public and divert purchasers to a related secondary seller to buy the same ticket but at a much, much higher price. That's good for the Ontario consumer. Violators would be subject to maximum fines of \$5,000 for individuals and \$50,000 for corporations.

Lastly, if passed, this legislation would help to reassure Ontarians that when they buy online, the ticket they're buying is not just the profitable end point of some corporate shuffling of the cards.

**Mr. Jeff Leal:** Corporate shuffling?

**Mr. David Zimmer:** Corporate shuffling of the cards.

Since first reading, we have been responding to concerns brought to our attention by stakeholders to ensure that the wording of this legislation properly reflects the types of arrangements we want to deter—and this is the important part of the speech.

*Interjections.*

**Mr. David Zimmer:** Listen carefully, members opposite—and those of you who were at the clause-by-

clause this afternoon probably know what I'm going to say.

Based on our conversations with stakeholders, an amendment was adopted by the committee to ensure the bill targets only those who allegedly benefit from both markets while not interfering with the fair business practices that both benefit the public and support Ontario's economy. I urge you to look at the detail of that amendment; it's relative to subsection 2(3) of the bill. I know Mr. Kormos and Mr. Chudleigh at the clause-by-clause this afternoon were interested in that amendment and supported that amendment.

Fairness in the market is something that we are all after these days, and there is concern that some of the existing ways that tickets are sold in Ontario and, indeed, in Canada may not represent fair and just business practices. In these difficult economic times, when the consumer has to wisely choose to spend their entertainment dollars, it's a time to be vigilant and to protect the best interests of Ontario consumers.

As a community and as a government, we are working to rebuild, strengthen and sustain our economy. We are making progress. However, at the moment consumer confidence is at a premium, and exposure to unfair business practices in any market chips away at an already fragile and embattled consumer.

Along with strengthening Ontario's laws on ticket speculation, this proposed legislation also supports Ontario's recently announced Open for Business plan that is making Ontario stronger and more prosperous. One of the central themes of the Open for Business plan is transparency. That's important. Through communication, consultation and collaboration, Open for Business aims to create new, open and transparent relationships between government and businesses for the benefit of the entire Ontario population. If this legislation is passed, that's exactly what's going to happen as a result of this bill.

While we must work hard to ensure that Ontarians can trust that they're getting fair access to tickets at a fair price in an open market, we must also remember the principle of fair business practices extends beyond this specific issue. As we continue to move forward in our efforts, we will continue to vigilantly watch out for the best interests of Ontarians and ensure that at a minimum they receive the same protection as consumers in other jurisdictions in Canada and in North America.

Today, I call on the members opposite to support these amendments—and I know those members opposite who sat in on the clause-by-clause this afternoon did support this bill and, in particular, did support the amendments that were put forward.

This is about fairness, and it's also about nurturing the trust of the Ontario consumer. Trust on the part of the consumer is vital to building and strengthening Ontario's economy. That's why this is good legislation.

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

**Mrs. Julia Munro:** I'm pleased to have a few moments in which to comment on Bill 172, the Ticket Speculation Amendment Act, 2010.

**1700**

One of the things that I find really interesting in listening to the government is that there has certainly been much said about the question of who is actually selling tickets and the question of fairness in this process. I find it really interesting, because scalping has been around, I think, for just about as long as tickets have been sold, and although there is on the books a penalty for scalping, obviously it's not enforced.

It takes me back. In my own family I remember that my uncle, who spent quite a few years in Ottawa and was an avid hockey fan—long before the days of the Ottawa Senators, or this story wouldn't have happened—would drive to Montreal or Toronto to be there for playoff games. Of course, there was no Ticketmaster, so he would go to the scalpers at either the Montreal Forum or Maple Leaf Gardens and have the seats he wanted for those games. So it has always been around.

When this bill was first introduced, it was interesting because it was introduced, then there was over one year and there was absolutely nothing, no word on what had happened to this bill. It did survive a weekend of pro-roguing, though. Anyway, it came back again, and we were surprised after all of the absence. Then, all of a sudden, it's very, very important and compressed into time allocation and things like that. So after it sat on the shelf for 18 months, it has been dusted off now and put forward in this sort of hastened process.

What's interesting about it is that the bill itself is a page and a half, even with the French translation on the other side. The government introduced a motion in committee, which the member for Willowdale talked about, with regard to the amendment. I was quite surprised because the bill has four sections—five if we include the part that deals with the short title—and in fact the entire section 2 was to be struck out “and the following substituted” in this amendment that was moved in committee.

The only part of the bill that was of particular interest was the question about primary and secondary ticket sellers, and the original bill had identified that a secondary seller—and there are many secondary sellers, but the only one to be singled out was a secondary seller who was related to the primary seller. In the amendment we now have a wording change which suggests that if there is “an incentive for the primary seller to withhold tickets for sale by the primary seller so that they can be sold by, through or with the assistance of the secondary seller”—in other words, now it's not the issue of the relationship; it's the issue of an incentive.

Given that we're proceeding at breakneck speed in the passage of this bill at this point, after the 18-month hiatus, I wondered, is this bill ever going to be proclaimed? It seems to me that there is such a minor change, but that minor change is the key to the whole bill itself, so in fact, what the government has done is simply gutted what they had originally and put in something that I think successfully eliminates the concern by the people in the marketplace, ticket sellers.

I think, though, if we really wanted to talk about the real issue, the real issue is the potential proliferation of fraudulent tickets. Just as we now have a ticketless society—you get your computer printout—there is a greater danger of the sale of actually fraudulent tickets. That might have been a more useful activity for the government to be looking at: mechanisms by which people who go online and buy tickets and people who buy from scalpers can be assured that, in fact, it is a real ticket that they are buying.

For people who do buy tickets this way, it's worth pointing out that you are still buying tickets with US dollars. That's a demonstration of the complexity of the whole area of ticket selling and the secondary market, and the kinds of things that people were looking for in this bill. Certainly I had a couple of conversations, and people were looking for opportunities for what they felt was fairer access to tickets, where they could choose their seats, where they could see exactly which ticket they were buying. Well, this bill isn't going to help them with that. But certainly the more important thing to me is fraudulent tickets. And remember, it's still all in US dollars.

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

**Mr. Peter Kormos:** I checked the Canadian Oxford Dictionary for the definition of “screw-up,” and it says, “a bungle, a muddle, mess, or mistake.” This bill is one heck of a screw-up, let me tell you. The parliamentary assistant and his performance today were like a great actor who takes a crummy role in a cheap movie just for the money, sort of like Robert De Niro in Rocky and Bullwinkle. The sad thing is that that sort of stuff has ended many a career. I like the parliamentary assistant, and I'm hoping he has a chance to redeem himself before October 2011.

The theme throughout this debate around the amendments to the Ticket Speculation Act is that there are folks out there who think they're getting ripped off. There's been no question about that. The misimpression that's created by this legislation and the canned speeches by government members that have accompanied it, including the Attorney General's—you'll notice that the Attorney General retreated from this movie as quick as he could. He was out of this film faster than Britney Spears was out of rehab. He left it entirely with the parliamentary assistant, and I think I know why.

This bill, especially now, with the amendment that was proposed this morning, will prevent scalping by a reseller that is directly related or has a relationship with the seller. The Attorney General and his soldier tell us that that is going to address the concerns of all those people out there who can't buy tickets other than through resellers. If only that were the case; if only that were true.

The inference to be drawn during the course of the early part of the debate—the clear implication by the government—was that there was at least somebody out there, perhaps Ticketmaster, which owned TicketsNow, that was actually selling blocks of tickets directly to

TicketsNow so that TicketsNow could sell them at inflated prices, scalped prices.

**1710**

Well, Ticketmaster showed up at committee and said, "We don't do that." There is no evidence of a single operator, of a single reseller anywhere in Ontario that has a direct relationship with the original ticket agent. There's no evidence that Ticketmaster saves a single ticket so that it can be sold by TicketsNow, never mind blocks of tickets.

The issue is one that came up only tangentially. The problem here is resellers who use sophisticated computer programs to access the computer sites of ticket sellers.

The New York Times, December 16, 2007, business section, had an article by Randall Stross headlined, "Hannah Montana Tickets On Sale! Oops, They're Gone." Quoting from the article, "It is rather mystifying how ticket brokers, who are well represented among sellers on StubHub and other online ticket exchanges, have been so successful in snagging Hannah Montana tickets in plentiful quantities." Some of you will know who Hannah Montana is; I don't.

I go back to the article: "Ticket sales for big-name concerts now follow a distressingly consistent pattern: At 10 a.m. on a Saturday, tickets go on sale, and by 10:05 a.m., all tickets are sold. Yet by 10:05, StubHub and other ticket exchanges already have a plenitude of tickets listed for the sold-out event—only now, they cost much more....

"Some ticket brokers are so certain of their ability to get hold of desirable tickets that they confidently advertise tickets on these exchanges even before tickets go on sale to the public.

"How do they do it? An intriguing explanation is that brokers use specialized software to make multiple online purchases of tickets, circumventing the four-ticket-per-customer limit that the rest of us must abide by."

The article goes on to describe a lawsuit filed by Ticketmaster against RMG Technologies "asserting that the defendant's automated ticket-buying software violated the Ticketmaster website's terms of use." The court documents, the article says, "describe a subterranean world of software designed to enter Ticketmaster's online ticket-purchasing system at will and to scoop up tickets without limits."

Further in the article, "Kevin McLain, Ticketmaster's senior director of applications support, estimates that on some days, 80% of all ticket requests that arrive at its website are generated by bots," which I'm told by computer people is short form for robots.

This has nothing to do with an immediate relationship or arrangement between the seller and the reseller; this has to do with the use of the Internet to sell tickets to events and the development of sophisticated software that can access the seller's website within nanoseconds, as described in an article that I'm going to refer to shortly.

This New York Times article sums up, "The actual number of tickets vacuumed up by bots isn't known, and StubHub does not want to know. The sooner the 'sold

out' sign goes up at Ticketmaster, the sooner StubHub may break another sales record."

So you see, there are websites that host resellers, that host the scalped ticket, and the websites don't mind hosting them because it's not illegal for the websites to host them.

This bill doesn't end those websites because those websites that host resellers are not the resellers. The bill is very specific in that regard, and indeed the amendment today was designed to make it even clearer that websites that sponsor or host resellers are not violating the Ticket Speculation Act. So this bill does nothing, absolutely nothing to stop the gouging of consumers of sports and entertainment venues' events—absolutely nothing.

Let me try to make it a little clearer. Here's another article by Kim Zetter, and it's on the website wired.com, from March 1, 2010: "Wiseguys Indicted in \$25-Million Online Ticket Ring."

"A ring of ticket brokers has been indicted in connection to an elaborate hacking scheme that used bots and other fraudulent means to purchase more than one million tickets for concerts, sporting events and other events.

"The defendants made more than \$25 million in profits from the resale of the tickets between 2002 and 2009."

Further on in the article, "Wiseguy often obtained so many premium tickets for an event that it was the leading source for the best tickets to some of the most popular events, according to prosecutors. They allegedly purchased tickets to Miley Cyrus, Barbra Streisand, Bon Jovi and Bruce Springsteen concerts, as well as tickets to the Rose Bowl football game in 2006 and the 2007 Major League Baseball playoffs at Yankee Stadium....

"The indictment lists the initials of three contract workers in Bulgaria who each earned between \$1,000 and \$1,500 a month writing code and managing the network.

"Law-abiding online ticket vendors sell tickets on a first-come, first-served basis and have invested millions of dollars in architecture that queues up customers in the order they arrive to a site. This protocol reserves a ticket or block of tickets in the system for a limited time, such as five minutes, while the buyer decides whether to complete the purchase" or not.

"Premium tickets can sell out within 30 seconds for popular events, making it crucial where a buyer stands in the queue." We're talking about the original seller, where premium tickets can sell out within 30 seconds for popular events.

"To prevent bots from purchasing tickets in bulk, online ticket vendors use CAPTCHA challenges and proof-of-work software that is designed to detect and slow down computers that are attempting to purchase large numbers of tickets. Online vendors also block IP addresses used to make bulk purchases."

Further in the article, "Ticketmaster used various means to try to thwart Wiseguy's operation, at one point switching to a service called reCAPTCHA, which is also used by Facebook. It's a third-party CAPTCHA that feeds a CAPTCHA challenge to a site's visitors. When a

customer tries to purchase tickets, Ticketmaster's network sends a unique code to reCAPTCHA, which then transmits a CAPTCHA challenge to the customer."

This is the important part: "But the perpetrators were able to thwart this as well. They wrote a script that impersonated users trying to access Facebook" etc. and, in fact, overcame CAPTCHA and reCAPTCHA, which are software mechanisms designed to protect ticket sellers from the bot users.

"Wiseguy also had a bank of about 1,000 phone numbers that the bot submitted as customer contact numbers.

"The bot would seize a block of prize seats, from which Wiseguy employees would cull the best for clients, then release unwanted seats back to the system. A legitimate ticket buyer who tried to purchase the same seats during this time might find them unavailable one minute, then available the next minute."

Look what these guys do. These are the scalpers who aren't touched, they aren't even close to being touched, by this legislation.

The consumer in Ontario, the Ontario of 2010, isn't being protected one iota by this legislation when it comes to scalpers. There's no evidence—there was no evidence, none whatsoever at any point during this discussion, during this debate, of a seller and reseller that were related. Because, you see, TicketsNow, as we've learned, is simply a host website for other people selling the tickets.

I went to TicketsNow, and I have no doubt that some of the bot operators use TicketsNow to sell their tickets. I went to the TicketsNow website earlier today, and I saw tickets for the same event, same seating area with a range of prices, indicating two were available, four were available. These are the resellers, not TicketsNow. TicketsNow isn't a reseller. The individuals who own the tickets are the resellers; similarly, the bot operators who buy thousands of tickets. Obviously, they want only the high-end tickets because these have the biggest scalping value.

## 1720

What we learned from that article, this indictment and the prosecution of Wiseguys, is that they'll even return—they're just out there, they're throwing a net out and they're doing it bang, bang, bang, in nanoseconds with a whole pile of different computers communicating with the computer of the original seller, of the ticket agent, whether it's Ticketmaster or anybody else. Then the fish that are too small, they simply throw them back and they get refunded for them. It's fascinating.

Unfortunately, the government clearly didn't do its homework, clearly doesn't understand the issue, clearly didn't want to do its homework or explain the issue to the people of Ontario, wants to walk away from this, leaving the impression that it's engaged in some consumer protection when it's done zip, zero, nada, not a thing, nothing. Ticket buyers in Ontario will learn that in short order.

As soon as this bill is proclaimed, the practice will persist. Mark my words. It's not scalpers who are con-

nected with the ticket agent, with the original seller, who are doing the gouging. That scalper doesn't exist. It's chimerical. It's a figment of the Attorney General's imagination, or perhaps some genius in the Premier's office.

**Mr. Peter Shurman:** There are none of those.

**Mr. Peter Kormos:** He notes.

This villain is not even a comic book character. Tony Soprano is more real than the villain that the government says it's dealing with in this legislation. Zorro is more real, for Pete's sake. Popeye is more real. To the young people here, Popeye was an old cartoon character. Mr. Hillier remembers him. So does Mr. Shurman.

Another interesting item that helps explain the issue from Everything Jersey, nj.com, is an article by Peggy McGlone reprinted from the Star-Ledger, and it's published March 19, 2010: "Lady Gaga performs at Radio City Music Hall in January. Automated programs created by hackers stampede the virtual ticket window to be first in the ticket queue and grab up choice seats.

"If you want to see Lady Gaga at Madison Square Garden in July"—and for the life of me, I don't know why you'd want to—"you'll probably be at your computer this morning before 10 a.m., ready to strike when tickets for the much-anticipated concert go on sale.

"But you probably won't score a prime seat. You, gentle human, can't beat the machines.

"Automated programs will stampede the virtual ticket window, be first in the virtual queue and grab up the choice seats. They do it for every big tour, be it Bruce Springsteen, the Black Eyed Peas or Tom Petty. Through their high volume of requests and lightning speed, these programs try to box out the regular fan in an effort to snag the best tickets to the hottest events."

The article goes to explain the nuts and bolts of bots:

"Simply, a bot is an automated program that navigates a website faster and more efficiently than humans can. A bot can be programmed to answer questions in a flash or to skip through those web pages that are informational but don't require action, thereby arriving at the finish line—the buy button—in seconds.

"Bots also have an advantage because of their volume. They hit simultaneously, causing stress to the vendors' systems but virtually guaranteeing that at least a small percentage of the attempts will be successful.

"More prevalent now because the majority of tickets are purchased on the internet, bots have dramatically altered the ticketing industry because they make prime seats so hard to buy at face value."

It further describes what a tough fight it is to deal with the bots, like the CAPTCHA program or the reCAPTCHA program. Every time some software developer develops a program that is designed to control the bots or resist them, somebody smarter or as smart comes up with a program designed to circumvent that defensive program..

Again, in the federal case against the Nevada computer firm Wiseguys, authorities claim the programmers used thousands of different computers, each reaching the ticket window at the exact second it opened and speeding

through the security challenges to gain access to the first and best tickets.

It goes on to say, “No matter how hard you work to make things fair, the Internet has changed the game. You have to take the good with the bad. With the comfort and ease of buying online comes the ease of this. It’s the brave new world.”

The government didn’t even contemplate this phenomenon. The government denies and ignores this phenomenon. The government knows but won’t acknowledge that its bill does nothing to address this phenomenon. The government doesn’t enforce the existing Ticket Speculation Act. It indicated clearly that it has no intention of enforcing this one, first of all, because there’s nobody to enforce it against. No entity exists like the one that’s described in this bill, in this legislation, as perpetrating or committing the crime of ticket speculation, of scalping. It’s non-existent. It’s a ghost. It’s an imaginary person. It’s not there. It’s like a dream that isn’t real. For the life of me, why this government won’t come clean in that regard, why it won’t be straight with Ontarians, why it won’t fess up about how it botched up, screwed up this whole exercise beats me.

I don’t fault the parliamentary assistant. He does what he gets told to do, and he does it well 99% of the time, and he does it with good humour most of the time.

*Interjection.*

**Mr. Peter Kormos:** Vote against it? Why? Why not vote for it? It’s fluff. It’s zero. It has nothing, not even an aroma, although there is a stench about it.

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

**Mr. Randy Hillier:** I’ll start by congratulating the Liberal government on Bill 172. They have managed to get a bill to third reading that does absolutely nothing. What I should also congratulate them on is, this is a very unique Liberal bill because, for once, it also doesn’t harm people in Ontario. So it does nothing, but it doesn’t harm people. That is a very unique set of circumstances for this Liberal government. Seldom do we get a bill that doesn’t harm the people of Ontario.

As the member from Welland mentioned, this bill does absolutely nothing. There’s no consumer protection here. There’s nothing of any substance whatsoever in Bill 172. Scalpers will still be allowed to scalp. There’s never been a conviction, never been a charge on that, and it’s going to continue. It’s a meaningless bill.

It reminds me much of, when my children were in school, they would often refer to busywork. The teachers would assign busywork just to keep the kids occupied and keep them quiet so that the teachers were able to do something else. Of course, busywork is meaningless work. It has no value. It’s like counting the grains of sand on a beach or counting the number of whitecaps on the lake—something that takes up and occupies time but provides no benefit and no value. That’s what Bill 172 is: counting the whitecaps, counting the grains of sand. It does nothing. But once again, it doesn’t harm the people of Ontario.

What I find absolutely amazing with this Liberal government—here we have a bill put up by the Attorney General’s office, the highest lawmaker and law protector. The guardian of our liberties is the Attorney General. We have seen such injustice in places such as Caledonia or Deseronto. We have seen the Ponzi schemes and scams thrown out because there are not enough resources at the Attorney General’s office. On and on and on, we see the failings of our justice system under the bailiwick of the Attorney General.

**1730**

Instead of addressing any of those substantive failings in our justice system, he brings out Bill 172.

Has he put any effort into the G20 and the SIU investigations? Nothing. Has he put any effort into addressing the problems in Caledonia? Zero. Has he put any effort into addressing the backlogs in our court system? Nothing. But he brings out a bill that does nothing, absolutely zero.

**Mr. Peter Kormos:** So he’s consistent.

**Mr. Randy Hillier:** He is consistent, very consistent, a consistent failure, failing the people of Ontario.

The Attorney General is engaging in busywork. The Attorney General, however, is also wasting the time of the legislators in this assembly, wasting the time of the people of this province, spending countless hours debating a bill that does nothing, that provides no protection, while he gets to turn his back on the clear and utter failings of his ministry and our justice system in this province.

It is an absolute travesty that this Attorney General views his responsibilities in such a cavalier and contemptible manner that he would bring out Bill 172, the Ticket Speculation Act, which does nothing, and refuses to even put any effort into the real failings under his authority.

But it’s not only that. It’s not just the Attorney General. What about the Premier, and what about all the other members of cabinet? Here Ontario is facing the highest unemployment rate. We have suffocated and snuffed out hundreds of thousands of manufacturing jobs. Has the government brought in something to deal with that? No. Zero. Have they done anything about the high unemployment rate? Zero. Nothing.

This Liberal government continues on its path of putting Ontario in a have-not position, and what is their solution? Their solution is Bill 172, which does nothing about scalping tickets.

If anybody wants to understand why there is apathy and complacency in this democracy, all they have to do is look at the results of the Liberal government in Ontario. That’s all you have to do. Look at the busywork they’re engaging in. And people understand. That’s why three quarters of the people have been fed up with this Liberal government. They understand they are completely out of touch. They’re in a fantasy world that has no relation to reality. As the good member from Welland mentioned, Zorro is more real than anything tangible in Bill 172.

Absolutely. The Liberals are indeed in the Alice in Wonderland world. Fantasia is where they are.

But the consequence—and I'll say this to all the members who are still awake over on the other side—the real consequence is that you are diminishing yourselves by introducing legislation like this and by supporting legislation like this. You are diminishing your own value to your constituents. You're diminishing your own value in your role in democracy by advocating busywork legislation.

It should come as no surprise to the members on the Liberal benches, when October 2011 rolls around, that you're no longer occupying those benches. It will be no surprise. It will be no surprise to anybody, and it's time that this assembly starts engaging in substantive policy, substantive discussions on matters that will improve the standard of living and reduce the productivity gap in this province so that we can once again get on the right track of improving our standard of living instead of reducing and diminishing it.

With that, Bill 172 does not deserve any more discussion or debate. Let it pass into the black hole of Liberal legislation that does nothing for the people of Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak?

Therefore, pursuant to the order of the House dated November 17, 2010, I'm now required to put the question.

Mr. Phillips has moved third reading of Bill 172, An Act to amend the Ticket Speculation Act. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

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

I have received, pursuant to standing order 28(h), a request that the vote on Bill 172 be deferred, and it's signed by the chief government whip. This bill will be deferred until after question period on Thursday, December 2.

*Third reading vote deferred.*

**Hon. Gerry Phillips:** Mr. Speaker, I move adjournment of the House.

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

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

**Mr. Peter Kormos:** On division.

**The Deputy Speaker (Mr. Bruce Crozier):** On division, the ayes have it.

This House is adjourned until 9 of the clock on Thursday, December 2.

*The House adjourned at 1737.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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

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

Clerk / Greffière: Deborah Deller

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

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

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Aggelonitis, Hon. / L'hon. Sophia (LIB)</b>	Hamilton Mountain	Minister of Revenue / Ministre du Revenu Minister Responsible for Seniors / Ministre délégué aux Affaires des personnes âgées
Albanese, Laura (LIB)	York South-Weston / York-Sud-Weston	
Arnott, Ted (PC)	Wellington-Halton Hills	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Arthurs, Wayne (LIB)	Pickering-Scarborough East / Pickering-Scarborough-Est	
Bailey, Robert (PC)	Sarnia-Lambton	
Balkissoon, Bas (LIB)	Scarborough-Rouge River	
Barrett, Toby (PC)	Haldimand-Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough-Guildwood	Minister of Health Promotion and Sport / Ministre de la Promotion de la santé et du Sport
Bisson, Gilles (NDP)	Timmins-James Bay / Timmins-Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Broten, Hon. / L'hon. Laurel C. (LIB)</b>	Etobicoke-Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre délégué à la Condition féminine
Brown, Michael A. (LIB)	Algoma-Manitoulin	
Brownell, Jim (LIB)	Stormont-Dundas-South Glengarry	
Cansfield, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, M. Aileen (LIB)	Barrie	
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham-Unionville	Minister of Tourism and Culture / Ministre du Tourisme et de la Culture
<b>Chiarelli, Hon. / L'hon. Bob (LIB)</b>	Ottawa West-Nepean / Ottawa-Ouest-Nepean	Minister of Infrastructure / Ministre de l'Infrastructure
Chudleigh, Ted (PC)	Halton	
Clark, Steve (PC)	Leeds-Grenville	
Colle, Mike (LIB)	Eglinton-Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga-Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax-Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale-High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward-Hastings	Minister of Education / Ministre de l'Éducation
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Energy / Ministre de l'Énergie

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

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Moridi, Reza (LIB)	Richmond Hill	
<b>Munro, Julia (PC)</b>	York-Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	
<b>Murray, Hon. / L'hon. Glen R (LIB)</b>	Toronto Centre / Toronto-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener-Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin-Middlesex-London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough-Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Prue, Michael (NDP)	Beaches-East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London-Fanshawe	
Ramsay, David (LIB)	Timiskaming-Cochrane	
Rinaldi, Lou (LIB)	Northumberland-Quinte West	
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Government House Leader / Leader parlementaire du gouvernement
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton-Mississippi Mills	
Tabuns, Peter (NDP)	Toronto-Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga-Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton-Kent-Middlesex	
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth-Wellington	Minister of the Environment / Ministre de l'Environnement
<b>Wilson, Jim (PC)</b>	Simcoe-Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener-Waterloo	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Transportation / Ministre des Transports
Yakabuski, John (PC)	Renfrew-Nipissing-Pembroke	Opposition House Leader / Leader parlementaire de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

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Bas Balkissoon, Lorenzo Berardinetti  
Ted Chudleigh, Mike Colle  
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Reza Moridi, Lou Rinaldi  
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Bas Balkissoon, Joe Dickson  
Sylvia Jones, Amrit Mangat  
Norm Miller, Yasir Naqvi  
Michael Prue, Mario Sergio  
Maria Van Bommel  
Committee Clerk / Greffière: Tonia Grannum

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Vice-Chair / Vice-président: Peter Shurman  
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France Gélinas, Jerry J. Ouellette  
David Ramsay, Liz Sandals  
Peter Shurman, Norman W. Sterling  
David Zimmer  
Committee Clerk / Greffier: Trevor Day

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

Chair / Président: Michael Prue  
Vice-Chair / Vice-président: Paul Miller  
David Caplan, Kim Craitor  
Jeff Leal, Gerry Martiniuk  
Paul Miller, Bill Murdoch  
Michael Prue, Lou Rinaldi  
Tony Ruprecht  
Committee Clerk / Greffier: Katch Koch

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

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-président: Vic Dhillon  
Vic Dhillon, Cheri DiNovo  
Rick Johnson, Sylvia Jones  
Jean-Marc Lalonde, Ted McMeekin  
Shafiq Qaadri, Khalil Ramal  
Elizabeth Witmer  
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