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

**Monday 21 March 2011**

**Lundi 21 mars 2011**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 21 March 2011

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 21 mars 2011

*The House met at 1030.*

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

*Prayers.*

RAYMOND WALTER  
AND KENNETH REA

**The Speaker (Hon. Steve Peters):** I'd like to ask all members and our guests to please rise as we observe a moment of silence for two firefighters killed in the line of duty on March 17: firefighter Raymond Walter and Deputy District Chief Kenneth Rea.

*The House observed a moment's silence.*

**The Speaker (Hon. Steve Peters):** On behalf of the Legislature, our condolences go to the family. The flags here at Queen's Park are flying at half mast.

### INTRODUCTION OF VISITORS

**Hon. Michael Gravelle:** I'm pleased to be joined today in the east gallery by my big sister, Susan Houghton, and her husband and my brother-in-law, Roy Houghton. Welcome, Susan and Roy.

**Mr. Garfield Dunlop:** I'd ask everyone to give a warm welcome to Ms. Brenda Jenkins, who's a health care professional at Orillia Soldiers' Memorial Hospital, and her niece Imogen Jenkins, who's in her last year as a student at the University of Toronto Schools.

**Hon. James J. Bradley:** I would like to introduce the following individuals from the Ontario Association of Police Services Boards: Alok Mukherjee, Kevin Eccles, Brenda Harper, Fred Kaustinen, Henry Jensen, Uly Bondy, Kathy Wallace, Bob Maich, Vaughn Stewart and Sarbjit Kaur.

### ORAL QUESTIONS

#### ENERGY POLICIES

**Mrs. Christine Elliott:** My question is for the Premier. You're making Ontario families foot the bill for the expensive mess you've made of hydro. Six years ago you created the Ontario Power Authority, saying it was a transitional agency and promising it would produce your

long-term energy plan, but all you have to show for it are skyrocketing hydro bills, a record of backtracking from the offshore wind experiment and the screwed-up micro-FIT experiment the OPA produced for you. Will you give some relief to Ontario families here and now and scrap the OPA before it does any more damage?

**Hon. Dalton McGuinty:** Speaker, it's good to be back. I welcome the question from my honourable colleague.

I can say that, in contrast to the party opposite, we in fact have a considered, thoughtful, responsible plan. We were dangerously close to running short of electricity back in 2003. We have since put in place a long-term plan. In fact, we are rebuilding 80% of our energy system over the course of the next 20 years. We're cleaning up our air. We're creating thousands of new jobs.

When it comes to matters of providing rate relief for Ontario families, we put forward an initiative adopted by this House but opposed by my colleagues opposite. We're reducing energy bills by 10% on each bill over the course of the next five years. If they are, in fact, in favour of supporting families and helping relieve them of some of the burdens associated with rebuilding this electricity system, you would think they might want to support our clean energy benefit, which is cutting the cost of bills by 10%.

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

**Mrs. Christine Elliott:** I guess the answer is no. But in point of fact, the only transition the OPA has been doing is to go from being a small agency of 15 to a bloated bureaucracy of over 300 employees. The operating budget for your planning agency has bloated from \$14 million to \$79 million a year but has yet to produce a plan that you're going to stick with. The sunshine list has been bloated from six to 75 bureaucrats. Executive salaries have gone from \$1 million to \$12 million a year. The CEO alone is making over half a million dollars.

Premier, will you give relief to Ontario families and scrap the OPA here and now?

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

**Hon. Brad Duguid:** I could understand why the members opposite might be opposing the work that the OPA is doing, because much of the work they're doing is implementing our conservation programs that they oppose. Much of the work that they're doing is engaging in energy planning, something they never did when they were in office and that they have opposed every step of the way. Much of the work they're doing is replacing coal generation, once again something that member after member over there has come out in opposition to.

But we're determined to build a clean, reliable, modern energy system. We're determined to get this system out of coal. We're determined to clean our air and build a healthier future for our kids and grandkids. And, yes, the Ontario Power Authority has a very important role to play in helping us reach that goal.

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

**Mrs. Christine Elliott:** The Ontario Power Authority is the poster child of the expensive mess the McGuinty Liberals have made of hydro in this province. Ontario families pay the \$1 million the OPA wasted on a propaganda brochure and \$3 million more on selling your expensive energy experiments. Ontario families pay every cent of the quarter-billion dollars your so-called transitional energy planning agency has spent on administration over the past five years. Ontario families pay for the OPA spending almost as much on consultants as salaries. Ontario families pay on the hydro bills for jobs to the McGuinty Liberal family, like Ben Chin, Adèle Hurley and Patrick Monahan.

How much more will Ontario families have to pay before you scrap the OPA?

**Hon. Brad Duguid:** One of the things we take a great deal of pride in is the fact that we have laid out to Ontarians a long-term energy plan in a very straightforward manner, engaging Ontarians in the investments we need to make to build a clean, reliable, modern energy system. We have laid it all out for them in our long-term energy plan.

It has been over 630 days that their leader has been their leader, and he has refused to talk about their plan every single one of those days. But here is what their campaign director had to say about it: "The only people who are demanding our policy at the moment in a booklet form, where it's simple and easy and they don't have to do any work, (are journalists), because they want to take the opportunity to shoot at it."

"Journalists need details of party policy documented because they are otherwise too lazy to discover them."

That is the epitome of arrogance. Ontario families deserve to know where you stand. Journalists—

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

#### ENERGY POLICIES

**Mr. John Yakabuski:** Well, they don't want to answer that question. I'll try another one.

Back to the Premier: When the Ontario Power Authority is not wasting money, it has been busy finding new ways to make life miserable for Ontario families. The OPA spent a billion dollars ordering utilities to install smart meters despite the same utilities warning them that your tax machines didn't work.

The OPA came up with the microFIT program that left Ontario families out tens of thousands of dollars. The OPA was so convinced you needed a new power plant in Oakville that they signed a contract to build it, and now

Ontario families face a billion-dollar bill after your seat-saver backtrack. With each and every mishap, Ontario families have had to pay.

How much more will Ontario families pay before you scrap the OPA?

**1040**

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

**Hon. Brad Duguid:** We have a long-term energy plan that lays out the investments that we need to make over the next 20 years.

I want to quote something that that very member said not too long ago. This is what he said: "Ontario needs an energy plan and the leadership to see it through." Not having a plan is "just wasting precious time." In the words of the leader's own critic, you ought to stop wasting the precious time of Ontario families and let them know what your plan is.

For well over 600 days your leader has been the leader of your party, and he has yet to share his plan with your caucus, with his party, with this Legislature and with Ontario families. It's obvious he's afraid to share his plan. Is it because you don't support our clean energy benefit, taking 10% off the bills of Ontario families? Is it because your plan would drive billions of dollars of investment in our clean energy economy out of Ontario to other—

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

**Mr. John Yakabuski:** I thought we asked the questions.

Your OPA bureaucrats in downtown Toronto are setting up windmills across Ontario with absolutely no local say. Your planning agency has Ontario families paying a billion dollars to Quebec and the United States to take unplanned surplus hydro off our hands. They've negotiated FIT contracts that make Ontario families pay 80 cents for five-cent power. You've had to backtrack twice on your ground-source solar rates that you set. You've had to backtrack on the plans you had for your offshore windmills. With each and every backtrack, Ontario families have to pay.

I ask you again: How much more will Ontario families pay before you scrap the OPA?

**Hon. Brad Duguid:** I think what Ontario families need to know is why that party doesn't support our clean energy benefit that's taking 10% off the bills of Ontario families, small businesses and farmers. Why don't you support that? If you really care about Ontario families, support our clean energy benefit.

I think Ontario families also deserve to know why you want to kill thousands of clean energy jobs that we're creating right across this province. We're creating jobs, good clean energy jobs, in communities like Cambridge, Burlington, Fort Erie, Sault Ste. Marie, Tillsonburg, Newmarket, Don Mills, Windsor, Woodbridge, Peterborough, Guelph, Kingston, Welland, and the list goes on and on. These communities are benefiting. You want to kill those jobs that we're creating right across this province.

Tell Ontario families—

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

**Mr. John Yakabuski:** Well, I'll tell you one thing we don't support: the hydro rates that you've festered onto the people in this province since you've taken office.

Over the last six years, the OPA hasn't missed a chance to hike its salaries, waste money or find new ways to drive up already skyrocketing hydro bills on Ontario families. They've helped you turn the hydro bill from one of the bills to "the bill." Hydro rates are up 75% under your watch; 100% if you've got a smart meter. According to the plans that your so-called transitional agency came up with, hydro bills will climb by another 46%.

You have to be out of touch not to notice that Ontario families are at the breaking point and need someone who looks after them instead of looking out for another bloated bureaucracy.

For the last time today: Will you do what the Ontario PCs would do—take a page out of their book—and scrap the OPA?

**Hon. Brad Duguid:** If the PC Party actually respected Ontario families, they wouldn't have voted against reducing their electricity bills by 10% through our clean energy benefit, and they wouldn't have voted against our efforts to reduce the taxes of 93% of Ontario families.

If the PC Party actually respected Ontario families, they wouldn't have plans to kill thousands of clean energy jobs that Ontario families are going to rely on and are relying on.

If the PC Party actually respected Ontario families, they would not have opposed our efforts every step of the way to move out of dirty coal, to clean our air and to build a healthier future for our kids and grandkids.

Instead, they continue to oppose our plans, but they're afraid to tell Ontario families where they stand on these issues. I don't blame them, because if Ontario families knew that they don't support our clean energy benefit, that they want to kill thousands of jobs, that—

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

## TAXATION

**Ms. Andrea Horwath:** My question is to the Premier. Tomorrow, the federal government will present its budget to the House of Commons. Next week, the province will present its budget. In Ottawa, the Prime Minister has made it very, very clear that he'll make corporate tax giveaways a priority and that families will likely be left out in the cold when it comes to HST relief on home heating bills.

My question is a simple one: Will this Premier's priorities be any different?

**Hon. Dalton McGuinty:** I welcome the question from my honourable colleague. I want to reference for her benefit something said by former Prime Minister Tony Blair in a speech to his party. He said this: "In the past, social democrats became identified with high taxes, especially on business. Modern social democrats recognize

that in the right circumstances, tax reform and tax cuts can play a critical part in meeting their wider social objectives.

"For instance, corporate tax cuts raise profitability and strengthen the incentives to invest."

I would argue that those are words from a very successful Labour Party leader who encountered tremendous opposition at the outset but tremendous acclaim with the passage of time.

Here in Ontario, we're bringing a balanced, thoughtful approach, and in fact, we're cutting taxes for people and for businesses at the same time.

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

**Ms. Andrea Horwath:** Budgets are about priorities. New Democrats want to focus on household budgets, but this government seems determined to give money to corporations that are laying people off. In Ottawa, the Liberal Party has said that they won't support federal budgets that include further corporate tax giveaways. Does the Premier side with the Prime Minister or the leader of his own party?

**Hon. Dalton McGuinty:** I would encourage my honourable colleague to pick up the phone and get hold of Jack Layton and work out their differences on this matter. Again, I can't speak for what is happening in Ottawa, but I can gladly speak about what is happening here at Queen's Park. The fact of the matter is, we're bringing a balanced, thoughtful, progressive approach. We are in fact reducing the burden on our families. We have our clean energy benefit, which is reducing their hydro bills by 10%. We are reducing the tax burden on families through an income tax cut; it's an average of \$355 for families this year and every year going forward. The NDP, by the way, voted against that relief. There is our Ontario child benefit, the first benefit of its kind in the country. It's now grown to \$1,100 per child. It's benefiting some 1.3 million Ontario children. Again, the NDP voted against that. In fact, every single time we put forward a positive, progressive initiative to help Ontario families, they stand opposed to that.

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

**Ms. Andrea Horwath:** The recession hurt corporate budgets, but the real damage was to household budgets. Unemployment remains stubbornly high. Families face record debt loads and wages are stagnant. The Premier's answer is a new tax on home heating bills for families and a tax break for banks and insurance companies that are shedding jobs and reaping profits.

Will the Premier offer families some relief, or will he continue to hand tax giveaways to corporations that simply aren't creating any jobs?

**Hon. Dalton McGuinty:** I want to remind my honourable colleague that at one point in time she championed an 8% cut off our energy bills for Ontario families. We rejected that. We said that was inadequate. We put in place a 10% cut for Ontario families. The amazing thing is that the leader of the NDP has yet to acknowledge that and has yet to stand up in support of that. We

think that's important; it's substantive; it's pragmatic. It's something that stands to the immediate benefit of families that's in place right now and it will continue for the course of the next five years.

As I said earlier, every single time we find a way to provide practical support to families, to reduce their financial burden, to provide them with further financial support, the NDP for some reason continues to stand against that very support.

#### NUCLEAR ENERGY

**Ms. Andrea Horwath:** My next question is also for the Premier. Public hearings on a plan to build new reactors at the Darlington facilities begin today. The tragic events unfolding in Japan have caused governments around the world to pause and reassess their nuclear plans. Why isn't this Premier willing to do the exact same?

**Hon. Dalton McGuinty:** First of all, I know that I speak for all members of the Legislature when I say that our thoughts are with the people of Japan in this terrible time. I think our responsibility is twofold here. One is to reach out, with the federal government, to offer whatever support we can to the people of Japan. Secondly, we owe it to Ontarians to draw whatever lessons we might from the consequences of the earthquake and tsunami to the nuclear stations located in Japan. We will make every possible effort to draw those lessons. We've been in contact with the federal regulator. I myself have spoken this morning directly with the head of OPG to make sure we take whatever time is required to draw whatever lessons that might be available to us from the experience they are having today in Japan.

1050

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

**Ms. Andrea Horwath:** Germany is halting plans to extend the lives of 17 nuclear plants, Israel is now rethinking a new nuclear plant, China is taking a step back to review its plans, and one prominent US senator has called on his country to put the brakes on new nuclear plants. Will the Premier put a hold on the hearings until nuclear regulators worldwide have assessed the lessons that may be learned from the tragedy in Japan? He just said he wants to draw the lessons. How do you draw the lessons if you don't wait until the learning has been done?

**Hon. Dalton McGuinty:** As my colleague knows, there's a federal environmental assessment already under way. By the way, that assessment is already five years old; it's not the kind of thing that is rushed.

I also want to remind my honourable colleague of a letter sent by my colleague the Minister of Energy just last week to his federal counterparts. In part, the letter reads as follows: "We encourage your government to make any necessary changes to the ... environmental assessment" process "to ensure that the events in Japan are taken into consideration." The letter goes on to say, "We are seeking your written assurance that the environ-

mental assessment process will be adapted in any necessary way to ensure that the events of last week in Japan can be taken into account." It concludes by saying, "You and the panel will have our full support and co-operation, as well as that of Ontario Power Generation."

I want to assure Ontarians we will take all the time necessary to draw whatever lessons we can from the experience in Japan.

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

**Ms. Andrea Horwath:** Around the world, people are actually taking a step back right now from nuclear power, but this government is acting like nothing at all has happened, like nothing has changed. As a result, Ontario families could be stuck with higher bills as industry standards begin to change—or worse, new reactors that ignore new regulations and new standards. Why won't the Premier follow the lead that is being set by the global community? Why won't he follow that lead and take some time to consider whether Ontario in fact really, really needs new nuclear energy?

**Hon. Dalton McGuinty:** It's no secret that my honourable colleague appears to be opposed to nuclear-generated electricity of any kind at any time. We bring a different approach. Fifty per cent of our electricity today is generated from nuclear stations; there are some 70,000 people working in the sector.

I think what we owe to ourselves, but more importantly what we owe to Ontarians, is to make sure we take a long, hard look at the experience in Japan to see whatever lessons that might offer, and to ensure that we take advantage of that new information and introduce it into our thinking here in Ontario.

There is an environmental assessment that is under way. It is already five years old. It is not the kind of thing that anybody is proposing that we rush. If it takes a little bit longer so that we can acquire more information from the Japanese experience, then we will by all means do that. What we owe to Ontarians is to take advantage of this terrible experience and see if there's new information and introduce that into our thinking here.

#### COMPENSATION FOR VICTIMS OF CRIME

**Mr. Ted Chudleigh:** My question is to the Premier. Premier McGuinty said that crime is not a priority with Ontario families. Then you said Liz Hoage doesn't deserve support because she didn't witness the tragic murder of her child. And then again on Friday we saw just how out of touch you have become when the Ontario PC caucus revealed that the McGuinty Liberals are sitting on a \$31-million surplus in the victims' justice fund. Our leader, Tim Hudak, said the Ontario PC government will release the victims' fund surplus, change the definition of "victim" and add victim representation to the CICB. Premier, will you take a page from the Ontario PCs and make those three changes yourself?

**Hon. Dalton McGuinty:** I'm pleased to take the question. In fact, there's an important issue here. I don't

agree with my colleague's representation of our position on this, but notwithstanding that, there is an important issue here. The fact of the matter is that Jonathan, who was 15 years of age, and Joey, who was 16 years of age, lost their lives, and their parents were rejected by the board when it comes to providing some kind of compensation.

We think that there's something fundamentally wrong with that. We think that we need to work together to resolve that. We have made some changes to the system in the past. We have doubled the number of adjudicators who are working there. We have more staff to support the hearings and families. It's up from 50 to 66 today, but we think that we can and ought to bring about changes to ensure that this kind of thing does not happen again.

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

**Mr. Ted Chudleigh:** Ontario families aren't looking for crocodile tears from that side of the House. Ontario families are looking for a government that puts the same priority on crime and victims of crime that Ontario families do. Both the Ombudsman and former Chief Justice McMurtry say you didn't do enough for victims. You promised you would take McMurtry's report seriously, but you haven't. If you can't get your priorities straight, then Ontario families can rest assured that Tim Hudak and the Ontario PC government will—

**The Speaker (Hon. Steve Peters):** I remind the honourable member about the use of names. I let it go once. I should've jumped on it.

**Mr. Ted Chudleigh:** When will you admit crime is a priority for Ontario families, follow the lead of our leader and get victims of crime the support they need?

**Hon. Dalton McGuinty:** Again, we're speaking here about a decision made by the Criminal Injuries Compensation Board. For the record, we have doubled the amount spent on vital services for victims of crime since 2003. We have streamlined the process so that victims can get the assistance they need more quickly. As I said a moment ago, we've invested in more adjudicators and staff to clear the backlog that we inherited. We also created a new victim quick response program to cover emergency expenses.

As the Attorney General has said, we have asked the Criminal Injuries Compensation Board and officials to come up with options on how to address the very issues raised by the leader of the official opposition. I think that there is a real case to be made here for these families who lost their children, and we think that we can do something. We look forward to any co-operation that my friends opposite might want to offer us in this regard.

#### CANCER TREATMENT

**Ms. Andrea Horwath:** My question is for the Minister of Health. A few hours ago, the minister announced funding for drugs like Herceptin, a tribute to the persistence of Jill Anzarut.

Why is it that just over a week ago the minister claimed it would be illegal to take action?

**Hon. Deborah Matthews:** I welcome the question. Let me begin by saying how important it is that women do get screened for breast cancer. We have one of the highest survival rates in the world for women with breast cancer, in part because of our excellent breast screening process. This issue, and others—it's been brought to my attention that while we absolutely must rely on evidence when we make decisions about what drugs to fund, there is a grey area. Evidence is not always black and white. There are grey areas. So what I've announced this morning is a program that will allow us to work with the drug companies to build the body of research that is necessary in order to make the right decisions for Ontarians.

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

**Ms. Andrea Horwath:** The minister said that the decision to fund cancer drugs "is not one that rests with the Minister of Health." She then suggested it would be "illegal" and would constitute an abuse of her position to fight for drug funding.

Why did the minister take so long to do the right thing, to figure out that there's more than just black and white, that grey actually does exist?

**Hon. Deborah Matthews:** I stand by my statement that choosing which drugs to fund and for whom is not the role of the minister. Our job is, however, to continue to set policy direction, to move forward, to improve care for people with cancer and with other diseases. The issue of that grey area is one that has been under discussion for some time. So Cancer Care Ontario and the Committee to Evaluate Drugs will be moving forward to develop criteria so we can start to work to develop the evidence where, because the number of people involved is so small, traditional clinical trials cannot be performed on those people with rare diseases. So we are moving forward to create a program that will begin to address that grey area.

1100

#### NUCLEAR ENERGY

**Mr. Kevin Daniel Flynn:** I've got a question this morning for the Minister of Energy. Nuclear power generates over half of Ontario's electricity, and Canada's nuclear industry employs tens of thousands of Ontarians, many of them in the Oakville and Mississauga area.

Tragic events in Japan recently have led to a lot of discussion and a lot of debate over the past week about the future of nuclear energy and the safety of our power plants here in Ontario.

The government's long-term energy plan outlines the need to maintain our nuclear capacity to continue to supply that power reliably.

My question to the minister is: Can he confirm this morning that Ontario's reactors are operating safely and will continue to operate safely as we move forward with the implementation of our plan?

**Hon. Brad Duguid:** I want to thank the member for Oakville for raising this important question. Indeed, we all are watching the events unfolding in Japan, and our thoughts continue to be with the Japanese people during this very, very difficult time.

Understandably, Ontarians want to know about the safety our nuclear plants right here in Ontario. The fact is, Ontario's nuclear plants have operated safely since the first facility went online about 40 years ago. Ontario's plants are safe. They continually operate at or above international safety standards and are equipped with multiple built-in safety mechanisms and multiple layers of backup systems.

Nevertheless, I have asked the CEOs of Bruce Power and Ontario Power Generation to lead a joint effort to identify lessons learned from the incident in Japan and recognize how they can make a safe system here in Ontario even safer.

**The Speaker (Hon. Steve Peters):** Supplementary? The member from Ajax–Pickering.

**Mr. Joe Dickson:** My question is to the Minister of Energy. Durham region is host to two of Ontario's nuclear generating facilities: Pickering and Darlington. The communities of Durham region have hosted these important plants for several decades now, with many families making their livelihood as a result of their presence and continued safe operation. There's no doubt that Ontario Power Generation has very much become a part of the community. In fact, in 2005, the Pickering nuclear generating station received a City of Pickering Civic Award for outstanding support and participation in community activities by a local business.

Can the minister tell Durham region families that OPG will remain a safe and active presence in the community for years to come?

**Hon. Brad Duguid:** Yes, absolutely, and I appreciate the question from the member from Ajax–Pickering. They don't call Durham region the energy capital of Canada for nothing. I know the member knows that well.

OPG has a proud history of both safety and community engagement. Canada's nuclear industry supports over 70,000 Canadian jobs, but 80% of those jobs are located right here in Ontario in places like Pickering, Oakville, Ajax, Mississauga, Clarington, Northumberland and Bruce county, just to name a few. The safety of Ontario families is always our first priority.

We're committed to working with the federal government to ensure that our nuclear facilities continue to operate at and, in most cases, above world safety standards. That's why I've asked, as I said earlier, the CEOs of Bruce Power and OPG to lead a joint effort to identify lessons learned from the incidents in Japan and apply them to our systems here in Ontario.

#### GOVERNMENT APPOINTMENTS

**Ms. Lisa MacLeod:** My question is for the Premier. When Patrick Dillon isn't moonlighting as the spokesman for Premier McGuinty's surrogate attack team, the Working Families Coalition, he is your hand-picked appointee to the College of Trades Appointments Council.

But it looks like his ability to do his partisan attack jobs is interfering with his day job. Last week, Dillon

attacked millions of Ontario workers and families when he called non-unionized workers lazy and sloppy. Do you share his opinion of hard-working Ontario families?

Will you make Patrick Dillon apologize for his offensive comments, or will you look the other way so he can continue to run your illegal ad campaign?

**The Speaker (Hon. Steve Peters):** I remind the member about impugning motive, and I ask her to withdraw that last comment, please.

**Ms. Lisa MacLeod:** Will you let him continue to front—

**The Speaker (Hon. Steve Peters):** No, you need to withdraw the comment, please.

**Ms. Lisa MacLeod:** I withdraw.

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

**Hon. John Milloy:** I appreciate the opportunity to talk about the important role that the College of Trades plays in our province. As the member is well aware, there have been many debates and discussions in this House particularly around the apprenticeship system and the need for change and reform. As a government, we came forward with the idea of establishing a regulatory college, a college of trades, which would bring together individuals and representatives from all sectors of the economy to talk about the skilled trades, to talk about the apprenticeship system and to move forward.

Pat Dillon was appointed to the Ontario College of Trades. I'm pleased to say that as the business manager and secretary-treasurer of the Provincial Building and Construction Trades Council of Ontario, he helps represent 150,000 apprentices and tradespeople and represents 13 affiliated unions. He is one voice on the board which brings a very—

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

**Ms. Lisa MacLeod:** The Premier may want to wash his hands of this, but I can say one thing to him: Not this time, Dalton.

Patrick Dillon and his Working—

**The Speaker (Hon. Steve Peters):** I'd ask the honourable member to withdraw that last comment, please.

**Ms. Lisa MacLeod:** Withdrawn.

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

**Ms. Lisa MacLeod:** I said "withdraw."

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

**Ms. Lisa MacLeod:** The College of Trades appointment isn't the only place for Pat Dillon. He and his Working Families Coalition teamed up with backroom McGuinty Liberals to spend millions on ads attacking Ontario Progressive Conservatives. One of the lucrative appointments that you handed over to the head of the Liberal front group, the Working Families Coalition, is a seat on the WSIB. There, the union boss makes \$275 a day, supposedly looking out for the well-being of workers. Will you show you do not share Patrick Dillon's views of non-unionized workers in this province by firing him, or will you just look the other way—

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

**Hon. John Milloy:** It's kind of interesting that the member mentions Patrick Dillon and the WSIB. She should be very familiar with the fact that, in 1996, the Conservative government appointed Pat Dillon to the WSIB. She might also be aware that, in 1993, the NDP government appointed him to the Ontario Construction Secretariat. He was recently appointed to the Correctional Service Canada advisory board by Prime Minister Stephen Harper.

But let me tell you about some of the—

*Interjections.*

**The Speaker (Hon. Steve Peters):** I would just say to a number of government ministers that one of your colleagues is up trying to answer a question, and there are a number of ministers who are shouting the honourable member down. As I remind all members all the time within this House, we need to hear the other side. You should be listening to your colleague.

Minister?

**Hon. John Milloy:** Let me share with you some of the other names of people who are on the College of Trades Appointments Council or transition board.

Rod Cameron, the chair: Prior to retiring, Rod Cameron was dean of technology of Fanshawe College in London for five years. Sue Allen is a professional tractor-trailer operator, a certified fleet trainer and examiner and a transportation specialist for film and television productions. Ms. Allen and—

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

#### SCHOOL EQUITY POLICY

**Mr. Rosario Marchese:** My question is to the Premier. Last week, more high school students were prevented from forming a gay-straight alliance, this time at St. Joseph Catholic secondary school in Mississauga. Ministry of Education policy program memorandum 145 states that boards and schools must “give support to students who wish to participate in gay-straight alliances.” Why is the government refusing to enforce this policy?

**Hon. Dalton McGuinty:** Let me say that we're very proud to have put into place Ontario's first-ever equity policy for Ontario schools. We require that every single Ontario school board have in place an equity policy. Our policies say it is not acceptable to discriminate based on race, gender, religion and sexual orientation.

In grade 5, students are taught that homophobic and racist remarks are wrong and hurtful. In grade 7, students are taught the importance of challenging others whose actions or words could be interpreted as being racist or homophobic. That's all part of our equity policy, which, as I say, we require every single school board in Ontario to adhere to.

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

**Mr. Rosario Marchese:** I agree with everything the Premier said, but he didn't answer my question.

Students in Ontario schools continue to face harassment and violence because of their sexual orientation. That's unacceptable, and I know it's unacceptable to the Premier. Gay-straight alliances can help prevent this abuse.

**1110**

If the Premier, as he just said, and the minister are serious about inclusion, equity and the welfare of students, when will the government ensure that students be allowed to form these alliances where and when they want to?

**Hon. Dalton McGuinty:** Again, we're very proud of our equity policy. To repeat, we are making it perfectly clear to all our school boards, all our schools, all our principals, all our teachers and all our students that it is unacceptable in Ontario to discriminate based on race, gender, religion or sexual orientation. We have also said that boards can find different ways to ensure that they adhere to those policies.

We, again, are sending the message loudly and clearly to all boards that they must adhere to our equity policy.

#### TAXATION

**Mr. David Zimmer:** My question is for the Minister of Revenue. Last week, we saw more proof of what we've been saying and what business owners have been telling us: that harmonizing the sales tax in Ontario is working.

The National Post tweeted a story on Friday that quoted Professor Smart from the University of Toronto. He's the author of a research paper published by the University of Calgary School of Public Policy. Here's what he said about the HST: that “businesses quickly adjusted their prices to pass on tax savings to customers.”

Minister, can you give us more detail on how businesses are passing on their savings to the consumers?

**Hon. Sophia Aggelonitis:** I'd like to thank the member for the question.

In fact, Professor Smart's report that came out last week is consistent with what we have been saying all along. Some of Professor Smart's findings include: (1) the HST is working; (2) two thirds of business savings are being passed to the consumer. Also, in low-income households, our tax benefits are offsetting the taxes that are paid. This is just the start. Business savings are expected to continue to pass through to consumers.

Now, unlike the math that the opposition parties practise, Professor Smart's report is robust. It is independent, peer-reviewed and, in fact, in line with what the member from Beaches-East York said last week: that “taxes have gone down, literally”—

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

**Mr. David Zimmer:** I'll take Professor Smart's analysis over any of the vacant stares I see from the opposition benches. I'll do that any day.

Minister, Ontario families want to know about the changes that have occurred since the HST was imple-

mented. Not only are consumers benefiting from the HST through lower prices, but small and medium-sized businesses are telling me that the tax changes are making it easier for them to grow.

Minister, have you got some more detail on how businesses are passing on the savings to the consumer and creating jobs in Ontario?

**Hon. Sophia Aggelonitis:** Again, I just wanted to repeat that Professor Smart's report is independent, peer-reviewed and, in fact, is in line with what the NDP MPP for Beaches–East York said last week: that “taxes have gone down, literally on all income groups.” Perhaps now, maybe, the member's party will admit this, too.

When it comes to businesses, let's talk about Kobayashi Online, which said last week: “We passed through our savings in the first month of the implementation of the HST. We realized savings and had a 10% off sale. It accounts for 20% of our sales for the month of July.”

Businesses are telling us that the HST is working. We're going to continue investing in our companies and in the people of Ontario.

#### COMMUNITY SAFETY

**Mr. Garfield Dunlop:** My question is for the Premier. On October 30, 2008, members of the Ontario PC caucus, as well as the other members of this House, supported a bill entitled the Safer Communities and Neighbourhoods Act, sponsored by your own party president and fellow Ottawa-area MPP.

Why are you using your party's majority to stall this bill's progress in making Ontario's neighbourhoods safer? Is it because your government is weak on crime? Or is it because you used the party president to pay lip service to stakeholders? Or is it both?

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

**Hon. James J. Bradley:** First of all, I point out that this is a private member's bill in this House. I have, as I know the member opposite has—we both have a good deal of respect for private members' legislation and the ideas that are brought forward. I certainly commend the member on that being brought forward.

He would also know that the House leaders of the three parties represented in this Legislature sit down to discuss matters of this kind to determine the schedule for bills moving forward. I know that your House leader, if this is as important as it is—and I know to the member it is; I happen to know that—I know that the House leader of the official opposition will want to make that known to the government House leader and the House leader of the third party to determine the schedule for that bill proceeding forward.

I think the member and I agree that the basis of that bill is excellent.

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

**Mr. Garfield Dunlop:** The longer you stand there patting yourselves on the back for a job not done, the more you continue to delay the SCAN legislation put

forward by your own party president. SCAN is a law in other provinces, and Ottawa's police chief, Vern White, told me just last week: “As the chief of police for Ottawa and a member of the Crime Prevention Ottawa board of directors, I continue to support the development and passing of Bill 106, SCAN legislation. We see it as an opportunity for the police and the community to continue to work on resolving community problems proactively and believe it will make for safer communities and neighbourhoods.”

Minister, law enforcement supports this bill and the Ontario PC caucus supports this bill. If you have faith in your own Liberal Party president, you will pass the Safer Communities and Neighbourhoods Act into law. When will the McGuinty government get tough on crime and put SCAN into law?

**Hon. James J. Bradley:** The House will determine how that bill moves forward. I have great respect for all members of the House.

Talking about crime statistics, we have put 2,300 more police officers on Ontario streets. We've established a first-of-its-kind \$51-million guns and gangs strategy. We've invested over \$10 million annually in the highly successful Toronto anti-violence intervention strategy. We've invested \$16 million to date in the provincial anti-violence intervention strategy. We've increased the budget of the Ontario Provincial Police by nearly \$230 million—a full 32% increase. This has produced the kinds of results that I think the people of this province are looking for. As you will see from the chiefs of police around the province, they're very supportive of these kinds of programs. They're having a profound effect. We are taking action, not simply dealing in rhetoric.

#### EXECUTIVE COMPENSATION

**Ms. Andrea Horwath:** My question is to the Premier. Warren Chant was fired as Windsor Hôtel-Dieu Grace Hospital CEO. He received \$300,000 in a severance package. What does it say about the McGuinty Liberal government's priorities when it can find bucketloads of money for hospital executives but can't get a shovel in the ground on a long-term-care facility that was promised four years ago?

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

**Hon. Deborah Matthews:** I do want to say that the situation at Hôtel-Dieu Grace is such that we determined it was time to send in a supervisor. There were enough issues that warranted that rather extraordinary step, but it was a step that we thought was the right thing to do for the people of the Windsor area who rely on Hôtel-Dieu Grace Hospital. We have appointed a supervisor. That supervisor has taken stock of the situation at Hôtel-Dieu Grace and did make the decision to have a change in leadership.

It is an event that the supervisor has taken very carefully and very responsibly for the benefit of the people of Windsor. I look forward to the supplementary when I can provide an update on our new long-term-care home.

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

**Ms. Andrea Horwath:** This is not the only instance of golden handshakes for hospital CEOs. Reports indicate that the Niagara Health System is in the midst of severance negotiations with Debbie Sevenpifer after she was fired a couple of months ago. How many hundreds of thousands of dollars will Niagara families be on the hook for in this latest sweetheart severance deal? Will the Premier actually make that figure public?

**Hon. Deborah Matthews:** The member opposite knows that these severance packages are part of changing leadership, they are part of respecting contracts and they are publicly available. All the people who work in our health care sector with incomes over \$100,000 do have that income reported on the sunshine list every year. That includes severance packages, so this information will become public.

1120

#### DOMESTIC VIOLENCE

**Ms. Helena Jaczek:** My question is for the Attorney General. Domestic violence is something that unfortunately exists in all of our communities. It often occurs behind closed doors and it has serious impacts on its victims and on society in general. Victims suffer not only physical but emotional and psychological effects, and the effect it has on children is extremely detrimental.

When victims of domestic violence take the important step of leaving an abusive relationship and initiate separation or divorce proceedings, they often fear for themselves and for their children. This is a time when there is the greatest risk of further violence. Concerns for their safety and for the safety of their children weigh on victims as they attempt to navigate through the Family Court system.

Can the Attorney General please tell this House what he is doing to protect and support victims of domestic violence as they take this courageous step?

**Hon. Christopher Bentley:** The member for Oak Ridges–Markham makes a very important point: How are we supporting people—predominantly women and children—at a time of terrible crisis and great emotional strain? We're working hard to improve the Family Court system, but it can be very confusing, very time-consuming and very slow. They're often facing a party that has experienced legal counsel. So how do they navigate their way through this system?

We've heard from my colleague the MPP for Oak Ridges–Markham and from community agencies that we need to take an additional step, so just the other week we introduced a Family Court support worker program. In every court jurisdiction in this province we'll be able to provide court workers who can take the individual, give them good advice about community resources, help them through the court appearance and appear with them in court, if necessary, to provide that emotional support and that tangible community-based support as well.

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

**Ms. Helena Jaczek:** In my riding of Oak Ridges–Markham there are many great organizations that are already working with victims and survivors of domestic violence, such as Yellow Brick House and Women's Support Network of York Region. They have vast experience dealing with the unique needs and concerns of these victims, and they understand that there may be long-lasting feelings of fear, powerlessness, depression, anger and self-blame. Victims of domestic violence may feel alone and may have trouble even talking with people about the abuse they have suffered.

Can the Attorney General please tell us how he is going to ensure that the new Family Court support workers are knowledgeable in the complex dynamics of domestic abuse so they can effectively support victims as they proceed through the Family Court process?

**Hon. Christopher Bentley:** Through the member's advice and the advice of great community agencies such as the ones in her riding that she's mentioned, we've identified this as a real issue. We're setting up a provincial network that will provide advice and training for the workers who are going to be performing this extremely important and desperately needed work throughout the province. That approach of listening to the front lines is the approach we've taken as we support women and children through times of crisis.

We've changed the restraining order system that wasn't working, to toughen it up. We're changing the family law system entirely so that it's faster, less confrontational and more affordable. We're taking the position that you need to listen to the people that provide front-line, on-the-ground support to help women and children at their moment of crisis. This government is there to support them, and we will be, throughout this very difficult time.

#### FOREST INDUSTRY

**Mr. Randy Hillier:** My question is to the Minister of Northern Development, Mines and Forestry. The minister has spent the last two years making promises to forestry companies across Ontario, even as he has choked off their wood supply with his tenure-restructuring plan. He promised better days ahead; instead, they got hydro hikes and more red tape.

Last month, the minister made another stunning McGuinty backtrack: an expensive bureaucratic experiment instead of a stable wood supply for our hard-hit foresters. Last month, the minister tabled a bill to create new forest management corporations and broad new arbitrary powers.

Minister, why are you hiding from and passing off your responsibilities to these new, unelected and unaccountable forestry LHINs?

**Hon. Michael Gravelle:** Obviously, we're very pleased that we're moving forward on the modernization of the forest tenure system as well as moving forward on a wood supply competition that is bringing thousands of people back to work and putting our crown fibre back to work as well.

In terms of the modernized tenure system, we are working very closely with industry and, in fact, we have an opportunity to meet with them on a regular basis. We believe that the models we're putting forward enhance shareholder sustainable forest licences. Combined with the testing of principles of our model, the local forest management corporation is going to revitalize the forestry sector, something that we know we will continue to work closely with the sector on as well.

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

**Mr. Randy Hillier:** While he's revitalizing the forestry sector, there's nothing left with it. Minister, you've hit the forestry industry with high hydro rates, more red tape and higher prices. Environmental NGOs proclaimed two years ago that they played you and your government like a fiddle.

Companies like McKenzie Forest Products near Sioux Lookout have been waiting for one thing: a stable and certain wood supply. If they don't get it soon, they're through. Your forestry experiments are putting those 330 jobs in jeopardy, and you know that. You've cut off the wood supply with your tenure review, and now you're creating these tree LHINs to make sure that no forestry company survives your war against the industry.

We can see the results. Under your watch, we've lost 40,000 forestry jobs and 60 mills. Minister, why has the McGuinty government waged a war against Ontario's—

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

**Hon. Michael Gravelle:** It is so sad that the member will not see the positive news that's coming out of the forestry sector, particularly relating to the wood supply competition. Last week, we announced wood supply offers to two operations in the Greenstone area that are going to bring 250 people back to work in the Geraldton-Longlac-Nakina area. We've made 16 offers that have been out there publicly; we've made other offers as well. Over 1,000 jobs are coming back to the forestry sector.

Part of that process, may I say, is also working very closely with industry on the modernization of our forest tenure system, one that all members of this House told us we needed to move forward on, and indeed we are doing that. I'm delighted that we're having an opportunity to debate it in second reading, I'm looking forward to it moving towards committee, and I'm looking forward to third reading so we can indeed revitalize the forestry sector with our wood supply competition, bringing thousands back to work and also modernizing the tenure system in a fashion that will bring the jobs back to the people of Ontario.

#### ABORIGINAL RIGHTS

**M<sup>me</sup> France G  linas:** My question is for the Attorney General. Minister, last week in Thunder Bay, another trial was delayed when Justice Helen Pierce dismissed about 100 potential jurors for lack of aboriginal representation in the jury pool. The latest verdict from Ontario's highest court clearly shows deficiencies in both of your ministries.

Minister, you can no longer hide behind your 2008 excuse that this isn't a case for an inquiry; it's a case of getting the assistance needed from First Nation leadership—your words, not mine—when your staff repeatedly turned away the Pierre family, who were seeking justice for their deceased child.

The aboriginal community of northern Ontario would like to know: How about now? Is now a case for your government to call an inquiry and overturn the discriminatory practices that have excluded aboriginal people from the jury roll of Ontario?

**Hon. Christopher Bentley:** Now is the time to do what we've been trying to do for a couple of years and what I'd love to do, which is to get greater representation by making sure that we get up-to-date resident rolls from different communities.

In fact, over the past couple of years, the officials at the ministry have been working very closely with Treaty 3 chiefs. We've been providing information sessions, working with chiefs, working with communities to get greater knowledge about who's on the rolls, because if we don't have them—since INAC stopped sending them to us—we can't get them onto the jury rolls and therefore make them eligible for jury representation.

We're looking forward to working with all other chiefs in different communities. We want to give people the opportunity to participate in the jury process. We're very interested in further initiatives. My view has always been, "Let's get on with it now." We know what the issues are. It's about identifying members and getting them onto the rolls, and the chiefs and the PTO leadership will be able to help us. I look forward—

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

**M<sup>me</sup> France G  linas:** The Ontario Court of Appeal validates the gravity of this issue, and I strongly urge you to do the same. The answer you just gave me is the exact same answer you gave in 2008. We're now in 2011 and we're still confronted with the exact same issue: There are no aboriginal people in the jury pools.

Representatives from your office have said that this ruling is in regard to a narrow issue. I find that very worrisome. Does the minister agree that aboriginal participation in the justice system is a narrow issue?

1130

**Hon. Christopher Bentley:** We want to provide everyone with the opportunity to participate in jury panels; absolutely everyone. In order to do that, just so we understand the process, we need to know who the people are. In municipalities like Toronto, London, Cornwall or elsewhere, that's done through a number of different means. With First Nation communities, we used to get updated rolls from Indian and Northern Affairs Canada. They stopped providing them, so now we rely on communities or individuals to self-identify.

We've been working with the chiefs in a number of different communities to make sure that we know who's there so we can provide greater input rolls and therefore greater representation. We're really looking forward to

making progress. We'd love whatever assistance my colleague can provide, wherever she can provide it, so that we can do the education, get more names on the rolls, make sure we ever increase the—

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

### ROAD MAINTENANCE

**Mr. Phil McNeely:** My question is for the Minister of Transportation. Today is the first day of spring, and we are reminded that there are two seasons in Ontario: winter and construction season.

With construction season comes road repair and rehabilitation of our extensive road network. What comes with construction work can sometimes cause delays and impact the local economy.

I know that Ontario highways are among the safest in North America, but some of my constituents in Ottawa–Orléans have requested information on how the Ministry of Transportation plans for this important maintenance work. I remind them that our government has even more work to do due to years of underfunding by both the NDP and Conservative governments.

Minister, I want to assure my constituents that our government is actively monitoring the safety of our roads in a responsible way, that we are repairing the right roads at the right time. Can the minister please explain what the government's plans are to ensure our roads that are under repair are in need of it and that attention is being paid to the safe repair of all—

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

**Hon. Kathleen O. Wynne:** I thank the member for his question.

As the members of the House know, the Ministry of Transportation is responsible for managing a \$59-billion highway infrastructure network. Since 2003, we've met that challenge by committing over \$13 billion to support that work.

I often talk about the baby boom infrastructure that goes along with our baby boom population. Like us, it's aging, and we need to remain vigilant in making sure that that infrastructure is upgraded. We continually monitor the highways. If there's a situation that needs attention, we get on it right away.

For example, the Ministry of Transportation has a five-year plan to replace and repair culverts on Highway 417. To achieve that plan, we've tripled our financing from \$1 million to \$3 million. Not only that; we've initiated an MTO culvert data system, an inventory system, to make sure we know where the problems are and when they have to be dealt with.

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

**Mr. Phil McNeely:** Minister, I'm pleased to hear that our government is taking action to ensure the safety of Ontarians travelling on our roads and making the right investments at the right time.

I understand that the Ministry of Transportation has substantial oversight to ensure that these roads are built to the best specifications possible.

While your answer goes a long way to helping me speak to my constituents about this important topic, I would also appreciate it if you would go one step further and elaborate on the layers of oversight MTO has to ensure that engineers and contractors are designing and building our roads safely. What oversight does the government have to ensure that our government is building our roads to the best possible standards and that we are building them using the right materials?

**Hon. Kathleen O. Wynne:** It's interesting: The members opposite deride this question, but I think it's very important for Ontarians to understand how we keep our infrastructure safe. It's very easy to take for granted that we have safe roads, but we need to make sure that people understand how that works.

In 2007, what we did at MTO was we introduced industry-leading design guidelines, and that was after consultation with Ontario's industry partners. We developed these guidelines in consultation with those partners to make sure that the province's top engineers are able to use a consistent and scientifically objective methodology to select the materials that are used in building roads and culverts.

We go farther: We have made sure that the product is approved by a third party at the point of manufacture, and that contractors' work has to withstand post-installation maintenance standards. In fact, other jurisdictions are looking to Ontario and looking to MTO as to how we develop the guidelines and how we will renew them.

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

The Minister of Training, Colleges and Universities?

**Hon. John Milloy:** Mr. Speaker, I'm just standing on a point that was raised during question period. The member from Nepean–Carleton stood up and claimed to have a quote from Patrick Dillon. I have the column that she quoted from and—

**The Speaker (Hon. Steve Peters):** No, that's not a point of order. The member should—

*Interjections.*

**The Speaker (Hon. Steve Peters):** The member from Renfrew, who is making a comment—I was about to comment, but I was having difficulty expressing my thoughts. It's not a point of order. I remind all honourable members that they can only correct their own records.

### VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to welcome some guests of mine in the Speaker's gallery: Dr. John Ratey and his research team of Dr. Alex Thornton, Dr. Lindsay Shaw and Dr. Chris Gilbert, visiting from Harvard University. Welcome, to the four of you, to Queen's Park today.

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

*The House recessed from 1136 to 1300.*

## MEMBERS' STATEMENTS

### WOODBINE ENTERTAINMENT GROUP

**Mr. Ted Chudleigh:** Today, I would like to stand and acknowledge the recent achievement of the Woodbine Entertainment Group. Woodbine Entertainment Group is the largest operator of horse racing in Canada, operating tracks in Toronto and in Campbellville, Ontario, in my riding.

On March 7, 2011, Jane Holmes, vice-president of corporate affairs, accepted the Century International Quality ERA Gold Award for total quality management on behalf of Woodbine Entertainment Group.

At the time, Woodbine Entertainment Group president and CEO, Nick Eaves, said that the Woodbine Entertainment Group "is honoured to receive this international recognition of our business practices and corporate social responsibility ideals." He continued, "It is a well-deserved tribute to the commitment of our management team and staff to improving all aspects of our business operations."

The award was presented in Geneva, Switzerland, and provided international recognition to Woodbine Entertainment Group for their business practices and corporate social responsibility. The award is sponsored by close to 30 media publications which focus on innovations, technology, new products and brand growth, and which support change and market trends.

I would like to commend the Woodbine Entertainment Group for their ongoing corporate giving, and congratulate them on receiving such a prestigious award of recognition.

### TRILLIUM HOSPITAL

**Mr. Peter Fonseca:** Since 1955, the Mississauga Trillium hospital has been providing excellent health care services to the residents of Mississauga–East Cooksville. I want to commend the Trillium hospital for their commitment to publicly funded health care.

The Trillium hospital has been a leader in delivering lower wait times in many key procedures like cancer care, hip and knee replacements, emergency wait times and MRI diagnostics. Some 16,000 MRIs are done at the Trillium hospital annually, and now, with a new \$1-million investment in a new MRI machine, another 3,000-plus diagnostics will be done. These procedures will help surgeons and other health care professionals better serve their patients.

This comes after a \$150-million expansion of the Trillium hospital, which provided 135 more beds. It also added more doctors, nurses and equipment, like this MRI

machine, to continue its quest to provide excellent health care in a timely fashion, like it has done for the last 56 years. This means that many, many more patients who are being sent to the Trillium hospital from the new Mississauga East–Cooksville community health centre and the new family health team in Mississauga East–Cooksville will be treated faster than ever before.

Wait times have dropped by as much as 70%. This is good news for the residents and patients of Mississauga East–Cooksville.

## GOVERNMENT'S RECORD

**Mr. Frank Klees:** Some time ago, my constituent Doug Mossop wrote a letter to the Premier, to which he still has not received an answer. Out of frustration, he asked me to read his letter here in hopes of getting the Premier's attention.

"Dear Premier,

"Here I am pondering if you will have my support in the future because of the choice you as a government are making.

"First of all, I, like many Ontarians, do not like the HST. In British Columbia, they did not tax a number of items, as you did here, and the voters have said to get rid of the tax.

"May I remind the Premier that any government who has brought in this tax has been defeated.

"Next, if you really want some wise advice, do not let the Ontario Energy Board give the energy providers an increase because they lost a court case. Also, a 6.2% increase is way out of line, as most people will never see a raise in their paycheques anywhere near this amount. People cannot afford these increases you keep tagging on.

"Finally, you are getting ready to bill the taxpayers billions for what OPG wants to do. Let them pay their own way. In my final words, I wish to remind you that Adam Beck was right. Our electricity utility is not a luxury but a necessity. No part of it should be in private hands. It should go back to being fully regulated. Premier, you can turn things around by doing the right things. I hope you will actually listen.

"Doug Mossop,

"Newmarket, Ontario."

### OAKVILLE SOCCER CLUB

**Mr. Kevin Daniel Flynn:** It's a pleasure to rise in the House today to speak about the Oakville Soccer Club. All soccer players in Oakville are now gearing up for the outdoor season, and the club is demonstrating once again that they're changing the way that soccer clubs operate in this country.

Earlier this month I was on hand as the club, in partnership with Absolute Soccer and Umbro, officially launched the opening of the doors to The Red Zone store and revealed a brand new Oakville fanwear line. This

continues to solidify their position as a leader in the Canadian soccer community.

Many around here would have heard me brag that the Oakville Soccer Club is the largest community soccer organization in Canada and that it's got over 12,000 members and over 900 volunteer and professional coaches. Their tradition of excellence includes nine national championships and over 50 Ontario Cups, and a large number of those players have been selected to represent Canada at the international level.

Under the excellent leadership of CEO Paul Varian, technical director and former Canadian team captain Jason de Vos, and director of operations Lynn Joiner, I have no doubt that the Oakville Soccer Club is going to continue this tradition of winning and serving the young people of our community for many years to come.

#### R.J. BURNSIDE AND ASSOCIATES

**Ms. Sylvia Jones:** I rise today to recognize the 40th anniversary of a thriving business in my riding, R. J. Burnside and Associates Ltd. The company, started by Bob Burnside at his kitchen table, has grown substantially in the past 40 years. Bob's son John has gone on to assume the leadership of the company in 2005.

Today, the firm's Orangeville location serves as the company's corporate headquarters, with offices located throughout Ontario and Manitoba, as well as project offices in Barbados and Mozambique. Burnside chose to open their doors in Orangeville in 1970 because they considered the town an attractive location, both professionally and for their families.

Recognized as a leader in community infrastructure, Burnside offers conventional engineering disciplines as well as specialized expertise in various technical fields. They are a unique company, one that has their own First Nations division. Mervin Dewasha, who leads the First Nations division, was one of last year's winners of the National Aboriginal Achievement Foundation Award. Mr. Dewasha and Neegan Burnside, a branch of R. J. Burnside, have completed approximately 1,200 projects for more than 200 First Nations communities across North America.

Burnside is well known in the community as a great supporter of local projects such as the Horning's Mills hall and food bank, Habitat for Humanity and Hospice Caledon, to name just a few.

I want to take this opportunity to congratulate Bob and John on their 40 years of business success in the Orangeville community, and I wish you many more years of success.

#### REPLACEMENT WORKERS

**M<sup>me</sup> France Gélinas:** On March 31, Thursday of next week, we will be debating Bill 44 in second reading, a bill to ban the use of temporary replacement workers—better known as “anti-scab.” Since last introduced in October 2009, a provincial group has been formed. They

are the Ontario Coalition Against Replacement Employees, better known as OCARE for short. The president is Mrs. Selina Clement Mikkola and the vice-president is Joann Marshall. They have recruited activists from throughout the province. They have reviewed the literature from the economists to see what the economic impacts are of such a law, as well as the social impact.

The facts are that although strikes and lockouts are rare—95% to 97% of collective agreements get settled without work disruption—for the 3% to 5% we see a steady rise in the use of temporary replacement workers. I can give the example of Vale in my riding, as well as a strike in the riding of Brant that has been going on for over two and a half years, where temporary replacement workers are being used—and the list goes on.

I know that temporary replacement workers are an emotional issue for many, but I encourage everybody to learn the facts, to learn the economic and the social facts. There will be a rally here at Queen's Park on March 31 organized by the OFL, and I encourage everybody to come and see.

1310

#### FIVE DAYS FOR THE HOMELESS

**Mr. Yasir Naqvi:** I'm pleased to take the opportunity to share with the Legislature a meaningful fundraising initiative undertaken last week by students at Carleton University's Sprott School of Business in my riding of Ottawa Centre.

The national Five Days for the Homeless campaign challenges students to forgo the comforts of home and live outside for five full days to raise awareness about youth homelessness. This challenge clearly illustrates the difficult situation faced by too many vulnerable people in our communities nationwide, while raising much-needed funds through donations to benefit important services for homeless and vulnerable youth in our community.

These students spent the full five days outside in difficult March weather with only a pillow and a sleeping bag, whatever shelter they could piece together from found items, and with no access to facilities except those open to the public during regular hours. They could not bring food or drink and had to rely on the kindness of passersby for sustenance. Moreover, any donations of non-perishable food were kept for donation later on to those who go hungry in our community.

I was pleased to visit these dedicated students last week during their five days, and I want to offer my gratitude and congratulations to Mark Featherstonhaugh, Lauren Gouchie, Aisling McCaffrey and Meha Sethi, and the help of Eric Berrigan, Michael Fleming and Jessica Karam for taking part in this initiative. They did a great job raising, over \$7,000 for Rideau Street Youth Enterprise and Operation Come Home.

Congratulations also to the participants at the University of Ottawa, who raised over \$9,500 for the campaign in their effort. Together, not only did they raise \$15,000,

but they also had a very meaningful role in raising awareness about youth homelessness in our communities.

#### CARREFOUR DES FEMMES DU SUD-OUEST DE L'ONTARIO

**M. Khalil Ramal:** Je viens juste d'assister à une réception pour la Semaine de la francophonie organisée par la ministre Meilleur. Aussi, le samedi 5 mars dernier, j'ai eu l'occasion d'assister à une conférence organisée par le Carrefour des Femmes du Sud-Ouest de l'Ontario. Cette conférence en reconnaissance de la Journée internationale de la femme a porté sur le thème du viol des femmes en temps de conflits armés.

Je voudrais aussi profiter de cette occasion pour reconnaître le travail important fait chaque jour par le Carrefour des Femmes du Sud-Ouest de l'Ontario. Carrefour des Femmes maintient des services et des programmes en français pour soutenir les femmes francophones qui ont subi de l'agression à caractère sexuel ou toute autre forme de violence contre les femmes.

L'organisation fournit aussi des soutiens pratiques tels qu'un service d'accompagnement et des programmes comme Café-causette, qui offre une variété d'activités sociales, de détente et d'information pour femmes.

Carrefour des Femmes est une organisation qui fait une contribution très importante pour les francophones dans ma communauté.

#### NOWRUZ

**Mr. Reza Moridi:** Today is Nowruz, the first day of spring. Nowruz is a rich tradition followed by many countries. It marks the first day of spring, and I'm proud to see this wonderful celebration being recognized in our great province of Ontario and in Canada.

Nowruz is widely celebrated in various central Asian countries such as Iran, Afghanistan, Turkmenistan, Kyrgyzstan, Kazakhstan, Uzbekistan, Tajikistan and the Republic of Azerbaijan, and in the Kurdish regions of Turkey, Iraq and Syria. The Baha'is, the Zoroastrians and the Ismaili Shia Muslims, who trace their origins to Iran, also celebrate Nowruz.

Nowruz has been celebrated for at least 3,000 years. It is the rebirth of nature and can easily be celebrated by all the people in the world. About 200,000 Ontarians from various ethnic, cultural and religious backgrounds celebrate Nowruz every year. Numerous celebrations have taken place throughout the GTA and were attended by a number of my colleagues, including Premier McGuinty, Minister Wynne and Minister Hoskins—just to name a few.

May this new year bring harmony and prosperity and peace to everyone who celebrates Nowruz around the world. I would like to extend my warmest greetings and best wishes for a festive Nowruz.

*Remarks in Persian.*

## INTRODUCTION OF BILLS

### DUTCH HERITAGE MONTH ACT, 2011

#### LOI DE 2011 SUR LE MOIS DU PATRIMOINE NÉERLANDAIS

Mrs. Witmer moved first reading of the following bill:  
Bill 166, An Act to proclaim May as Dutch Heritage Month / Projet de loi 166, Loi proclamant le mois de mai Mois du patrimoine néerlandais.

**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?

**Mrs. Elizabeth Witmer:** I'm very pleased to introduce this bill today. It's co-sponsored by MPP Van Bommel, who like me has Dutch heritage, and also by MPP Cheri DiNovo.

This would recognize the friendship that has developed between Canada and the Netherlands as a result of the liberation of Holland by our troops, and also the contribution made by the people of Dutch heritage to this province.

### SUPPLY ACT, 2011

#### LOI DE CRÉDITS DE 2011

Ms. Smith, on behalf of Mr. Duncan, moved first reading of the following bill:

Bill 167, An Act to authorize the expenditure of certain amounts for the fiscal year ending March 31, 2011 / Projet de loi 167, Loi autorisant l'utilisation de certaines sommes pour l'exercice se terminant le 31 mars 2011.

**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 minister for a short statement?

**Hon. Monique M. Smith:** I have no statement today, Speaker.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

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

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

**Hon. Monique M. Smith:** I move that, notwithstanding standing order 98(g), notice for ballot item 72 be waived.

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

*Motion agreed to.*

## STATEMENTS BY THE MINISTRY AND RESPONSES

### LA FRANCOPHONIE

**L'hon. Madeleine Meilleur:** Cette semaine, nous célébrons la francophonie partout en Ontario, au Canada et dans le monde entier à l'occasion de la Journée internationale de la francophonie, qui se tenait hier.

This year's celebrations have two overarching themes: how la Francophonie enriches us culturally, and a focus on youth.

Ces thèmes s'inscrivent parfaitement dans les stratégies du gouvernement de l'Ontario et j'en suis très heureuse.

Depuis 2003, l'Ontario s'est attardé à redonner une place de choix aux francophones dans les affaires civiles et au sein de leur gouvernement. Une population francophone et francophile est enracinée dans l'histoire de l'Ontario depuis 400 ans, et nous accordons la même reconnaissance aux communautés culturelles francophones qui s'établissent ici en grand nombre.

Comme le dit si bien le thème des Rendez-vous de la Francophonie, cet organisme chapeauté par la Fondation canadienne pour le dialogue des cultures, il faut « interagir pour s'enrichir ». En Ontario, nous croyons fermement que l'interaction avec et entre les cultures est une source d'enrichissement inestimable et j'en suis très fière. Nous sommes une société ouverte sur la francophonie, ouverte sur le Canada et ouverte sur le monde.

L'Ontario possède maintenant l'un des meilleurs systèmes d'éducation dans le monde entier. D'après les derniers rapports de l'Organisation de coopération et de développement économiques, OCDE, les élèves de l'Ontario âgés de 15 ans sont parmi les meilleurs lecteurs au monde. Notre taux d'obtention de diplômes est maintenant à 81 % et ne cesse d'augmenter, et notre province est un modèle dans le monde entier dans le domaine de l'apprentissage et du suivi scolaire.

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D'ailleurs, il y a une dizaine de jours, le ministre français de l'Éducation nationale, Luc Chatel, comme tant d'autres représentants étrangers avant lui, était en visite à Toronto pour s'inspirer des meilleures pratiques éducatives développées chez nous dans nos écoles de langue française.

Après le succès de la maternelle à temps plein dans le système d'éducation de langue française, notre gouvernement est fier d'étendre le système à toute la province. C'est une reconnaissance du leadership et de l'excellence de nos écoles françaises et des pratiques d'éducation de la petite enfance qui ont été développées dans nos écoles de langue française.

La politique d'aménagement linguistique mise en place par notre gouvernement en 2004 fait désormais de nos écoles de véritables lieux d'épanouissement culturelle pour nos jeunes francophones.

Au cours des dernières années, l'Ontario a aussi connu l'un des revirements les plus spectaculaires dans le

secteur de la santé. Nous avons fait des progrès immenses dans l'accès et la qualité des soins de santé, et les collectivités francophones de l'Ontario possèdent maintenant, grâce aux entités de planification créés l'année dernière, des outils de gouvernance qui leur permettent de mieux cibler les besoins et mieux orienter les ressources en santé. Les fournisseurs de soins de santé en français en Ontario contribuent largement au succès des initiatives gouvernementales dans le domaine de la santé.

Cette semaine, les francophones célèbrent partout au Canada. Nous célébrons notre patrimoine culturel. Nous célébrons notre place au sein de la confédération canadienne. Et nous célébrons notre influence dans les affaires internationales.

We are fortunate to live in a province and a country that place such high value on harmony between peoples. C'est ce qui nous distingue comme Ontariens et comme Canadiens.

L'Ontario ne serait pas la terre d'accueil et la terre de droits qu'elle est devenue sans l'apport des francophones. J'invite donc mes collègues députés à célébrer la francophonie dans leurs communautés. Je vous invite à vous joindre à ces festivités qui nous rassemblent comme peuple, comme province et comme pays.

À l'occasion de la Journée internationale de la francophonie, nous soulignons encore une fois la présence et la contribution des francophones et des francophiles partout en Ontario.

Je voudrais souhaiter la bienvenue aux francophones qui sont ici en Chambre et qui sont venus célébrer à midi avec moi la Semaine de la francophonie. Je voudrais aussi remercier mon collègue le député de London–Fanshawe pour avoir célébré hier, lui aussi, la Journée internationale de la francophonie.

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

**M. Peter Shurman:** Je suis très heureux, à titre de porte-parole de l'opposition pour les Affaires francophones, de me lever dans l'Assemblée aujourd'hui pour rendre hommage aux Franco-Ontariens et Franco-Ontariennes durant la semaine internationale de la francophonie.

C'est nécessaire de temps en temps de nous souvenir que notre communauté francophone est une des deux nations fondatrices de notre province. Nous avons créé, l'année passée, un jour spécial, soit le 25 septembre, pour commémorer les Franco-Ontariens et Franco-Ontariennes, mais ça ne suffit pas. La semaine internationale de la francophonie est une opportunité pour nous à faire exactement ça.

Ici en Ontario, nous avons pris des initiatives pendant les années pour signaler que notre monde francophone est important dans un sens très spécial. Depuis les 35 dernières années, avant l'adoption de la Loi 24, nous avons eu un jour, le 25 septembre, comme jour significatif parce que le drapeau francophone de l'Ontario vert et blanc a été levé à Sudbury le 25 septembre 1975. Le drapeau fut adopté par l'Association canadienne-française de l'Ontario en 1977. Je suis très fier d'en avoir un dans mon propre bureau. Maintenant, nous avons en

Ontario un jour exceptionnel pour élever notre communauté francophone.

La semaine internationale de la francophonie est célébrée dans 52 nations et provinces du monde, et le dimanche—hier—était désigné comme jour international de la francophonie. Il y avait beaucoup d'activités autour du monde et partout dans notre province pour commémorer cette semaine et le jour spécial hier.

De la part du caucus progressiste-conservateur, j'offre les salutations de notre leader, M. Tim Hudak.

Nous devons reconnaître le rôle spécial qu'occupe la communauté francophone dans l'histoire de notre province. La présence francophone en Ontario date depuis 400 ans. Ils sont parmi les premiers peuples fondateurs de notre merveilleuse nation. Pendant la majorité du 20<sup>e</sup> siècle et au-delà, le Parti PC a contribué à la promotion et à la conservation de l'aspect unique que tient cette communauté en Ontario. Le dynamisme de la communauté francophone que nous voyons aujourd'hui confirme que la langue et la culture françaises demeurent une partie intégrante et fondamentale de la société ontarienne.

Félicitations.

**M<sup>me</sup> France Gélinas:** Il me fait aussi extrêmement plaisir de célébrer la semaine internationale de la francophonie, un événement qui est célébré dans mon comté de Nickel Belt, dans Sudbury et dans le Nord-Est. On y met le paquet. Ça commence avec les dîners de la francophonie. On a des spectacles des arts de la scène, les arts visuels—tout y passe. C'est très bien et c'est souvent très le fun.

Il est sûr que la semaine internationale de la francophonie est un bon temps pour démontrer ce que la francophonie a fait, mais c'est également un bon temps pour démontrer ce qui nous reste à faire.

Il y a près d'un an maintenant, j'avais amené le fait qu'on n'avait pas de plaques d'immatriculation personnalisées en français—« Tant à découvrir. » C'est maintenant plus disponible, mais c'est encore difficile. Je rêve un peu du temps où ça va être aussi facile d'avoir nos services en français qu'en anglais.

Même chose du côté de la qualité des soins. Si on regarde dans les régions désignées, l'accès aux services de santé en français est encore difficile et ardu. Il faut demander nos services. Quand tu es dans une position où tu as besoin de soins, ce n'est pas un bon temps de faire de la revendication de tes droits. Ça devrait être plus facile, mais ce ne l'est pas; c'est encore un défi. Quand tu vis en français en Ontario, tu ne descends jamais ta garde parce que tu ne sais pas quand le prochain défi va te regarder.

Des choses aussi simples qu'avoir un gouvernement qui respecte les accents français—moi, mon nom est Gélinas; ce n'est pas Gelinas. Avoir un « é » quand je fais affaire avec le gouvernement de l'Ontario est comme arracher des dents, et je ne suis pas la seule qui a un accent dans son nom. Il y a beaucoup de francophones qui sont dans la même situation que moi, et on ne vient

pas à bout d'avoir des accents francophones quand on s'adresse au gouvernement de l'Ontario.

Je veux vous parler un petit peu du Collège Boréal. Le Collège Boréal est un joyau dans le nord de l'Ontario. C'est un collège de langue française dont on est très fier et que le gouvernement néo-démocrate a mis en place, en passant. En tout cas, il a grandi et il va très bien.

Depuis huit ans, il s'occupe du Collège Glendon à Toronto. Ils ont tout essayé pour avoir de nouveaux locaux. Ils ont essayé des partenariats, ils ont essayé de négocier avec les conseils scolaires, ils ont essayé de faire des partages des locaux—ça n'a pas fonctionné. Finalement, ils ont trouvé un site où les étudiants francophones de Toronto pourront avoir un bibliothèque comme tous les autres étudiants de collège, et ils pourront avoir un caféteria pour avoir un lieu de rencontre, mais je vous dis, monsieur le Président, ça fait huit ans qu'on attend. Donc, ce qui arrive, c'est que les cours sont pleins, les locaux sont pleins, et les étudiants francophones, faute de places, s'en vont vers les collèges anglophones quand vraiment ils veulent faire leurs études en français. Le Collège Boréal est prêt à offrir ces cours-là. Il est prêt à les recevoir, mais il n'a pas suffisamment de locaux.

Pourquoi est-ce que ça prend huit ans, du côté francophone, pour reconnaître qu'un collège a besoin d'une bibliothèque, d'un caféteria et d'un campus pour que les gens se retrouvent? Mais non; nous, on est francophone. C'est toujours deux poids, deux mesures. C'est toujours plus difficile.

Même chose du côté des écoles françaises. Quand le gouvernement a mis en place la maternelle à temps plein et les garderies avant et après, c'était annoncé comme si c'était une nouvelle merveille. Bien, depuis 10 ans en Ontario, dans les conseils francophones, ça existe déjà. Est-ce qu'on a regardé aux modèles francophones? Est-ce qu'on a regardé les meilleures pratiques qui s'étaient développées chez les francophones pendant 10 ans? Pas de tout. On a mis en place un modèle tellement restreint que les conseils scolaires francophones n'ont même pas été capables de continuer ce qu'ils avaient mis en place : des modèles gagnants.

**1330**

Là, on est en train de faire marche arrière un petit peu. Moi, je dis : « Pourquoi, quand on a mis ça en place, on n'a pas regardé ce qui se passe du côté francophone? » C'est comme si on n'existait pas.

Je veux quand même finir sur des notes positives parce qu'il y en a plein. C'est la 38<sup>e</sup> Nuit sur l'étang à Sudbury le samedi prochain. C'est à l'auditorium Fraser de l'Université Laurentienne. Venez voir La Volée d'Castors, Alexandre Désilets et la sensation acadienne Radio Radio. En plus, en partenariat avec le Contact interculturel francophone de Sudbury, nous avons le plaisir de vous présenter Muna Mingole, la flamme bleue du Cameroun.

Il y aura des tournois de euchre au Club Amical et un dîner au club d'âge d'or d'Azilda. Que ce soit le Carrefour francophone, le centre de santé communautaire, les

conseils scolaires ou le Collège Boréal, tout le monde se donne la main pour s'assurer qu'à Sudbury, la francophonie, on la fête et on la célèbre. On montre nos couleurs et on en est fier. J'aurais espéré que toute cette fierté-là va aider, peut-être, le gouvernement de M. McGuinty à reconnaître que la francophonie est vibrante et existante. Le gouvernement a besoin de nous reconnaître pour ce qu'on est.

## PETITIONS

### PARKINSON'S DISEASE

**Ms. Sylvia Jones:** "Whereas there are ... 40,000 Ontarians living with Parkinson's disease, many of whom require speech-language therapy to retain essential verbal communications skills and life-saving swallowing skills; and

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

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

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

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

I support this petition and am pleased to affix my name to it.

### REPLACEMENT WORKERS

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

"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;"

They "petition the Legislative Assembly of Ontario to enact legislation banning the use of temporary replacement workers during a strike or lockout."

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

### PARAMEDICS

**Mrs. Maria Van Bommel:** I bring this petition to the Legislature on behalf of some of my constituents in Watford.

"To the Legislative Assembly of Ontario:

"Whereas paramedics play a vital role in protecting the health and safety of Ontarians; and

"Whereas paramedics often put their own health and safety at risk, going above and beyond their duty in servicing Ontarians; and

"Whereas the government of Ontario annually recognizes police officers and firefighters with awards for bravery; and

"Whereas currently no award for paramedic bravery is awarded by the government of Ontario; and

"Whereas Ontario paramedics deserve recognition for acts of exceptional bravery while protecting Ontarians;

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

"Enact Bill 115, a private member's bill introduced by MPP Maria Van Bommel on October 6, 2010, An Act to provide for the Ontario Award for Paramedic Bravery."

Of course I'll sign this.

### OAK RIDGES MORAINÉ

**Mr. John O'Toole:** It's a pleasure to have the time to present a petition on behalf of the constituents of the riding of Durham. It reads as follows:

"Whereas citizens are concerned that contaminants in materials used as fill for pits and quarries may endanger water quality and the natural environment of the Oak Ridges moraine; and

"Whereas the Ministry of the Environment has a responsibility and a duty to protect the Oak Ridges moraine; and

"Whereas the government of Ontario has the lead responsibility to provide the tools to lower-tier government to plan, protect and enforce clear, effective policies governing the application and permit process for the placement of fill in abandoned pits and quarries; and

"Whereas this process requires clarification regarding rules respecting what materials may be used to rehabilitate or fill abandoned pits and quarries;

“Therefore we, the undersigned, ask that the Minister of the Environment initiate a moratorium on the clean fill application and permit process on the Oak Ridges moraine until there are clear rules; and we further ask that the provincial government take all necessary actions to prevent” further “contamination of the Oak Ridges moraine.”

I am pleased to sign this in support of the municipality of Scugog as well as Uxbridge.

#### PARAMEDICS

**Mrs. Liz Sandals:** I have a petition to the Legislative Assembly of Ontario.

“Whereas paramedics play a vital role in protecting the health and safety of Ontarians; and

“Whereas paramedics often put their own health and safety at risk, going above and beyond their duty in servicing Ontarians; and

“Whereas the government of Ontario annually recognizes police officers and firefighters with awards for bravery; and

“Whereas currently no award for paramedic bravery is awarded by the government of Ontario; and

“Whereas Ontario paramedics deserve recognition for acts of exceptional bravery while protecting Ontarians;

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

“Enact Bill 115, a private member’s bill introduced by MPP Maria Van Bommel on October 6, 2010, An Act to provide for the Ontario Award for Paramedic Bravery.”

I support this petition. I will sign it and give it to Leighton, who I think just started today.

#### ASSISTANCE TO FARMERS

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

“Whereas Progressive Conservative 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 across Ontario face an uphill battle as they struggle to assist those most in need; and

“Whereas Progressive Conservative 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;

“Whereas if the McGuinty Liberals truly support a healthy Ontario and wish to fight poverty, the Legislative Assembly of Ontario should immediately” call and “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. I’ll affix my signature to it and send it down with Cherechi.

#### TRAVAILLEURS SUPPLÉANTS

**M<sup>me</sup> France Gélina:** J’ai une pétition qui m’a été parvenue par l’unité 65 de la FEESO.

« Attendu que les grèves et les lock-out sont rares; en moyenne, 97 % des conventions collectives sont négociées sans arrêt de travail; et

« Attendu que des lois contre le remplacement temporaire des travailleurs existent au Québec depuis 1978 et en Colombie-Britannique depuis 1993, et les gouvernements successifs de ces deux provinces n’ont jamais abrogé ces lois; et

« Attendu que la loi contre le remplacement temporaire des travailleurs a réduit la longueur et la discorde des conflits du travail; et

« Attendu que le remplacement temporaire des travailleurs pendant une grève ou un lock-out compromet le tissu social d’une communauté à court et à long terme ainsi que le bien-être de ses résidents », ils demandent à l’Assemblée législative de l’Ontario « d’adopter une loi interdisant le remplacement temporaire de travailleurs pendant une grève ou un lock-out. »

J’appuie cette pétition et je vais demander à Logan de l’amener au greffier.

1340

#### LONG-TERM CARE

**Ms. Sylvia Jones:** My petition is to the Parliament of Ontario.

“Whereas Ontarians who now live in long-term-care homes are increasingly older, frailer and have greater complex care needs;

“Whereas our elder parents, family and friends deserve to live with dignity and respect;

“Whereas the McGuinty Liberal government failed to revolutionize long-term care and broke its promise to seniors to provide \$6,000 in personal care, per resident;

“Whereas five years of Liberal inaction has restricted Ontario’s ability to meet the demands of our aging population;

“Whereas more than 24,000 Ontarians are currently waiting for an LTC bed;

“Whereas Ontario funds significantly less resident care than Alberta, British Columbia, Manitoba and New Brunswick;

“Whereas dedicated LTC homes are short-staffed and have not been given resources to hire enough front-line workers to provide the level of care residents require;

“Whereas devoted LTC staff are burdened by cumbersome government regulations;

“Whereas some 35,000 seniors are living in LTC beds which do not meet more home-like design standards introduced in 1998 by the former PC government;

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

“That the McGuinty government must enhance long-term care by:

“—initiating a sector-wide staffing increase of 4,500 full-time positions within a year;

“—expediting the redevelopment of Ontario’s 35,000 oldest long-term-care beds by providing adequate support and funding;

“—achieving an average of three worked hours of personal care, per day, within a year;

“—simplifying the regulations which govern nursing homes;

“—producing a comprehensive plan with benchmarks to reduce LTC wait lists of more than 24,000 people;

“—addressing inflationary pressures by adequately funding the increased operating costs of LTC homes.”

I support the petition and am pleased to affix my name to it.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mrs. Maria Van Bommel:** I present this on behalf of Carol Mitchell, the member for Huron–Bruce.

“Whereas there are over 7,000 people with disabilities waiting for the Ontario Ministry of Community and Social Services’ special services at home (SSAH) funding and almost 4,000 on wait-lists for Passport funding; and

“Whereas such programs are vital and essential to supporting Ontarians with developmental disabilities, and their families, to participate in community life;

“ARCH Disability Law Centre, supported by Family Alliance Ontario, People First of Ontario, Community Living Ontario, Special Services at Home Provincial Coalition, Individualized Funding Coalition for Ontario and the undersigned individuals and organizations, urge the Ontario government to take quick action to substantially improve developmental services.

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

“—Ensure that all qualified Passport and SSAH applicants immediately receive adequate funding;

“—Make the application and funding allocation processes transparent; and

“—Ensure that sufficient long-term funding is in place so that eligible Ontarians with disabilities can access the supports and services they need.”

I will sign this as well.

#### HYDRO RATES

**Mr. Robert Bailey:** This petition is addressed 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” and 2011, “residential hydro bills in Ontario will increase” at least “26% or more, costing a minimum of \$304 per year for the average homeowner;

“Whereas, over the last year alone, the McGuinty Liberal government has added \$150 per household in hydro generation premiums, \$50 in smart meter fees and then placed \$98 in harmonized sales taxes on the average Ontario household’s hydro 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 to hard-working Ontario families.”

I agree with this petition and will send it down with Grace.

#### TAXATION

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

“We, the undersigned, petition the Legislative Assembly of Ontario ... that Dalton McGuinty immediately exempt electricity from the harmonized sales tax (HST).”

I support this petition, will affix my name to it and ask quickly climbing page Devon to bring it to the Clerk.

#### PARAMEDICS

**Mr. Ted McMeekin:** I think paramedics do a great job. They get lots of petitions about them, and I have one as well.

“To the Legislative Assembly of Ontario:

“Whereas paramedics play a vital role in protecting the health and safety of Ontarians; and

“Whereas paramedics often put their own health and safety at risk, going above and beyond their duty in servicing Ontarians; and

“Whereas the government of Ontario annually recognizes police officers and firefighters with awards for bravery; and

“Whereas currently no award for paramedic bravery is awarded by the government of Ontario; and

“Whereas Ontario paramedics deserve recognition for acts of exceptional bravery while protecting Ontarians;

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

“Enact Bill 115, a private member’s bill introduced by MPP Maria Van Bommel on October 6, 2010, An Act to provide for the Ontario Award for Paramedic Bravery.”

I’ll have the young page take that to you, Mr. Speaker.

## DOMESTIC VIOLENCE

**Mr. Yasir Naqvi:** “To the Legislative Assembly of Ontario:

“Whereas all Ontarians have the right to a safe home environment; and

“Whereas the government of Ontario works to reduce all barriers in place that prevent victims of domestic violence from fleeing abusive situations; and

“Whereas the Residential Tenancies Act does not take into consideration the special circumstances facing a tenant who is suffering from abuse; and

“Whereas those that live in fear for their personal safety and that of their children should not be financially penalized for the early termination of their residential leases;

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

“That Bill 53, the Escaping Domestic Violence Act, 2010, be adopted so that victims of domestic violence be afforded a mechanism for the early termination of their lease to allow them to leave an abusive relationship and find a safe place for themselves and their children to call home.”

I wholeheartedly agree with this petition and send it to the table via page Sydney.

## ORDERS OF THE DAY

### ONTARIO FOREST TENURE MODERNIZATION ACT, 2011

#### LOI DE 2011 SUR LA MODERNISATION DU RÉGIME DE TENURE FORESTIÈRE EN ONTARIO

Resuming the debate adjourned on March 8, 2011, on the motion for second reading of Bill 151, An Act to enact the Ontario Forest Tenure Modernization Act, 2011 and to amend the Crown Forest Sustainability Act, 1994 / Projet de loi 151, Loi édictant la Loi de 2011 sur la modernisation du régime de tenure forestière en Ontario et modifiant la Loi de 1994 sur la durabilité des forêts de la Couronne.

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

**Hon. Monique M. Smith:** I’m delighted to have the opportunity today to speak to Bill 151, the forest tenure and pricing review legislation, as a proud northerner. I’m sure that you understand, Mr. Speaker, as others do in the House, how important the forestry industry is to our region and to our communities.

In North Bay and in Nipissing, where I’m from, we have Tembec, we have Columbia and we’re not too far away from Grant Forest Products. A lot of people involved in the forestry sector and in the supports to the forestry sector are situated in North Bay. In fact, we have a great number of people who work at Tembec in Timiskaming who live in North Bay, and we’re pleased

to have them as part of our community. So I recognize the importance of the forestry sector to our province and, in particular, to our region.

I also recognize and have spent a great deal of time working with the forestry sector in northern Ontario over the last number of years as they’ve gone through a transformation and a very difficult period in forestry in our province and in our country and, in fact, worldwide. Our forestry sector is transforming itself. It is a large undertaking to transform a sector that has been in existence for so long, but they are doing that. As part of that, our government has contributed a great deal through reducing energy costs, providing assistance in cogeneration, providing a lot of support and assistance to the forestry sector through their transformation, and again today through the forest tenure and pricing review legislation that we’ve introduced.

This proposed legislation will modernize Ontario’s tenure and pricing system so that we can put Ontario’s wood back to work and continue to build our new forest economy.

The proposed framework is key to building a strong forest economy in Ontario and is needed to create opportunities that would generate the right level of investment to ensure that crown forests continue to be renewed and enhanced while creating additional opportunities for jobs and economic prosperity. I can speak specifically to this in my region. We have a number of biomass companies that are looking and getting into the biomass economy and are seeking access to wood and wood supply in order to generate new businesses and new employment in the region. Unfortunately, under our existing tenure program, it is more difficult for new entrants to get access to wood. Of course, Ontario crown forests belong to the people of Ontario, and we want to make sure that Ontarians receive the full benefits of these resources.

The current forest tenure system was designed years ago to give primary consuming mills responsibility to manage Ontario’s forests in exchange for long-term wood supply, making it difficult, as I said, for new players to enter the market and leaving communities vulnerable during economic downturns.

### 1350

Over my eight years in office, I’ve had a number of individuals, small companies and new companies come to me, looking for access to a wood supply. In fact, given our tenure system today, I’ve had to direct them to existing companies to try to access their wood as it has been given to them on a long-term wood supply tenure. What we’re doing today will change that a bit, allow for new entrants to have easier access to wood and develop the companies as they would.

During our consultations, we heard loudly and clearly that Ontarians wanted change. However, we also heard that the change they wanted was to be implemented in a measured and cautious manner, and I believe that this legislation does just that. We listened. The member for Trinity–Spadina: We listened and we heard what they had to say, and we have, as such, responded to that

through this legislation. We've listened to the feedback. We've developed a proposed tenure model that is widely supported and contains many of the suggestions we heard during consultations, including more involvement by local and aboriginal communities.

There is no doubt that we face a daunting challenge in trying to revitalize this sector of the economy and our communities, to restore them to prosperity through a new forest economy based on new products, new markets and new processes. We are going to continue to work with the industry, as we have throughout this process, work with our local communities and work with the aboriginal communities and our partner ministries to ensure that the forest sector needs are addressed in a competent and timely manner. Together, we can work to revitalize our industry and our communities and restore prosperity.

There's a great deal of demand for these changes. These changes are needed in order to modernize the entire forestry sector. This is the right time to do it, as we are going through a transformation in the sector already. This will assist new entrants to get access to wood to be able to develop that employment that we so desperately need in the north, to actually revitalize an economy that has been hit by the downturn in the forestry sector and by the global economic downturn. We need to rebuild that industry. We need to assist those new entrepreneurs in coming up with new ideas, building new companies and hiring more folks up north.

As a proud northerner, I'm very pleased to support this legislation. I know it's very important for my community, for our region, and I look forward to hearing from other members of the Legislature on this legislation.

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

**Mr. Rosario Marchese:** To the minister from Nipissing: She only took five minutes. I don't get it. There's so much to say.

**Hon. Monique M. Smith:** I know, but I wanted to hear from you.

**Mr. Rosario Marchese:** Oh, you will as we go around—not that I am an expert, I have to admit straight-away. But I suspect you support this bill going through a committee process, making sure a whole lot of people in your part of the world and north of you are going to get a chance to come and speak to this bill. I'm assuming you're fine with that, because we're going to be pushing for that, obviously, because we want to—

**The Deputy Speaker (Mr. Bruce Crozier):** It would work if you spoke through the Chair.

**Mr. Rosario Marchese:** Of course, Speaker; you're quite right. We want to hear from a whole lot of people, because I haven't been hearing a whole lot of opposition to the current system. If there is opposition to the current system and they want to revamp it because they believe that clearly we've got to make some changes, we need to know.

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

**Mr. Rick Johnson:** Kawartha Lakes.

**The Deputy Speaker (Mr. Bruce Crozier):** — Kawartha Lakes—Brock. Thank you.

**Mr. Rick Johnson:** I am pleased that our government is proposing to modernize Ontario's tenure and pricing system so that we can put Ontario's wood back to work and continue to build a new forest economy. The proposed framework is key to building a strong forest economy in Ontario and is needed to create opportunities that would generate the right level of investment to ensure that our crown forests continue to be renewed and enhanced while creating additional opportunities for jobs and economic prosperity.

In my riding of Haliburton—Kawartha Lakes—Brock, there are many areas in the north up near Algonquin park where there has been great discussion. Several members of the forest industry in that area were down to speak with the minister on this issue, and we're very pleased with being able to have that dialogue.

We have listened to the feedback and have developed a proposed tenure model that was widely supported and contains many of the suggestions we heard during the consultations, including more involvement by local and aboriginal communities. In my area in particular, the loggers are very used to working with the local cottagers' association, so they've been working on having a good community relationship.

There's no doubt we face some daunting challenges as we move forward, but I believe we can revitalize our industry and our communities by restoring prosperity through a new forest economy based on new products, new markets and new processes. We will continue to work with industry, local and aboriginal communities and our partner ministries to ensure that the forest sector's needs are addressed in a competent and timely manner. Together, we can work to revitalize our industry and our communities and restore prosperity. Together, the wood supply competition and tenure modernizations are key initiatives in promoting the fullest and most innovative use of Ontario's wood.

I know that as we move forward there will still undoubtedly be challenges, but that's part of the process in working forward to making sure that we resolve this, and our government has clearly shown that we have an open process to getting this done.

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

**Mr. Ted Chudleigh:** The member talked about that there will be challenges going forward. I guess you got that right. There are going to be huge challenges going forward, and this legislation isn't going to help it at all.

These local LHINs that you're going to be developing are just going to be an absolute nightmare. You're going to put local people on a council to make economic decisions about who wins and who loses. That's just a formula that is tantamount to a disaster.

People in the north, of course, were looking forward to getting some stability. They've had 60 or 90 mills that have shut down in the north. This bill could be described

as being somewhat of a diversion. Here we have a new bill going through the House and people have great hopes for it but, unfortunately, what you're going to end up with is that the mills are going to remain closed because this bill doesn't address any of the issues that caused the mills to be closed, and going forward is going to be just one disaster after another. I think you've compounded the problems in the north by introducing this bill and muddying the waters by not giving any security of wood.

Producing wood is a lot like producing apples. It takes a long time to grow a tree; it takes a very long time to grow a tree. Managing that growth and managing the availability of that tree is very much an issue that the industry lives or dies by. The way in which this bill restructures the forest industry in the north is going to make that a much more difficult task to manage, and I don't think that will be a good thing for northern Ontario or, indeed, any part of Ontario.

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

**Mr. Michael A. Brown:** I just wanted to compliment my friend and colleague from Nipissing on her fine analysis of the bill during her presentation.

I think we should all recognize what this bill does. This bill provides an opportunity for local corporations—more local than there are today—to make decisions around the allocation of wood. Now, I don't know about other people with large northern constituencies and large northern forests, but I know that one of the complaints I've had for the 20-some years that I have represented Algoma-Manitoulin in the Legislature is the fact that small and sometimes medium-sized forest companies who need access to lumber, to timber, to the resource, have had great difficulty doing that through the process we have today.

We believe that a process that allows for the best—and by “best” I mean generates the most money for the crown, generates the most money for the people who use the timber—can go forward. It seems to me that if you believe in markets, a system of market-priced wood is probably a better price than kind of going back to—well, I sometimes say to my friends that if you thought Stalin had it right, you'd like the five-year plans we have today. That is not what I think is in the interests of people. We believe that the marketplace should set the price. We believe that competitive prices, a competitive forest, will produce the best for communities, will produce the best revenues for the province of Ontario and will produce the greatest economy.

1400

**The Deputy Speaker (Mr. Bruce Crozier):** Government House leader, you have up to two minutes to respond.

**Hon. Monique M. Smith:** I'd like to thank the members from Trinity-Spadina, Algoma-Manitoulin and Haliburton-Kawartha Lakes-Brock—and the member from Halton for sharing that insight that it takes a long time for a tree to grow. I'd like to thank the member from Trinity-Spadina for his input and assure him that we will,

of course, be going to committee, as we do with all of our legislation—unlike previous governments who usurped that little part of the process. We will be going to committee, as we always do, and we look forward to more input from you, the member for Trinity-Spadina, at the committee stage.

I would dispute what the member for Halton had to say and, of course, agree with my colleague from Algoma-Manitoulin, who, having a number of mills and forestry undertakings in his riding, would know best that this legislation will modernize Ontario's forest tenure and pricing system.

Our modernization of Ontario's forest tenure and pricing system will help make Ontario's timber supply and prices more responsive to market demand and create new business opportunities, because it will actually allow access to lumber where that's not possible today. The member from Halton would know that if he had actually been north of Barrie and understood a little bit more about the forestry sector. It will also create new business opportunities for entrepreneurs and facilitate greater local, community and aboriginal participation in the sector—all of which has been called for from across the north, all of which is here, present, in this legislation. I think this legislation will take our forestry industry in the right direction and will help it to re-establish itself as a world leader in the forest market.

I appreciate the opportunity today to have some time, as a proud northerner, to speak about this important industry and to speak about this important piece of legislation that our government is putting forward.

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

**Mr. John Yakabuski:** It's a pleasure to join in the debate on Bill 151, An Act to enact the Ontario Forest Tenure Modernization Act, 2011 and to amend the Crown Forest Sustainability Act.

This is a poor response to the concern that has been registered on behalf of forestry operators with respect to the tenure system and its problems here in the province of Ontario. What they've come up with, unfortunately, is not something that is going to help the forestry sector. First of all, notwithstanding the government House leader and member for Nipissing talking about how important the government considers this bill to be, are they committed to actually passing this bill before this House prorogues in the spring session?

*Interjection.*

**Mr. John Yakabuski:** Well, we'll see about that, because they're going to have to have committee hearings outside of Toronto. You're not going to have a bill that affects other areas of the province as greatly as this does and not have that committee travel extensively to ensure that the people who are most directly affected and the companies that are most directly affected have an opportunity to speak to the bill, and its effects and implication as well. We don't need this drafted-in-Toronto piece of legislation, then to ignore, as this government is wont to do on so many occasions, the input from other areas of the province.

It's been increasingly the pattern of this government to want to pass legislation without having those committees travel to the areas that are most directly affected. I would hope that this government is going to change the way it's been doing business as of late and ensure—I know my colleague from Whitby—Oshawa, our deputy leader, is nodding her head. She has seen bills that she's had a great interest in as well in this House where, all of a sudden, “No, we're not going anywhere with the committee. We're going to make sure that Toronto designs and does all the committee work on the legislation as well.” We want to make sure at the outset that this bill doesn't get given short shrift when it comes to making sure that those people who are most affected by it have input.

The Minister of Northern Development, Mines and Forestry actually came to my riding when they were talking about these changes in the tenure for forestry operators. Most people that I talked to have said they haven't got it right; they're responding to some of the problems, but they haven't got it right. It seems this is more about putting forth a bill that says, “We're doing something.” As I say, notwithstanding, we'll see. We'll see, when the House rises, whether or not they've actually passed this bill through third reading in the House and it has been given royal assent, because I have my doubts that they're actually going to proceed. I've been wrong before. I'll give them the opportunity to prove me wrong on this one.

Some of the concerns that have been put forth about this bill—I'm going to get to them shortly, but first I want to talk about the sector in general. The government implies that somehow this is going to be the panacea, this is going to be the bill, the game-changer, for forestry operators, lumber producers and logging operators in this province. They're somehow implying that this 15-page document—and that's in both official languages, so we would say “this seven-and-a-half-page document”—is somehow going to be the genesis for a new age in forestry in the province of Ontario. Well, this is one that I am quite certain I won't be wrong on: This is not the answer.

When you talk to forestry operators—and I probably have more mills in my riding than perhaps in any riding in the province. They're smaller mills, they're not the giants, but they continue to operate. I'm so proud of the fact that most of those mills have been run by families, some into the fifth generation, and they continue to operate through the good times and through the tough times, because their heart and soul are in those operations and they care about the people they employ. I'm talking about the Shaws, the Murrays, the McRaes, the Neumans. We're talking about the people who have been operating mills in my riding for 100 years and more. So they have the commitment. That's what has kept them working, and kept people working, through all of these difficult times.

When you ask them why mills are closing, they'll talk about energy costs. They'll talk about regulatory burdens

that this government just loves to foist upon the people. It was interesting: a couple of weeks ago, my colleague from Oxford, Ernie—oh, I can't use his name. But you know who he is, Mr. Speaker; you know him well. He talked about how this government has this study and this plan where, if they have something that has three regulations now where they say you have to fill out this part of the form and this part of the form and this part of the form, they're now going to have part of the regulations say, “Just fill out the form,” and they're going to say that they've actually removed two thirds of the regulatory burden. That's the kind of—I don't want to say “deceitful,” because that would be unparliamentary, but I can't think of another word—the way that they go about gaming the people in saying that they're reducing the regulatory burden, when in fact these guys love regulatory burdens. That's what they thrive on; it's their lifeblood. Regulatory burden is what makes the Liberals tick.

#### 1410

So now what we've got is a new piece of legislation that essentially creates another bureaucracy. When you talk to those companies that are struggling, they talk about regulatory burden; then they talk about energy prices. Our forestry sector is struggling because it can't make a profit, and the reason is that expenses are high, driven by high energy costs and driven by regulatory burden, and revenues are low because of markets.

It's interesting what part they're doing in the bill. They want to put 25% of the new tenure program and the management areas up for bid, or the lots or whatever you want to call them. On the outset, you might say, “Well, that's a good thing.” But it doesn't exclude a company from Quebec, for example, from coming in and bidding on that wood.

Are they so naive to believe that people wouldn't manipulate a market in order to benefit themselves? Whether it was an American corporation or a Quebec corporation, for example, they could bid high, thereby messing up the entire market for that wood but denying that wood from the Ontario operator. If they're that naive to believe that manipulation of the market doesn't go on, they obviously weren't around in the Enron years or the collapse of 2008 with the sub-prime mortgages etc. If someone believes that they can profit from a manipulated market, they're giving them, in this bill, all the incentive to do just that.

The other thing is the access to the wood. While there is concern on the part of small operators about big operators having access to all this wood, when you as a government have not given a single operator a single reason to have confidence in this province and cultivate a willingness to invest in it, because of the way you've treated the forestry sector—when you take away the guaranteed access to that wood, what incentive is there on the part of that company to make that kind of investment here in the province of Ontario? That's a fair question. It is not being answered by this bill, and it is not being answered by the minister. Business operates

because it can operate at a profit. If it cannot operate at a profit, it will not be long for this world. That's a simple fact.

If we're going to deny the companies certainty—this is what we hear so much today: “We need certainty.” The only certain thing from this government is uncertainty. That's what people continue to get in the messaging from this government. They're asking for certainty.

The other thing I want to talk about is that if this government really cared about the forestry industry—I haven't stopped, Speaker; I'm just having a drink. Perhaps I can get a couple more of these waters, too.

**The Deputy Speaker (Mr. Bruce Crozier):** As long as you don't sit down, you're okay.

**Mr. John Yakabuski:** There you go.

The folks over there are saying, “Go ahead, Yak. Stand and just be quiet.”

If you really cared about this business and this industry, why wouldn't you have done something—I'm not suggesting for a moment that electricity from biomass is the answer alone for the industry, because it's not. It's not because your stock-in-trade has to be your prime products. If you're in the lumber business, then lumber has to be your main product. But we have to be able to do it competitively. All the regulations and the additional costs that they have foisted on this industry through their Endangered Species Act and other pieces of legislation have driven up the cost of doing business, and then their Green Energy Act has driven up the cost of electricity for all of these operators as well.

So you're willing to pay up to 80.2 cents a kilowatt hour for solar power, and the poster child—Mr. Speaker, I love this one because it should grate everybody on the other side of the House—is IKEA, a company that made a €2.5-billion profit in 2009—€2.5-billion profit in 2009. This government signs a contract with them to produce electricity on the roofs of their warehouse and is going to pay them almost 71 cents a kilowatt hour.

I don't see those lumber companies in Renfrew–Nipissing–Pembroke, I don't see the forest operators in northern Ontario talking about a €2.5-billion profit. So what's the government doing for them? You'd think that maybe they could have said, “You know what? In our Green Energy Act we're going to ensure a fair rate.” A fair rate, not an excessive rate. Nobody is asking for that, but just a fair rate that is respectful and recognizes the cost that you have for power from biomass.

This government is so fixated on their wind turbines and solar panels that they have no time for those folks who maybe—as I said, Mr. Speaker, power from biomass is not going to be the core of their business, but for one that is on either side of that wedge where you're going to be successful this year, you're going to make a profit, or you're going to go down the tubes, that little extra might be the game-changer, might just be that little extra bit of help that some of those businesses could have used, or can use, to ensure that they'll be around, that they'll actually be around if and when the market is conducive to producing more of the products that they do so well at.

We've got the best lumber in the world. We produce the best lumber in the world. We have to have markets to sell it to, both domestically and foreign. We need to see some things happening. The housing starts in the United States are a key driver of our business. That is something that they've been anticipating is going to improve, and it has yet to come through to fruition. We have to be ready to pounce on that opportunity when it presents itself, but if our operators are already closed, how many mills—I can't ask Rosie; he might not know. But if Howard was here, he'd have the number.

**Mr. Rosario Marchese:** He'd know.

**Mr. John Yakabuski:** About 60 mills, I believe, in northern Ontario have closed. Is it 62, Mike? Tell me how many, Mike. Shout it out, Mike. Shout it out. How many mills have closed in northern Ontario under the McGuinty government? It's about 60 or so.

If and when there's a change in the marketplace, we are not going to be in a position to take full advantage of those opportunities if, through government regulation, through government stifling, through government decisions that drive up the cost of electricity, we've driven so many of these people out of business. We need to be cognizant of that.

Could they not have had in their Green Energy Act, by which they've squandered billions—it's billions again, Mr. Speaker—in enriching so many operators of renewable projects, something that would have said to our forestry sector, “We care about you, too. We recognize that you're going through some of the most difficult times in your history, and we're going to have a rate that respects the fact that you don't just put something up and wait until the wind whips by”?

**1420**

No. You've got to get out to that bush. You've got to determine which trees are going to be harvested. Those trees have to be harvested, so there's your procurement. Then they've got to be trucked to the mill, and they've got to be processed. What is left is the residual, which has to be reprocessed and transported to an energy-producing facility and reduced to a form that can be consumed by the furnaces, and then you get electricity from it. It's not just whipping by. There is a significant cost involved.

If this government truly cared about the forest industry, if the Minister of Energy and the Premier truly cared, they would have had a rate that respected the needs of that industry.

I can't believe that I'm just about out of time.

*Interjection.*

**Mr. John Yakabuski:** Could I get more?

Anyway, I have to say that I'm going to be voting against this bill. I don't think it's the answer. The answer lies somewhere else. Perhaps after October 6, we can take another look at this.

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

**Mr. Rosario Marchese:** There are a couple of things I wanted to make reference to, and also say that I agree in

part with what the member from Renfrew–Nipissing–Pembroke said.

One of them, of course, is to make sure we get enough hearings so that people in the north could be heard. We think that's critical. The second thing is that the reason why many mills have closed over many years is because hydro rates were incredibly high. The member said that, and I take that information from our former leader from Kenora–Rainy River, who used to say that day in and day out in this Legislature—day in and day out. It took him a long time to be heard by the Liberals.

He was saying, “Unless we deal with energy rates, more mills are going to keep closing,” as they did. Why? Because it's cheaper to run these mills in Quebec—next door. It's cheaper to run them in Manitoba—next door. The rates are incredibly cheaper on either side of our borders. He often said, “Unless we deal with this, they're going to take off to other jurisdictions,” as they did, “because we're not dealing with the energy costs.”

I'm not convinced that it has to do with regulatory burdens, as you say, member for Renfrew, at least not based on what I heard from the member from Kenora–Rainy River. You might be right, but I haven't heard it. The issue of pricing, the issue of electricity rates, is something we have got to deal with. We still haven't dealt with it, and until we do, we're going to face the same problems.

Does this bill solve some of those questions? It doesn't. The member from Kenora–Rainy River used to say that we produce so much energy, and yet it costs us so much in the north to be able to offer affordable prices and remain competitive—and we never got a hearing. I'll speak more about it in a few minutes.

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

**Mr. Michael A. Brown:** I'm pleased to comment on my friend from Renfrew–Nipissing–Pembroke's speech. He represents an important forestry constituency, not so much based on the crown forests, but somewhat. He obviously is interested in events in Algonquin forestry in particular.

But the Crown Forest Sustainability Act really deals with the large crown forests mostly across the northern part of Ontario, which provide huge employment opportunities and a good part of our GDP and jobs in northern Ontario. We have experienced, as he has pointed out, a market downturn in demand and in price across North America and, dare I say, the world. It has affected northern Ontario in ways that I think people in southern Ontario can't fully appreciate.

I represent a lot of the communities which do have mills that need to get up and running again. The government has taken significant steps to make these communities viable again. They've done that by—

*Interjection.*

**Mr. Michael A. Brown:** I heard electricity mentioned. We do have biomass projects going in the constituency and being proposed. We do have opportunities in solar energy across the constituency that are going

forward. They are making us more competitive. This is just one more piece of the puzzle.

The tenure changes will not fix the world but they will move us along that route. I would urge the member to come to committee and take the opportunity to provide us with some thoughts. I heard him talk about the competitive structure, and making sure the competitive bids were really competitive bids. I look forward to his interventions.

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

**Mr. Robert Bailey:** It is a pleasure to rise today and make some comments in regard to Bill 151. I think our member from Renfrew–Nipissing–Pembroke did a good outline of the issues surrounding small lumber and timber producers and the mills that are in his riding and adjacent northern ridings. I think it's important, as he outlined—the lack of profits, the issues that they're facing every day in their day-to-day trying to do business.

One of the other members spoke about the Open Ontario issue. I think it's more like another nail in the coffin of the small businesses and the mills that are in the north, as the member from Renfrew–Nipissing–Pembroke just outlined. He said that they need a fair rate of return for the power that they produce from biomass. They certainly need to have that initiated and taken into account.

Also, as he outlined, they need the opportunity, and these hearings should be held throughout the north close to the people most affected—not the people north of Bloor Street or north of St. Clair but people north of number 6; anyway, the people that actually live in the north that will be affected by this.

He mentioned a number of families that have been in these lumber mills and in the power-producing business in the north for a number of years, generations in fact, and they need the opportunity to be able to respond, and not have to travel down to Toronto, where they would have to hire a consultant or a lobbyist to speak for them, but to actually have these hearings in the north, in their homes, in their communities, where they can actually visit their employees, the people who make a living there and the people who exist in ancillary-type industries that also depend on these mills. It's probably a one-industry town in a lot of cases.

The member spoke about a number as high as possibly 60 mills that either have closed or threatened to close. A lot of it is because of high energy costs, regulations, re-regulations and excessive paperwork that a number of these industries have to do.

I look forward to the rest of the debate.

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

**Hon. Michael Gravelle:** No one knows as well as our northern caucus members—myself obviously being one of them, and my colleague from Algoma–Manitoulin—all of us, about the challenges that have faced the forestry sector over the last five, six, seven years, and the measures that our government has taken to respond to those challenges.

We have made available to the industry up to \$1 billion in incentives, much of which has been accessed, such as the uploading of the road maintenance fund, something that indeed the New Democrats actually downloaded to the companies back during when they were in power. A wrong move, we believe.

But also one needs to deal with the reality of some of those challenges, such as energy, like the member from Renfrew–Nipissing–Pembroke spoke about, which is why we put in place a northern electricity transition program, and an industrial conservation initiative, as well as reducing costs—a number of things that have reduced costs to the forestry sector by a significant amount, and now we’ve extended it to the mining sector as well and to the northern steel sector.

May I also say that the fact that the dollar was at 62 or 63 cents against the American dollar about seven years ago and the fact that obviously markets have changed have added to those challenges. It’s on that basis that we’ve moved forward on a couple of things, one of them, more specifically, being this legislation: the forest tenure modernization legislation, which, may I say, members of all sides of this House have been saying we should be doing for some time, particularly the New Democrats, who recognize that this has to look at a new modernized system, one that we have consulted on extensively in two different fashions already with not just northerners but all those in the forestry sector, about a way to look at us making more opportunities there in a more market-based way, plus looking at our local forest management corporations, made up of aboriginal and regional municipality leadership, as well as directors on those boards.

We think this legislation is a very important positive step forward. We look forward to it going to committee and we look forward to further debate on this.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Renfrew–Nipissing–Pembroke, you have up to two minutes to respond.

1430

**Mr. John Yakabuski:** I appreciate the comments from the members from Trinity–Spadina, Algoma–Manitoulin, Sarnia–Lambton, and the Minister of Northern Development, Mines and Forestry.

The minister and the member from Algoma–Manitoulin talked about the things that the government has done to move in the right direction. At the rate they’re going, one would have to live as long as Methuselah to see them fix this mess that they’ve been so much a part of creating in northern Ontario, and I don’t think any of us have that in the cards.

I think the minister is well-intentioned here, but part of the problem—and this is the way Liberals do things: They create corporations and bureaucracy in order to try to solve a problem. Just read the explanatory note, paragraph 3: “Each Ontario local forest management corporation shall consist of its members who are appointed”—more Liberal appointments—“by the Lieutenant Governor in Council and who form the board of directors of the corporation. The Lieutenant Governor in Council

must designate one member as chair of the board and at least one member as vice-chair of the board.”

It sure sounds like bureaucracy to me, and that’s what you get. When the Liberals think they’re going to try to solve a problem, they just create another bureaucracy. That’s not what the people in the industry need. They need real, concrete action to address the problems that they’re facing so that they can again lead in a competitive marketplace, but in a fair marketplace, where the rules that they work under are somewhat equal to the rules that others work under, and the costs that they have to operate under are somewhat equal to the costs that others have to operate under. Until we reach that kind of equilibrium, our forestry sector is going to struggle, and this government has done little to change that.

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

**Mr. Rosario Marchese:** It is a pleasure to speak to this bill. I happen to be one of those members who used to live south of Bloor Street most of my life, to the member from Sarnia–Lambton. I moved to Lawrence and Bathurst about eight years ago and I thought, “How am I ever going to live it through? Can I live anywhere north of Bloor?” I survived; I’ve got to admit, I survived. It is unbelievable. Could I move further away from the Lawrence and Bathurst area? I’ve got to tell you, I’m not sure I could. Finding a nice espresso north of Bloor is tough. I’m sure there are a couple of good espresso bars in the Woodbridge area—I’m sure—but I don’t know; I don’t want to go find them.

I admit I don’t know much about forestry; I don’t. I want to say that to the minister and to the member from Manitoulin. But I take guidance from my two colleagues from Kenora–Rainy River and Timmins–James Bay. These two members are knowledgeable on northern issues, and I listen to what they have to say.

One of the rules that I apply to these bills is: Who’s glad, who’s sad and who’s mad? I’ve got to tell you, I don’t think there are too many people who are glad about this bill. I know the member from Manitoulin says that he’s glad, I know the minister says that he’s glad, and I know that they both say that they know people who are glad that they’re making these changes to the forestry sector, but I haven’t heard that many people tell us it’s time for a change in terms of what we are doing so far; I haven’t.

What I know is that a whole lot of people are mad about what’s about to happen, and a whole lot of people are sad because they are not seeing, unlike the member from Algoma–Manitoulin and the minister, the positive effects of this bill.

I want to speak to a couple of these changes. Again, I take guidance from my colleague and friend from Kenora–Rainy River. What this bill does—and the member from Nipissing spoke to it; the member from Algoma–Manitoulin spoke to it. They’re quite happy that they’re going to go to market bidding. They’re going to open up our forestry, and by the way, 90% of our forestry is controlled by the province. It’s controlled by the public. Only about 10% is in private hands.

So we are going to go to a market bidding system, where anybody can apply to get into the field. The member from Kenora–Rainy River said, “Who do you think is going to win those contracts?” It’s not going to be Ontario firms. It’s going to be the firms from a couple of places: Minnesota, because they’ve got some bucks; they’ve got a whole lot of mills themselves out there. The rates are cheaper. We’re going to get Quebec to bid on our wood chips. We’re going to get Manitoba to bid. Why? Because they can, because they have much of it and because they’re quite willing to bid higher than what most firms in Ontario can because they do it more cheaply. This is a bonanza for them.

The member from Manitoulin speaks quite proudly of the fact that we’re opening up our markets, but you’re opening up the markets to whom? It’s not going to be Ontario firms; it’s going to be out-of-province—and God bless. I love Quebec; I do. I love Manitoba. I have less love for the American jurisdictions; I’ve got to admit that. But these are the people who are going to come and do it more cheaply.

In the end, my colleague from Kenora–Rainy River argues, “Who will benefit from allowing outsiders, both within Canada and outside of Canada, to come and bid on these in the forestry sector?” We’re going to get a couple of jobs cutting the timber here, but the rest of it is going to leave this province; may leave the country and go to other jurisdictions where other workers will have the benefit of Canadian timber, of publicly-owned Canadian timber. All the well-paying jobs will leave this province. It ought to be obvious to the member from Algoma–Manitoulin that they will be able to bid, and bid high, to get the contracts because, as I argued earlier, producing the product in Manitoba or Quebec or Minnesota is a lot cheaper, because their electricity rates have been cheaper for a long, long time. It’s just a basic function—as the member from Renfrew–Nipissing–Pembroke said—of affordability: Can we afford to produce the product here at the rates that we pay? For a long time, my colleague from Kenora–Rainy River said, “We can.”

They’re leaving. They’re leaving; our mills are closing down, shutting down because they can’t afford to stay. It took the minister a long, long time to respond to the member from Kenora–Rainy River, and then he says, “We lowered the rates. We lowered the electricity rates.” It took him a long, long time to listen. By that time, all the mills had shut down, gone away for good. Now they’re hoping that because they’re open for business and because of the market bidding process, things will turn around. No, they’re not going to turn around for Ontarians. They’re going to turn around for other provinces. That is one of the single biggest problems identified by the member from Kenora–Rainy River, and I, my friends, believe him over my Liberal colleagues, in spite of what they may say and/or think.

The other little problem identified by my colleague from Timmins–James Bay is that the bill will allow a licensee to surrender—will allow—a forest resource licence subject to terms and conditions set out by the

minister and permit the imposing of terms and conditions by the minister in respect to a transfer of a forest resource licence.

My colleague said the following—as a social democrat, because under different circumstances we would be happy to be able to control it as a government and say, “You’re not doing the right things. We’re going to take that licence away from you.” But my colleague from Timmins–James Bay said that our firms need to know and understand what the rules are. If the rules are not clear, they’re not likely to invest. And if you’re about to pull the licence from somebody on a given whim of a minister, depending on who’s in power at the moment, and they can take your licence away without any sense of what guidelines there might be with respect to it, they may or may not invest. They need the security of knowing that if they’re there for 20 years, they’re going to have that security. And assuming that they’ve been working under the rule of law, why wouldn’t we allow that to continue? We’re about to take that security away with a measure introduced by this bill. How does this help? I don’t know. That’s what is not clear to me.

#### 1440

The member from Algoma–Manitoulin is quite happy with this. He smiles as I speak about these things. God bless him; he must know something I don’t know. We’re going to go to committee hearings and hear from your friends, those who might be glad—I don’t know who they are—and speak to these two issues that have been raised by my colleagues.

What my friend from Timmins–James Bay identified in his hour-long speech is that he is saying that prices are going to go up. This new system that you’re putting into place permits, will allow—it doesn’t say with any certainty, but it appears to be certain—that prices of wood particles, wood fibre, are going to jump up. The minister, Manitoulin: It may or may not be so, you argue. Other people fear the prices are likely to go up. This is something that we should be worried about, that we should be afraid of.

So the question is, what is wrong with our current rules that we need to change the law and bring so much uncertainty into the field, including bringing foreigners who will bid, establish themselves here, cart out the wood and bring it to other jurisdictions, and give all the good, high-value-added jobs to other jurisdictions?

This doesn’t look too good to me, my friends. I’m happy to go to the hearings.

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

**Hon. Michael Gravelle:** I thank the member for Trinity–Spadina for his great engagement in this debate. It certainly is an important one. It’s one that we think we want to be able to have more people like him involved in, to understand better why this legislation will indeed make a very positive difference in terms of how the forest sector is able to operate.

The truth is, we’ve been operating for some time in a situation where significant millions of cubic metres of

our crown wood have not been harvested, for a variety of different reasons. We want to make sure, for example, in this legislation that we set up a scenario whereby what has happened in the past—and it's a term I don't like to use often, but whereas wood has been hoarded by those people who presently hold sustainable forest licences, we will be certainly in a position where that won't be happening in the future. That's why we want to basically open it up to a more market-based system that we think will actually make it work and make it more competitive, as my friend from Algoma-Manitoulin pointed out. It means that costs will then actually get reduced, in terms of the competitive marketplace.

The truth is also that I find it somewhat passing strange that the members of the third party are opposing us testing the principles of this model by having more regional and aboriginal involvement in terms of members of a local forest management corporation. We recognize this process is going to take some time, between five and seven years. We'll have the enhanced shareholder sustainable forest licence model, but we also think that by testing the principles of our modernized proposal through these local forest management corporations—we hope to have one, maybe two; I think it's important we want to do that—we believe it'll give us a real opportunity to see how the system can work.

Again, from a party that certainly in the past has supported better usage of our crown fibre, recognizing that there has previously been a situation where there has been a hoarding or a holding on to our crown fibre that's not being used, we want to change that system. That's partly why we have the wood supply competition out there, very successfully, and also why we want to move forward on our modernized tenure proposal.

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

**Mr. Gilles Bisson:** I want to use a term that is used by my good friend the member from Trinity-Spadina, who says often, "Who's mad, who's glad and who's sad?" Because when it comes to this legislation, I can tell you that there are a whole bunch of people who are mad. They went in good faith and consulted with your ministry in regard to looking at what could be done in order to better reflect what needs to happen in northern Ontario when it comes to wood tenure reform. They look at this final product, and at the end of the day they don't see what they talked about in this legislation. That is coming from all parts of northern Ontario.

I was home on the weekend, as you were, Minister, back in your home constituency of Thunder Bay-Superior North, I believe, and there are a whole bunch of people who are unhappy. I know because I spoke to some of the communities and some of the operators in your own riding, who were talking to me about what this means to them and what the wood tenure supply process that we just went through meant to their communities.

Who's mad? I think there are a lot of people who are mad. They're mad because they engaged in a process that they thought, in the end, was going to give them a real

say about the end product that we brought to the House this spring.

Who's sad? I think there are a lot of workers, a lot of companies and a lot of municipalities out there that are sad, who are saying that at the end of the day, this is going to do nothing to raise more money for the forest industry to do the investments they've got to do, because it fundamentally attacks the security of tenure for those who have tenure now and doesn't adequately deal with the issues on the opposite side of the issue that people want dealt with.

Who's glad? I guess there's a Liberal caucus that's glad, and maybe some other people whom you're talking to.

I've got to say that in the test of my good friend Rosario Marchese from Trinity-Spadina, this does not meet the test.

At the end of the day, we understand, in northern Ontario, that wood supply is vital to the survival of our communities. This particular legislation is putting that at risk, and I think we're going to hear more about that if this bill does actually go out to committee over the next little while.

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

**Mr. Michael A. Brown:** I'm always interested in the remarks by my friend from Trinity-Spadina.

I want to share and associate myself with the view of the Minister of Northern Development, Mines and Forestry when he suggests a fact. A fact is, we have millions of cubic metres of wood, timber and fibre doing absolutely nothing in the northern crown forests—nothing. They're providing no employment, no opportunities and no benefits to the communities that surround them—none. So if he's suggesting that the status quo is where we should be, I reject that; the government rejects that.

We believe that our moving forward on a revised tenure proposal in a measured way—this is a measured way. We are going to test it in two particular local forest management companies—two. So we're not mad. We're doing this in a measured way.

We hope to put that fibre to work for the people who live and work in northern communities and provide benefit to the people who own the forests, which is all of us here in Ontario but particularly those in northern communities.

I think that as we go forward with this, people will understand that a competitive price is not a bad thing and that companies are used to doing that; companies in the real world do that all the time. We need to understand that our competitors do that, and we need to be able to do that in order to be profitable and prosperous.

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

**Mr. Howard Hampton:** Let me just say that I'm encouraged about one thing. For a while, government members were trying to deny that crown wood was going to be put up for bid and that the highest bidder would get

the wood. I think what we're finally hearing now—and I would credit my colleague from Trinity–Spadina for doing this—is that government members are actually starting to admit that crown wood would be put up for bid.

I hope the next thing we can get them to admit is that once you take crown wood and you put it up for bid, you are then captured by the terms of NAFTA and the WTO, and if a company based in Minnesota bids on the wood and they have the highest bid, they get the wood. If a company in Michigan bids on Ontario wood and they have the highest bid, they get the wood. If that means Ontario wood fibre leaves Ontario and Ontario mills shut down while the wood fibre is used to produce good jobs in Michigan or Wisconsin or Minnesota or New York state, there's nothing Ontario can then do about it. You are under the terms of NAFTA and the World Trade Organization. It's only by extension that if a company in Manitoba bids on the wood in northwestern Ontario and gets it, you're going to be hard-pressed to say they can't have it. If companies in Quebec along the Quebec–Ontario border bid on the wood and they have the highest bid, you're going to be hard-pressed to say to them, “You can't have it.” What it means is, Ontario wood fibre will not be generating good jobs in Ontario anymore; it'll be generating good jobs elsewhere. New Democrats stand against anything that results in Ontario resources being used to generate good jobs elsewhere—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. The member for Trinity–Spadina, you have up to two minutes to respond.

1400

**Mr. Rosario Marchese:** I want to thank all my good friends, including my Liberal friends.

What my two colleagues have raised are serious concerns. We are potentially putting a great deal at risk. If they are right and you are wrong and you proceed in this way, we could potentially hurt a whole lot of our workers in northern Ontario and put at risk a lot of our companies that deal with timber. I'm not sure we want to take that chance—not based on what you're producing here.

I want to say that you might be doing this with good intentions; it's quite possible. But if indeed you are wrong, this is a huge problem that we are dealing with, because you could be leaving a terrible, terrible legacy that you wouldn't want to attach your name to.

The good thing is that we're going to have hearings. The House leader indicated that this is going to be the case. You're all going to be happy to take this bill out, and this is good, because we want to hear, as the member from Nipissing said, what people have to say. If, on that basis, we hear that a whole lot of people—not just workers, but companies—have the concerns that my colleagues from Rainy River and Timmins–James Bay have raised, I am hoping that you're just going to back down and do the right thing: Either drop the bill altogether or redo it or simply wait until the next election and see what happens.

That is what I am hoping will happen because, I have to admit, after hearing the arguments, I do not see a positive side of Bill 151 on our own companies, on our own workers and on our own ability as Ontarians to exploit the resources in a general and positive way for all Ontarians.

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

**Mr. Jeff Leal:** I'm privileged this afternoon to have the opportunity to get a few remarks on record regarding Bill 151. But first of all, on behalf of my wife, Karen, and myself, I just want to thank all members in this House for the wonderful reception that my son, Braden, received during the three weeks he was a page here. He learned a lot from all members of the House, and chatting about it he had the opportunity to certainly appreciate what goes on here at the Ontario Legislature each and every day. Mr. Prue—I forget his riding, but he particularly liked—

**Mr. Michael Prue:** Beaches–East York.

**Mr. Jeff Leal:** Yes, Beaches–East York—treated my son to the famous candy that he has in his office, and I want to thank the graciousness of the member from Beaches–East York in doing that.

It goes without saying that certainly the forestry industry in the province of Ontario has gone through a significant upheaval in the last four or five years. I have taken the opportunity to read a number of publications. One of the things they talk about, of course, is the exchange rate. We went from a situation for forest products that were harvested here in Ontario, manufactured into other products here in the province of Ontario—indeed, they enjoyed, for a significant period of time, a 40% to 45% discount going into the largest market that our forestry industries were working with, that being the United States. As the dollar started to appreciate, that advantage was lost and put significant pressures on Ontario's forestry sector in terms of competitiveness. But that was an impact that was also felt by the forestry industry in the provinces of British Columbia, Manitoba and, indeed, Quebec.

The other thing that put real pressure, particularly on the pulp and paper side of the forestry industry in the province of Ontario, was the situation of technology. More and more people in today's society get their news via the Internet and through other technological opportunities, and that has significantly decreased the demand for paper in the forestry sector. We witnessed some of the largest newspapers in North America cease publication because they lost their market, because people are going to electronic means to get their news. That's just the reality that the North American forestry industry was facing.

When you look at players in the forestry industry south of the border, in places like North Carolina and South Carolina, where trees grow faster, there has also been a significant shutdown of companies in those areas and a real rationalization of the industry in total.

**Mr. Michael A. Brown:** One hundred and ninety thousand forestry workers.

**Mr. Jeff Leal:** In the United States alone, there has been a displacement of 190,000 forestry workers, which is hugely significant, and which has a tremendous impact on their respective communities.

It's also interesting that there is some debate today about whether this bill would not withstand a WTO or NAFTA challenge. Well, it's interesting: Another impact that happened on Ontario's forestry industry was the long-running softwood lumber dispute. We have always put forward the position that, indeed, our stumpage fees were very legitimate and would stand up to any trade challenge, and that has consistently been Ontario's and Canada's position. But south of the border, they will file anything when it comes to potential subsidies. The Americans enjoy doing that.

Any initiatives that we've had here in Ontario and, indeed, Canada—a whole wide range of them have been challenged over the last number of years under the WTO and NAFTA, even though we have said consistently that our policies, in terms of stumpage fees and other policies that we have, would sustain WTO or NAFTA challenges.

The other thing that has some concern—and I've been listening carefully to my seatmate here, the member from Algoma–Manitoulin, and indeed the minister from Thunder Bay–Superior North. The fact of the matter is, we have some significant tracts in northern Ontario that have been tied up by one entity for a period of time. They haven't been harvested. That resource is there. It is not generating any particular wealth for respective communities in that particular area. So it is my understanding that this legislation would allow a bidding process to take place, an opportunity, whether it's an Ontario entity or an entity from Quebec or Manitoba or Minnesota, to actually come in, make a bid, acquire this crown forest and, indeed, have the opportunity to put it to use, as long as they, of course, have the opportunity to do some additional processing and manufacturing in the province of Ontario. That's the situation that I'm told exists today, and we'll allow it to go forward under Bill 151.

I also believe it's important that this bill, since it's not only important to the residents of northern Ontario but for all residents in the province of Ontario, goes to committee. We will hear individuals and companies with the opportunity to come forward to comment on this particular piece of legislation, and indeed take those comments that have been put forward and look at ways we might be able to amend the legislation to reflect some of the concerns that have been brought forward by individuals and communities that have a very legitimate stake in this bill.

**1500**

The Ontario Forest Tenure Modernization Act, 2011, would enable the modernization of Ontario's forest tenure processing system. Modernization of Ontario's forest tenure and pricing system would help make Ontario's timber supply prices more responsive to market demand, create new business opportunities for entrepreneurs and facilitate greater local community and aboriginal peoples' participation in the sector.

Close to my riding is the riding of Haliburton–Kawartha Lakes–Brock. While I don't have a lot of forestry activity in Peterborough riding, I have been in Haliburton county on numerous occasions, and there is a fairly significant forestry industry located in Haliburton county. And I know that my colleague the member from Haliburton–Kawartha Lakes–Brock has certainly been involved.

I understand he has had representations on this issue to himself personally and that he facilitated a number of meetings between forestry interests in Haliburton county and brought them in to meet the Minister of Northern Development, Mines and Forestry. I'm hoping that that member will take the opportunity to comment on this very important bill.

The Ontario Forest Tenure Modernization Act, 2011, would amend the Crown Forest Sustainability Act. It would enable incorporation of Ontario local forest management corporations as crown agents by regulation.

The act sets out the objectives of Ontario local forest management, including:

- holding forest resource licences and managing crowned forests in a sustainable manner, something that is of interest to every member of this House;

- providing economic development opportunities for aboriginal peoples;

- managing its affairs as a self-sustaining business entity and optimizing the value from crown forest resources; and

- marketing, selling and enabling access to a predictable and competitively priced supply of crown forest resources.

That is very important, because the business community likes certainty, and I believe this bill will provide some certainty to the forestry industry in northern Ontario and allow those companies that have a long history of participating in northern Ontario the opportunity to have some certainty, the opportunity to make investment decisions based on that certainty and renew the health of the forestry industry in northern Ontario, which is so vital.

It's a little like the car industry. I know that General Motors in Oshawa represents about 25% of the local economy in Peterborough riding. We were able to help General Motors through a difficult period. To compare the car industry in my riding, it's certainly the role that the forestry industry plays in northern Ontario.

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

**Mr. Ted Chudleigh:** The member has obviously drunk the Kool-Aid on this bill.

I can't understand how this bill is going to help the forest industry in Ontario. The forest industry is something that it takes a long time to manage. It seems to me that this bill is going to allow for—it may not actually do it, but it certainly allows for—contracting that management time. Managing a piece of forest takes place over many, many years. You probably have a 40-, 50- or 60-year cycle of managing that forest. It takes that long for a

tree to grow. When you contract that, you end up with lots of lumber for a short period of time, but then you have a long drought while the forests regrow. Of course, no industry can withstand those long droughts.

Management of the forest over time is something Ontario has always done fairly well. Yes, there are people who say they haven't got access to wood. Well, maybe there's not enough wood to go around all the time. But if we make wood available in huge quantities over a five- or 10-year period, we're going to find that we have a huge shortage of timber down the line. I don't think that these committees that you're setting up to accomplish this management are going to have the same long-term outlook that the current system has. I'm not in love with the current system, but I don't think moving to this system is going to fix it. I think it's going to make the system a lot worse, and I think that could do irreparable damage to Ontario forests in the future.

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

**Mr. Gilles Bisson:** I'm just amazed at what the government is trying to say in defence of this legislation; first of all, that we need this legislation to reallocate timber. Give me a break. You have that authority now, under the current law—

**Mr. Howard Hampton:** And they're using it.

**Mr. Gilles Bisson:** —and they're using it. Go talk to Wawa, go talk to Dubreuilville, go talk to Sioux Lookout, go talk to Attawapiskat, go talk to Smooth Rock Falls and 30 other communities: The wood is being reallocated. So don't come to me as a northerner and say that you need this to reallocate timber, because you currently have it.

You know what really, really miffs me as a northerner? Here we've got another example of a bunch of people in Toronto who are well intentioned, who think they're doing the right thing, and they're going to tell us how to do things in northern Ontario. That's what this thing comes down to.

I'll tell you, we are getting more and more upset as we watch this government go forward, because they're taking this to the nth degree. Northerners came to your consultations. They engaged in discussion with you. The OFIA, the forest companies, the environmental movement and the communities all went to the process, and they said, "Okay, you want to engage in a process of discussion around how we change tenure reform. We're prepared to have that discussion," and they put forward some ideas. The problem is, none of them ended up in the final product.

So yeah, are we upset? Absolutely. Because we say that there's a huge disconnect from what was said at the consultation meetings to what ended up in the discussion in the final draft of the legislation. Cry me a river when it comes to the government trying to say they need this in order to allocate timber.

In regard to what's going to happen with the American countervail, we're opening ourselves up to a situation, as we said right from the beginning of the debate—both

Howard Hampton and myself and others—that once you open this up, you're never going to be able to close it down again. We're going to be in a position where American mills, Manitoban mills and Quebec mills will be bidding on Ontario wood, and we'll be sitting in our communities going, "Bye, wood. Bye, jobs. Bye, prosperity." Somebody else can have it, and we won't have anything to do with it.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. The member for Algoma-Manitoulin.

**Mr. Michael A. Brown:** I appreciate the member for Peterborough's comments on this particular bill. It is obviously a bill that has engendered some controversy, but basically we are talking about renewing our forests, doing that in a competitive way, making sure that our communities get jobs, making sure that our entrepreneurs have access to wood—in many cases today, they do not—and making sure that it's a locally responsible way of pricing wood.

To be fair, some members have suggested that we have these local companies holding all the wood. Well, most of them are multinational companies. They are not northern companies; they are multinational companies that have head offices all over the place, mostly not in this province. So what we're really talking about is allowing the—

*Interjection.*

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Timmins-James Bay.

**Mr. Michael A. Brown:**—allowing people that have viable business plans to get pieces of the forest at market price so that we can both renew the forest and get the best value for the people of Ontario.

I had in my office, some time ago now, a multinational corporation come in—they operate around the world, really—and they said, "We own some forest land in the US, from our woodlands, which is a separate division. If the tree is worth more, we'll sell it to the competitor, because it's about the value of the wood in the forest, not about whether we have vertical integration." That's how they do it. I'm not so sure it's right, but that's what they do, and we have to understand that in a competitive world we have to be competitive. We have to be competitive in the way we renew our forests and we have to be competitive in the way we produce our products.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? The member for Kenora-Rainy River.

**Mr. Howard Hampton:** One of my colleagues said he suspects government members have been drinking the Kool-Aid. I think they've been drinking the punch and there's been a lot in the punch.

**1510**

I just want to deal with the countervail issue. I don't know how many times I've heard Liberals, whether federal or provincial, over the last 15 years come forward and say, "Well, if we just do this, the United States will stop their countervail activities in terms of our forest products." The reality is, federally and provincially and

in other provinces, many of us—many provinces have turned themselves inside out, upside down and back again, and do you know what happens after every process? The Americans start the countervail again.

I don't know what punch this government has been drinking, but British Columbia thought that by going to a bid system there would be no more countervail. Go out and try to make that argument in British Columbia today and you'd get laughed out of the province.

The current federal government said, "If we sign the softwood lumber agreement with the United States, they won't countervail us anymore." Well, try to peddle that argument anywhere in Canada today and you'll get laughed at.

Now we have Liberals in Ontario trying to peddle the same argument that has been proven over and over again not to have any credibility. This will not stop American countervail. You will not stop American companies looking for some reason, some excuse to shut down softwood lumber or other wood fibre from moving from Canadian jurisdictions to the United States. That's just the way it is. But I say, don't turn Ontario inside out, upside down in terms of our forest tenure for something that's not going to work. You will regret this.

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

**Mr. Jeff Leal:** I want to thank the members from Halton, Timmins–James Bay, Algoma–Manitoulin and Kenora–Rainy River.

The fact of the matter is, the Americans always challenge everything. If you look at the history of the last 200 years, American legislators have always challenged a whole variety of policies in another jurisdiction. Even though former Prime Minister Brian Mulroney brought in NAFTA in 1988 and it was sustained by Mr. Chrétien and Mr. Martin and by Prime Minister Harper, and with every future Prime Minister it will be sustained, the fact of the matter is, there's a long history in the United States with these trade disputes. They've been after us for years on supply management, and they will continue to do so. They will continue to look at other policy initiatives in each of the provinces and indeed, national policy initiatives for trade disputes. That's the nature of their society and it's the nature of about half of the House of Representatives and about half of the American Senate. That's just what they do. They keep challenging anything. I always say that the Americans' view is, free trade if necessary, but not necessarily free trade. That's the way they operate. It doesn't matter what policy we bring in here; there will be some trade challenges to it. That's just the way it works.

But the fact of the matter is, Bill 151, in my view, and I've talked to some people—the member from Haliburton–Kawartha Lakes–Brock—will give the opportunity for tracts of crown forest in northern Ontario that have been tied up for many, many years, not being used to create productive opportunities in northern Ontario—this Bill 151 will have the opportunity to bring that about. This

bill will go to committee, and I look forward to hearing from the various representatives on this bill.

**Hon. Deborah Matthews:** On a point of order, Mr. Speaker: I'd like to take a moment to correct the record. According to the Ministry of Finance, Ontario's sunshine list does not include taxable benefits or severance payments found on T4A slips. I indicated otherwise in my comments this morning, and I apologize for that.

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

**Mr. Ted Chudleigh:** It's interesting listening to this debate because they're talking about US countervailing and I think you, as a government, have solved that problem. The Americans aren't going to be countervailing us because we're not shipping any lumber down there any more. Certainly your electrical rates in the north have put an end to much of that export.

It's anecdotal evidence, I agree, but sitting, watching trains go by—as you do in the country quite often, stopping at a crossing and watching trains go by—it wasn't four or five years ago that perhaps half the train might have been lumber going south. I watched a couple of trains on Sunday—I had a bad day on Sunday; I got caught twice, once going in to town, once coming out—and there wasn't a lumber car in the whole thing. There were a lot of automobile cars; about half the train was automobiles, but there wasn't one carload of lumber travelling.

*Interjection.*

**Mr. Ted Chudleigh:** It's very unscientific, anecdotal, but it has a habit of turning up in the statistics about three months later. Something that my friends across the way will note: The exports of lumber to the United States have declined drastically in the last few months and years because of the electrical costs in the north that have had such a serious impact on the north and particularly on the lumber industry in the north.

They talked about the timber going for auction. I would agree that there has been trouble with the allocation of trees in the north for years and years. Quite often, attractive land—remember, in the north we're talking about very few species of trees. An owner of the rights to that particular piece of land may want the conifers off that piece of land, and the birch may go unharvested. There would be a market for the birch. If somebody could get at it, there could be a market for it, but because the person who owns the land doesn't need the birch, it goes unharvested.

Surely there's a way under our existing system to get around those inequities within the current system without turning the entire system upside down. That's what this bill does; it turns it upside down and, as was pointed out by a previous speaker, the system moves towards a system that has proven to be a failed system in other parts of Canada and the United States.

The other thing that has been brought to light is the effect that this bill might have on the bidding system. A mill in Quebec, with their power rates that they enjoy, the electricity costs, can afford to pay more for a tree than a

mill in Ontario can, because Ontario is stuck with Ontario hydro rates. That makes it more economically viable for the mill in Quebec to buy the timber. And when you watch the timber go across the Quebec-Ontario border and you watch the jobs go with it, it's going to have an added detrimental effect on the cost of doing business in Ontario's north.

That's a shame, because this business is the north. The lumber industry, the timber business in the north, whether it's pulp and paper or lumber mills, is the big job creator. Mines will come and go. A mine might have a lifetime of 10 to 25 years, and it will provide some tremendous economic viability over that period of time, but when the mine plays out, so do the economic opportunities in that area. Properly managed, our forests last forever. They will continue to produce jobs, revenue and economic activity forever, if they're properly managed. I don't see this system that you're bringing in, which is based on failed systems in other parts of Canada, as doing anything to help the long-term interests in the forest industry in Ontario.

Remember the long-term interests: They're not the next five and 10 years. Long-term interests in the forestry business are 40, 60 and 80 years. It takes that long to grow a tree. That industry can be ruined in five and 10 years. So if you take this system that you're implementing and suggest that over the next five and 10 years, you're going to have tremendous success with it, which is possible, that tremendous success is going to be played out over the following 30, 40 and 50 years, when there are going to be shortages of timber in various areas because of the mismanagement of a third party that you've put between the government and industry in these local forest management units.

1520

I think it's a terrible mistake to take the vital responsibility of allocating resources and transfer that responsibility to a committee of any sort. I think that's a long-term formula for disaster, especially when it's based on a system that has proven to be a failure in other parts of Canada. I think you're going to hear these concerns when you take this bill on tour across the north. I hope that that tour would be extensive, that you visit two or three cities in northeastern Ontario and two or three cities in northwestern Ontario, and make sure you hear from the groups that are going to be abused by this particular legislation.

The system you are moving toward will institute more countervailing activities by the United States as the economic recovery for Ontario begins to take hold. That will probably happen sometime after October 6. It has happened that way in the past, and I'm sure it will happen that way in the future. As that begins to take hold, this system will not prevent countervailing activities by the US, as no other system will. The Americans challenge everything, and they'll challenge this system as much as the next system. So don't expect this system to solve your problems. It will not solve those problems.

I think the government should take a step back. Have a very close look at the things you hear and the things you

find out during the committee hearings. Most bills have an importance in committee hearings. This bill is just that much more important. I think the industry has to speak loudly to the government to ensure that they understand the degree of the mistake they are making in introducing this kind of legislation, giving this kind of authority to organizations that have different interests than the long-term management of Ontario's forests.

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

**Mr. Gilles Bisson:** It's pretty clear that the government is intent on moving forward with this bill. They want to get to committee and get this bill passed this spring, prior to the next provincial election. I just give you this warning: If you think this is good stuff, then I ask you to run on it in northern Ontario. I tell you, there are going to be a whole bunch of people in northern Ontario who are going to see this just like the HST; they're going to see this like every other popular initiative you put forward.

People in northern Ontario understand what needs to be done. We currently have legislation in this province that gives the province the authority to do what it needs to do when it comes to wood allocation. The problem with what you're putting forward is that you're not even trying to have it both ways; you're trying to have it like four ways.

On one hand, you're going to the Tembecs of this world who currently have a licence—let's say an SFL in the Gordon Cosens—and saying, "I'm going to put at risk the tenure of the wood you have in your mill." That's essentially what you're doing in what you've put forward in this legislation. The minister can cancel an SFL at a whim on the basis of what you put there. Listen, people in my part of the province are not enamoured with the Tembecs of this world and others, but they understand that the wood has to be secured as far as supply to the mill because you can't finance anything.

On the other side, you've got communities that are saying, "I'm Smooth Rock Falls, and I've lost my only employer in town. I want to have some wood associated to my community so I can reborn myself; I can go find somebody else to start a mill in my community." You're not even responding to that in what you're doing here. Because at the end of the day, if you go into a competitive bidding system, it's not going to be Smooth Rock Falls that is necessarily going to get the wood; it's going to be the lowest bidder, and that could be somebody in the United States, in Manitoba, in the northwest or in Quebec. It won't necessarily be the community—

**Mr. Howard Hampton:** Highest bidder.

**Mr. Gilles Bisson:** And so it is going to be the highest bidder, not the lowest bidder. Excuse me; good point.

But the government, I believe, is wrongheaded in their approach to this whole thing, and I think, if you want to run this in the next election in northern Ontario, do so at your own peril, because I can tell you, if we come back as government, I'll get rid of this—

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

**Hon. Michael Gravelle:** I appreciate the comments, of course, from the member from Halton.

I really want to try to find a way to correct some of the misinformation that's out there. The fact is that in terms of the Crown Forest Sustainability Act, I believe it's section 30, protections are put in place to make sure that wood actually stays in the province of Ontario. There's very real clarity about that. That, in fact, happened under the Crown Forest Sustainability Act, 1994. I believe that the member for Kenora–Rainy River was the minister at the time. This is certainly very much a red herring, I guess is maybe one of the terms. The point is, it's just not there. This is about making sure that our wood gets used in the province of Ontario.

May I also say that when you talk to industry about this, as we have extensively—and we're working closely with them—they are as keen to see advances and modernization of the tenure proposal.

I will acknowledge that, indeed, there are concerns being expressed by the OFIA and by industry. That's why we're working so closely with them. In fact, they've expressed specific concerns about some of the wording of the powers that have been ascribed to the minister in terms of the potential cancelling of the sustainable forest licenses. Again, there's no desire to do that. What there is, is a desire to make sure that our wood actually gets used, that our crown fibre is actually used in the province of Ontario, changing, I'm afraid, what happened in the past.

We're working with industry very closely, very positively. I'm looking forward to hearing their thoughts during committee and, quite frankly, we're looking forward to finding a way to come back to a place we were at not long ago, where there was full agreement with us moving forward with these proposals.

The enhanced shareholder sustainable forest licences will be a real advance, which will bring together a whole number of companies working together to see our wood being used and then to test those principles through local forest management corporations—at least one, maybe two. There's another—

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

**Mr. Bill Murdoch:** I don't have a whole lot to say other than what our honourable member has been talking about, but it concerns me that the minister just spoke on this and he was indicating, and he's a very formidable minister, I must say, that the people are in favour of this.

Now, I have a letter. I don't know when this letter was done—March 11, 2011—and it says, “In light of these concerns”—and there are a whole lot of concerns in here—“our association is unable to support the bill”—so we're getting two different messages in here—“in its current state. However, if Bill 151 is amended to reflect industry's concerns, we would continue to support government as it moves to modernize tenure in Ontario.”

Are we going to have amendments? I haven't heard that. Now if there are going to be amendments—I always think when we have amendments to a bill it means they

made mistakes. Why didn't they get it right the first time? Governments seem to have problems with that, don't they, Mr. Speaker? I'm sure you would agree with me if you were sitting out there, but you're in the chair; you would have a hard time now. It would be nice that when government has bills, they get them right the first time, but they have trouble talking to people about it. They have some bureaucrat or somebody like that who wanted to make up their own mind and they don't go out and ask people first. It certainly would be nice.

This was from the Ontario Forest Industries Association. They have a lot of concerns. Until we see that those amendments are going to be made, it would be difficult to support the bill. We have no indication that these amendments are going to be made—none whatsoever.

I notice that the member from Algoma–Manitoulin is wanting to get into the debate, so I'm sure he will debate it, either now or later.

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

1530

**Mr. Howard Hampton:** I don't know if other government members are going to get up and speak to this, but I hope that if they do, they will forsake the punch before they get up to speak to it.

I just want to make a few comments on my colleague from the Conservative Party. On most of these issues, New Democrats and Conservatives do not agree—I can go back over the last 20 years—in terms of forest tenure etc. But I think my Conservative colleague is rightfully concerned about what this government is doing, just as New Democrats are concerned about what this government is doing.

I've heard lots of excuses from government members offered up as to why they're bringing forward this legislation, but I haven't heard any reasons. On the first day of debate, I heard government members say, “Well, we need to change the tenure system because we need to reallocate wood fibre and we need to reallocate licences.” I just read last week that the minister is reallocating all kinds of wood fibre to five or six different companies he was boasting about, and he's doing it without this proposed legislation. He's doing it with the existing legislation. I know if I went back three weeks ago, there was another press release where he was talking about reallocating wood resources and licences, not with new legislation but with the existing legislation, so that excuse doesn't hold any water.

Then most recently, we've heard that putting wood up for bid is going to result in a more competitive system. Let me tell you something: What it will result in is companies that have mills in Minnesota, Wisconsin and Michigan and companies that have mills in Quebec playing all kinds of silly games with Ontario wood resources—another excuse that doesn't hold water.

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

**Mr. Ted Chudleigh:** Apparently there are a large number of concerns about this bill. As the member from

Owen Sound has pointed out, the Ontario Forest Industries Association has some real concerns about it, talking about how they can only support it with significant amendments to the bill. If the government knew this, or if they had consulted with a major trade association within the industry, you would think they would have consulted in such a way that they would have avoided these kinds of pitfalls that they seem to have got the industry involved in.

Moving the timber allocation to an association or to a forest management committee made up of six or eight or 10 people, or 12 people on the board—every single one of those people who are on that board is going to have a vested interest. Leaving the future of a very sensitive resource in the hands of people with vested interests, taking it away from where it is today, is a very, very serious step. I just hope this government considers that serious step very seriously and understands what they're doing to Ontario's northlands. It's a beautiful part of the province. There's an absolutely fantastic number of great people up there who are totally committed to their land, their resources, their trees—they're not our trees, they're their trees—and want to see success in the north. They're willing to work hard and long and fight for that success.

I hope this government thinks just as long and just as hard about what they're doing to the future of those people.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak? Does the minister wish to make a final response?

Mr. Gravelle has moved second reading of Bill 151. 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 30-minute bell.

The chief government whip, pursuant to standing order 28(h), has requested that Bill 151 be deferred until deferred votes. That will be after question period tomorrow, during deferred votes.

*Second reading vote deferred.*

OCCUPATIONAL HEALTH AND SAFETY  
STATUTE LAW  
AMENDMENT ACT, 2011

LOI DE 2011 MODIFIANT DES LOIS  
EN CE QUI CONCERNE LA SANTÉ  
ET LA SÉCURITÉ AU TRAVAIL

Resuming the debate adjourned on March 10, 2011, on the motion for second reading of Bill 160, An Act to amend the Occupational Health and Safety Act and the Workplace Safety and Insurance Act, 1997 with respect to occupational health and safety and other matters / Projet de loi 160, Loi modifiant la Loi sur la santé et la sécurité au travail et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail en ce qui concerne la santé et la sécurité au travail et d'autres questions.

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

**Mr. Yasir Naqvi:** Thank you very much, Speaker, for acknowledging me and giving me the opportunity to talk about Bill 160, An Act to amend the Occupational Health and Safety Act and the Workplace Safety and Insurance Act, 1997 with respect to occupational health and safety and other matters.

I'm very pleased to talk about this very important bill because this bill deals with an extremely important issue, and that is the health and safety of workers. I think it is an obligation of us, the Legislature, of course, to ensure that we have very strict and stringent rules and procedures in place to protect the health and safety of workers, but also to ensure that our businesses, employers, employees, workers—everyone—play the role necessary to ensure that we protect the lives and the health of our workers. It is something that cannot be compromised at any time whatsoever. Any injury that is suffered by a worker—all action should be taken to prevent those injuries. Unfortunately, if ever a life is lost, that is even more grave. Any life lost is one life too many.

We recall that it was last year, I believe, that some workers did lose their lives in Toronto at a construction site—an extremely, extremely tragic event that should not have taken place. What we need to do is ensure that that does not take place and that we've got the proper rules and regulations and laws in place that prevent that from taking place. I believe that what this particular bill, Bill 160, is doing is ensuring that the rules are there and that the rules are even stricter to ensure that we protect our workers both in terms of their lives and their safety but also their health.

This bill is bringing changes to the health and safety system that will make workplaces safer, to help all Ontario workers come home safe at the end of the day, which is, I think, undeniable. Nobody can really disagree with that.

If these amendments are passed as put forward in Bill 160, they will benefit all Ontarians, employers and employees alike. Employees would have enhanced safety training as a result of this particular bill and a more effective reprisal complaint process as a result of the bill. What I mean by "effective reprisal complaint process" is a situation when a worker is fired for reporting unsafe work conditions. That should not be tolerated, and that is considered in this particular bill.

I will get into, in detail, what the bill is trying to do, but in a nutshell—just so that those who are watching at home know what Bill 160 is proposing to do—it is making certain amendments to the existing regime in the province of Ontario through the Occupational Health and Safety Act and through the Workplace Safety and Insurance Act. What this bill is doing, through amendments, is transferring provincial responsibilities from the WSIB, the Workplace Safety and Insurance Board, to the Ministry of Labour.

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It is appointing a new chief prevention officer to better coordinate the prevention system that exists in the

province when it comes to the health and safety of our workers. It will create a new prevention council with representatives from labour, employers and safety experts to advise the chief prevention officer and the minister; and if the bill is passed, it will enable the Ministry of Labour to set new training standards, revamp the reprisal process and develop codes of practice that help business with compliance. That, in essence, is what this bill is trying to do through the amendments that are being put forward, both to the Occupational Health and Safety Act and to the Workplace Safety and Insurance Act.

The bill has come forward through a very detailed process of consultation. As I mentioned earlier, there was, unfortunately, an incident that took place last year in Toronto that resulted in the loss of lives of workers, an egregious incident that resulted in loss of lives. But the result of that accident and those fatalities was the creation of an expert advisory panel by the Minister of Labour to get people who work in this area to give advice as to what changes could be made in our rules and regulations to ensure that that type of incident does not ever take place in the future.

The expert advisory panel was headed by Tony Dean, who is very well respected by all sides on issues around labour. Under his leadership, the panel received more than 400 responses in over 50 meetings with stakeholders across the province. The panel consisted of the chair, Tony Dean, and nine safety experts, again from labour groups, employers and academic institutions, so that we've got the full complement present in order to ensure that the recommendations being put forward to the minister are representative of the sector or the industry. The panel included representatives of labour, employers and academia with workplace health and safety expertise.

The panel looked at a variety of issues including:

- the need for enhanced training, including basic health and safety awareness training;

- the impact of the underground economy on health and safety practices, a very important and serious concern, I think, in order to ensure that our workers are safe; and

- how existing legislation serves worker safety.

These are some of the key issues that were looked at by the expert advisory panel led by Tony Dean in the review.

There were certain recommendations that were made by the panel, which I think instructed the Minister of Labour to come up with Bill 160. Some of the key recommendations that were put forward in the report were requiring “mandatory basic health and safety awareness training for all workers”—I think it's an important point—“supervisors (free of charge to employers)” and improving “integration of occupational health and safety training into school and educational programs.”

Also, identifying and developing “mandatory training requirements for high-hazard work, particularly construction work and work at heights,” because these are situations where the likelihood of injury or fatality is even higher, and special training should be required in those types of situations.

One of the other recommendations made in the report by the expert advisory panel was requiring “mandatory training for workplace health and safety representatives.”

The panel also recommended a mechanism to “expedite the resolution of reprisal complaints under the Occupational Health and Safety Act and improve protection for new workers, youth, recent immigrants and foreign temporary workers through mandatory training, greater availability of multilingual and web-based health and safety resource materials, and the establishment of a committee, appointed under section 21 of the Occupational Health and Safety Act, to advise the minister on issues related to vulnerable workers.”

I think it's very important advice from the panel. It's extremely important that we tailor the safety requirements to the varying needs of workers within the system. Not everybody is alike, as we know. Youth engage in perhaps different types of circumstances; they don't have that extensive training and would need that. So it is for recent immigrants, who may not be proficient in English, or again, they may have different, varying degrees of training in the past but are working in dangerous situations and it needs to be ensured that there are facilities available for them to be trained properly.

There were recommendations around better support for small businesses as it relates to section 21. New prevention organization is, I think, a big part of this bill. The panel recommended that the Ministry of Labour should assume responsibility for the coordination of prevention program delivery. This is currently the responsibility of the Workplace Safety and Insurance Board and other partners, so it's sort of a shift of responsibility from the WSIB to the Minister of Labour.

Also, an important recommendation that was made by the panel was around the appointment of a new chief prevention officer who would report to the Minister of Labour to coordinate and align occupational health and safety system strategies, priorities and programs and oversee Ontario's health and safety associations. The officer, the new chief prevention officer, if the bill is passed, will report annually to the minister on the state of the system and work collaboratively with all parts of the ministry as well as with the prevention council to re-design injury prevention systems and integrate them with the ministry's enforcement mandate. There is sort of a coordination—an individual, as the officer who is responsible for looking at and working on issues around prevention of injury for workers. It's very much part and parcel of the recommendation made by the panel.

Lastly, I think another important recommendation that was made by the panel was the creation of a new provincial council, a council which would consist of multi-stakeholders. As work begins to implement the recommendations and the new system structure, this council would advise the chief prevention officer and the ministry with respect to setting strategic priorities and measuring the system's progress.

Again, a very important set of recommendations was made by the expert panel. I had the opportunity, in my

riding of Ottawa Centre, to work closely with a lot of unions which supported these recommendations and felt it necessary that steps be taken to further strengthen the current mechanism that exists through the Occupational Health and Safety Act and the Workplace Safety and Insurance Act by the adoption of these recommendations put forward by the Dean panel.

So what is Bill 160 doing? How is Bill 160 implementing these changes? Under the proposed legislation, there are structural changes that are being made to the occupational health and safety system that will provide for a new prevention organization within the Ministry of Labour. As mentioned earlier, that has been one of the key recommendations made by the Dean panel; that is, to have a dedicated organization within the Ministry of Labour to look at issues around prevention of injuries, making sure that work sites are safe for our workers—both for employers and employees.

The legislation, if passed, would transfer the Workplace Safety and Insurance Board's prevention mandate to the Ministry of Labour. Under the legislation, a new chief prevention officer will be created who will report to the Minister of Labour on strategic priorities that will provide leadership on the prevention of workplace injury and occupational diseases. The Ministry of Labour would expand its involvement in workplace health and safety education and promotion to ensure that we have a more coordinated effort, coordinated strategy and coordinated leadership when it comes to prevention of injuries and occupational diseases that could be suffered by the workers.

#### 1550

The minister, if the bill is passed, would also have oversight of the province's health and safety associations under the leadership of the chief prevention officer. This authority could be delegated only to the chief prevention officer, again making sure that the mandate is there to provide for that coordinated leadership.

As recommended by the Dean panel, a new prevention council with representatives from the worker and employer communities and health and safety experts is also being created through this bill, if passed, which would provide valuable input in the direction the health and safety system takes with respect to preventing occupational injury and disease.

Further, the minister would also have the authority to establish standards for health and safety training in order to enhance this training and ensure that workers are properly trained, again the idea being that, through these changes, there is a more centralized place, and what better place than the ministry itself, the Ministry of Labour, and through the minister to ensure that there is coordinated leadership and a coordinated strategy that would allow for prevention of injuries and the safety of our workers.

Under the legislation—and I think this is a very important point—workers, especially the most vulnerable workers, would have improved protections against reprisals for exercising their rights under the Occupational Health

and Safety Act—again, a recommendation that came through the Dean panel.

These are the changes that are put forward in Bill 160. The ministry is working very closely, as my understanding is, with the WSIB to develop a transition plan to make sure that these processes are accountable and transparent to further protect the lives and safety of workers.

I am very supportive of this bill because I think it really takes into account the recommendations that were made by the experts under the leadership of Tony Dean and other members of the panel who were part of it. These are the people who know the realities on the ground. These are the people who have the opportunity to work with workers, to represent workers, and who know what works and what does not work.

I think our obligation is to make sure that this is a good piece of legislation. Of course, the views of other members from all sides are extremely important to ensure that this bill really does what it needs to do, and that is to prevent injuries to workers, especially prevent any fatalities that may be faced by workers, especially in dangerous working situations. That's what this bill is trying to do.

I think the bill gets more credence because it is a result of an exhaustive consultation process that has allowed for it to include a broader canvas of issues that would allow for a better regime in place as outlined in the Occupational Health and Safety Act and the Workplace Safety and Insurance Act.

Again, I think this is a concern which is shared by all members in all our communities, be it my riding of Ottawa Centre where I see—especially when it comes to construction sites, there are many, given that I represent a downtown community. There are towers and high-rises that are being built at all times. Every time I pass through a construction site I always wonder if everything that is being done at this site is according to the rules and regulations to make sure that workers are working in safe conditions.

It is, of course, our responsibility as the Legislature, as people who create policy, who make laws, that we continue to adapt our rules, to make sure that there are strict responsibilities that are attached and training that is provided to our employers and employees so that our workers continue to work in safe working conditions.

Thank you, Speaker, for giving me the opportunity to speak on this important bill. I look forward to hearing the views of other members on Bill 160 and responding if there are any issues that arise.

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

**Mr. Ted Chudleigh:** This bill is a huge exercise in expanding and creating more and more bureaucracy.

This is all based on the terrible accident that happened a year and a half ago, just before Christmas, a particularly sensitive time of year. It took the lives of four workers. Those four workers were working in poorly maintained equipment. Surely, there's legislation in

Ontario today that would prevent these kinds of things from happening. If it were more strictly enforced, this terrible accident would have never happened.

But it did happen, so there was an inquiry. A blue-panel group of people came together and developed 46 recommendations, if I'm not mistaken, some of which are being implemented in Bill 160. It will create a number of new positions, a number of new councils, not one of which would ever prevent the terrible situation that occurred a year and a half ago when four people lost their lives. Nothing that this bill has proposed would prevent that terrible accident from happening.

I'm not sure what we're doing here today, debating this bill, but I don't see it as being something that is going to save the lives of Ontario workers, such as were grievously taken in that terrible accident a year and a half ago.

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

**Mr. Peter Tabuns:** I don't think there's any doubt in the mind of anyone in this chamber that in fact Ontario's approach to occupational health and safety has to be strengthened. As my colleague Mr. Chudleigh just said, this act and the inquiry that preceded it arose out of a horrendous incident that happened at a construction site here in Toronto.

I had an opportunity to meet the survivor of that workplace accident. I had an opportunity to meet him in the company of his parents. It is extraordinary to me that this man survived. He is clearly extraordinarily resilient, both physically and mentally, to have gone through what he went through. My hope is that very few people in Ontario and very few parents have to go through what he and his family have gone through.

I am pleased that there is legislation before us. It is my hope that in the course of committee hearings, in the course of debate, this legislation will be strengthened. It is entirely possible that Mr. Chudleigh is correct, that the bill as written will not bring about the enforcement necessary to properly protect the working people of this province. I would like that, in fact, to be a very different outcome. So I say to the government, you've brought forward a bill. We're going to have a chance to debate it here. You have an opportunity, in the course of committee hearings and in the course of further debate, to actually assess the shortcomings of the bill and correct those shortcomings so that the deaths which so shocked the people of this province, the unnecessary deaths, the unnecessary suffering, will have resulted in at least prevention of further deaths and suffering in the future.

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

**Mr. Lorenzo Berardinetti:** Scarborough.

**The Deputy Speaker (Mr. Bruce Crozier):** Scarborough Southwest. I apologize to the member, but Etobicoke is a nice place, too.

**Mr. Lorenzo Berardinetti:** Thank you, Mr. Speaker. I could speak for two minutes about the Scarborough Bluffs, but instead, I'll focus on the bill in front of us today.

I just wanted to congratulate the member from Ottawa Centre on his very good presentation on Bill 160, which amends the Occupational Health and Safety Act. I think this is one of the largest, the most important changes in the last 30 years. As the member from Ottawa Centre mentioned, it creates a chief prevention officer. That chief prevention officer is very important because he or she will be advising the minister on a bunch of matters that are important. The most important thing when people get up in the morning is that they want to make sure that there's safety in the workplace, whether it be in Scarborough Southwest, Etobicoke or anywhere in Ontario. The member from Ottawa Centre has touched on these issues.

**1600**

It's a very, very large bill. The chief prevention officer will take advice from a prevention council, which is also unique because the prevention council will be made up of different members who are involved in work issues, and they will advise the chief prevention officer, who will then advise or provide information to the minister.

It does really overhaul the bill quite a lot. The changes here are quite extensive and I think, in the final analysis, the workplace will be a lot safer and the changes will help make sure that workers return back home safe after they go out to work in morning to their various work sites.

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

**Mr. Ted Arnott:** I'm pleased to respond briefly to the member for Ottawa Centre, who spoke to Bill 160, An Act to amend the Occupational Health and Safety Act and the Workplace Safety and Insurance Act, 1997 with respect to occupational health and safety and other matters.

Of course, this is a complex bill that was introduced in this Legislature March 3. We are now at second reading. I'm still in the process of hearing from my constituents on this issue in terms of their views and ideas with respect to workplace safety and how this bill might be improved.

Based on the complexity of the issue and the importance of the issue, I would hope that we would hear a commitment from the government today to send the bill to a standing committee of this House for public hearings to allow all parties that would have an interest in this issue—and when I say “parties,” not political parties, but representatives of organized labour as well as business and the organizations that are out there—to have an opportunity to have a say.

Surely, if we're going to make any meaningful progress in terms of improving workplace safety, we need business buy-in. I note, from the speech that was given by the minister when this bill was introduced for second reading, that he went to great lengths thanking the various people who were involved in Tony Dean's committee. Trade union organizations were in the majority on the committee, it would appear, from the people that he thanked. I would just submit and suggest that it's very

important that we listen to business as well and employer organizations, because obviously they have to be brought to the table to discuss this issue, too, and we need to have their buy-in. We need to make sure whatever legislation or regulations we bring forward through this Legislature are workable, sensible, practical and that business can buy in. I would caution the member and suggest that. I would certainly be interested in hearing more if he can give me more information as to which business organizations were consulted—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. The member for Ottawa Centre, you have up to two minutes to respond.

**Mr. Yasir Naqvi:** I very much appreciate the comments made by the members from Halton, Toronto–Danforth, Scarborough Southwest and Wellington–Halton Hills.

I think we all agree that this is an important piece of legislation. I think we all agree that the cause behind it, the purpose behind it, is extremely important, and that is to prevent injuries and fatalities that may be suffered by workers. My interest in this legislation is purely because I see a lot of construction that takes place in my riding. I represent downtown Ottawa, as I mentioned earlier. I've got high-rise after high-rise, business tower after business tower that are being built, employing hundreds of workers who work in these buildings every single day, and every time I pass any of these construction sites I always hope and pray that these workers are safe. Any step that we can take to ensure that those workers are safe is an important step.

I think all members acknowledge the unfortunate fatalities that took place last year in Toronto. I think it sent shivers in everybody's spines and nobody wants to see those type of injuries or fatalities take place in their communities. I'm extremely glad that the government acted immediately to strike an advisory panel that was made up of experts to give recommendations as to how we can further strengthen our system, the occupational health and safety system, in the province to ensure that our workers are safe all across the province. I am also even happy to see that Bill 160 is implementing those recommendations to ensure that we have a more coordinated approach to prevention of injuries for our workers. I wholeheartedly support this bill.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate. The member for Sarnia–Lambton.

**Mr. Robert Bailey:** It's a pleasure to rise today to speak in regards to Bill 160, the Act to amend the Occupational Safety and Health Act. I for one had, in my former career, something to do with health and safety in my previous role where I was responsible for safety and health and construction permits. Also, earlier in my career—actually, while I climbed on a lot of scaffolding, I won't say I built a lot; but I had to rely on a lot of other people who were in the scaffolding industry. When we were working out in the field, we relied on their work. I know this ties back to scaffolding mainly, and a lot of other issues.

Our feeling on this side of House is that we're for the Dean report but we're not in favour of this bill entirely because we think it needs a lot of amendments, a lot of improvements. It deviates drastically from the original Dean report, which we commend, because they did take a lot of time to look at a lot of issues. The bill does nothing to prevent employers—bad employers—from entering the black market, and would in fact drive employers back to the black market by creating more uncertainty and bureaucracy.

The bill would create yet another bureaucratic committee for some of these patronage appointments who certainly bring nothing to the table but take a lot away. While the bill contains numerous new obligations/regulations etc. for industry and for labour, it has no similar requirements from the labour community itself. As with other recent Liberal bills, many of the substantive portions of this regulation and legislation are being left to the regulations themselves. As we all know, the devil is in the details.

In the bill summary, when we look at it, it calls for the creation of a prevention council and a chief prevention officer within the Ministry of Labour. This chief prevention officer would take over control of all occupational health and safety activities within the government and within the province. It would remove prevention activities from the WSIB's mandate, where they are now, and upload them to the Ministry of Labour under the control of this still unnamed chief prevention officer. It would give the Minister of Labour oversight and the ability to set standards for health and safety associations.

It would also authorize the minister to license and set standards for training programs recommended by this chief prevention officer, another onerous load, probably, on small business and corporations that are struggling to do business in this province. It would certainly—it kind of runs counter to their Open Ontario comments, that they're opening Ontario to do business.

We all know that this was highlighted and launched because of Christmas day, 2009, when four workers unfortunately were killed when they were working on a project and the scaffold collapsed. The scaffold had been improperly maintained. Apparently, this same company, to my understanding, had been cited a number of times for problems and nothing had been done. There were a number of inspectors running around the province, supposedly doing their job, and for some reason or not they ignored this site. That would be interesting to look into that.

Anyway, a one-year study—it was called the Dean report—led to a lot of recommendations and the institution of this bill. As I said, we on this side of the House are in favour of the Dean report itself but are against the bill as written. The prevention council, which is only an interim body—the current prevention council is an advisory and interim body alone. They're all patronage appointments, apparently, a number of people on there; I won't go into their names. The minister intends, I think by June, to appoint a permanent chief

prevention officer. The government has a number of these unofficial ministries already that seem to pop up whenever different portfolios are announced. Rick Smith from Environmental Defence apparently had bragged somewhere that he played the McGuinty government like a fiddle on forestry policy, and some people say that's why they lost 60 mills and 40,000 industry jobs since the government put this unelected minister in charge.

**1610**

This prevention council you've set up is unaccountable to anyone but you and is unable to do anything more than collect per diems and advise. It's going to be full of very interesting people, I'm sure; we're looking forward to seeing who some of those people are. We have our thoughts on who some of them might be, and I know you know who those people are without me mentioning them by name.

Accountability is another issue that we have big concerns about. This new position would be moved from—and this new bill would be moving that position—the WSIB, where it's currently present. This current system is too fragmented, but this proposal will focus all responsibility and accountability on one person, this new chief prevention officer. The chief prevention officer apparently would have authority on behalf of the minister to develop and implement a provincial Ontario health and safety strategy. These strategies would include preventing work-related injuries and illnesses and changes to funding and delivery of prevention services.

These would be extremely broad responsibilities. The success would be very dependent on the success of one person, which is putting a lot of responsibility and access to that one person, so we'd be very concerned that this one person would have total control over this prevention strategy. If I was the minister or if I was the government of the day, I'd want to make sure that we got the right individual in that position because they're going to have a lot of responsibility and a lot of issues.

The bill calls for the disallowing of section 21 committees. This bill would repeal section 21 committees that were set up by all of the trades in industry. This was the only truly unified voice for labour and business to sit at the table. Tony Dean in his report endorsed the continuation of section 21 committees, and now the McGuinty Liberal government is going to get rid of them. Instead of volunteer health and safety committees, what we would get in this province would be another patronage appointment council that would place people in charge of health and safety who have other obligations to other industry and appointment issues.

The Dean report recommended that we should have a board with powers, but instead the McGuinty government is creating a toothless advisory council at the same time as you remove industry from the equation by gutting section 21. In the old system there were some checks and balances. The WSIB, the minister and the health and safety associations all shared some responsibility. Now there would be none of that. It would all be left to regulations. This chief prevention officer would then, at

that time, make all the rules, call the shots and make these types of calls for the industry as a whole.

As I said, in my former role I had the opportunity and the privilege to be responsible for health and safety in industry. I had to sign my name on the dotted line a number of times for permits that call for and do safety audits. I'm sure there's probably not too many members who are in the House—as I look around, I know that there's a number who probably worked in the field. I see our member from Peterborough, and I know that some of my colleagues from the NDP have actually worked in the field. Maybe the member from Ottawa—a number of people who actually worked in the field or were responsible for safety permits, health and safety.

I guess I'm concerned about how much thought actually went into this report. I think they should probably have looked at what Mr. Dean—I've got no problem with him, and I know our caucus has no problem with that original report. We endorsed it. We felt that they had taken a lot of time when they looked into this original tragic accident. We're not convinced that appointing this chief prevention officer and taking away these other responsibilities from industry and from labour and from the community at large would necessarily prevent those types of tragedies from happening. I don't think there's anything that can do for common sense.

It's unfortunate that a number of these people—especially in this case, where they probably didn't speak the English language enough to be able to even understand what the rights and obligations were of the employer and also what their rights were. I'm not convinced that by appointing this chief prevention officer—it looks to me like it's so they can say they've done that, run around the province and say, “Oh, things are going to be so much better now because we've got a chief prevention officer who made these types of changes.” I know from my experience in the past that it takes a lot of hard work.

Now that I think about it, I'd like to talk about Sarnia-Lambton, my riding. Our riding is 25 times safer, according to the Minister of Labour's own comments to me a number of times—I know, coming from Sarnia-Lambton—than any other jurisdiction in Ontario. In fact, a number of the ministers—I go back three now, since I've been here, since 2007—have told me that they'd like to see the Sarnia-Lambton experience taken across the province and probably across Canada, because in Sarnia-Lambton what we have is a great opportunity. We have labour, we have management, and we have the co-operation of both of those. It costs a lot of money and it takes a lot of time, but it's reflected in our accident rate. I know they're proud of that record there.

We have over 5,000 tradespeople who are in organized labour, and we also have a lot of non-union contractors and non-union employees who also have a great safety record in Sarnia-Lambton. I can speak to that, and I know that's the case because a number of massive and major projects have been built there over the years. I worked in industry myself, like I say, in the past, and I still liaise with a number of these people. In fact, a

number of weeks ago, at an energy, environment and economics symposium in Sarnia–Lambton—I wish the member from Peterborough had been able to come down and join me at that. I know he would have enjoyed himself. He has invited me to Peterborough a number of times.

**Mr. Jeff Leal:** Is that an invitation, Bob?

**Mr. Robert Bailey:** Yes, it's an invitation—any time.

**Mr. Jeff Leal:** Give me a date.

**Mr. Robert Bailey:** I'll come up with a date.

The Minister of Labour, I know, has had a number of opportunities to be in Sarnia–Lambton and to see what we do there. I would hope that some of those ideas would be incorporated as we look at amendments into this bill, because I'm not convinced, from what I've seen and from the industry that has made some comments toward this, that this is going to go that far toward making improvements.

Like I say, what they should do is probably come down to Sarnia–Lambton. I'll make the arrangements, if the committee would come down there, and you can get a real awakening; people will see how to do things right. I could even bring them here. I could probably bring them down to Queen's Park, if that's where the committee hearings are. I could arrange to have them come down here, and they could tell the minister and the committee and a number of people who would be interested, if people express all this interest that they really want to do what's right and the right thing.

**Mr. Jeff Leal:** Take a cruise on the St. Clair.

**Mr. Robert Bailey:** Yeah, we could do a cruise on the St. Clair as well. The ice is out of the St. Clair. I've been out on the St. Clair. I just recently drove along the side.

**Mr. Ted Chudleigh:** Why is he more interested in the cruise than he is in the committee?

**Mr. Robert Bailey:** Yes, they're more interested in the cruise than they are in the committee, but that's okay. We could do both.

Anyway, to get back to Bill 160, certainly, I'm quite proud of what we do in Sarnia–Lambton. I know the member from Lambton–Kent–Middlesex—she adjoins my riding and she's familiar with what goes on. A number of her constituents, as well, live in Lambton–Kent–Middlesex but also work in Sarnia–Lambton in industry and in related support industries. She knows from where I speak that we do do things right up there, and we didn't need this chief prevention officer to do that. But, like I said, we've been at it a long time there, whether it's industrial, commercial or residential construction.

The section 21 committees, to get back to those: Our concern is that the Dean report recommended a board with powers, but instead, like I said, the government has created a toothless advisory council at the same time you remove from industry their one and only opportunity to have input. As we look back on how this all started, we feel this would only lead to the underground economy expanding.

This started with the tragic death of a number of people working in the construction sector for a company

which, at the end of the day, didn't train them properly. At the end of the day, I'm not convinced that this would change that.

**1620**

The Dean report made a recommendation that one of the ministries other than labour should have policy control over going after the underground economy. This bill ignores that. There's not a single dollar for new inspectors or any form of strategy to go after employers who do break the law. Instead, it's what we have seen from this government time and time again: We have more red tape, more uncertainty and more patronage, more chances for workers like those tragic four on Christmas Eve who lost their lives to fall through the cracks and unfortunately be statistics that we don't like to see.

Like I said, if they come down to Sarnia–Lambton—or I could bring our health and safety people from industry to Queen's Park when we have this committee. I know that they would be glad to come down and give their opinion and have input into this on how this bill could be corrected, made better. At the end of the day, we want to make it better.

As I said, we support the Dean report; we don't support this bill as it's written.

One of the other items: The Dean report spoke about costs. The Dean report said very clearly and explicitly that any changes to the occupational health and safety system should be cost-neutral. This bill, in my opinion, is not cost-neutral, and the McGuinty government is trying to hide these costs in the regulations.

Right now there are over 100 employees in the WSIB's prevention department, 100 people making a full salary and benefits package of probably at least \$100,000 a year. How much is it going to cost if they do away with this department, like the bill says, get rid of these people? Would it be a \$2-million severance package overall? Would it be like when the HST was harmonized with the GST and they got rid of the Revenue Ontario employees? They just changed hats one day and went over to work for a different department. I don't know what these contracts say, but I'm sure they're well written if they had good lawyers at the time. Would you do the same then? Would you keep these people on staff and pay them probably just to stay in the same lottery pool? They'd just change hats or business cards at the end of the day. We want to know more about that, too, and how they're going to address that.

Under training: Training costs was another big issue that the Dean report covered. It was one of the biggest components of the Dean report. In this bill, where is it? Training in this bill is a one-line item, that the minister can set this training up. There was widespread agreement that there is a need for a lot of training, but the training costs will be borne by the employers. Why have you tried to hide that in the regulations in this bill?

The Dean report asked for a tracking system for training. This government is on record as having wasted over \$1 billion on electronic health records, and we got

nothing in return. Now how are you going to convince the public that you can set up a tracking system for training under the construction safety or building trades that would be any more effective? The jury's probably in on that job. You can't do that. You can't convince anyone of that.

Under regulations, as with most recent legislation, you've left the most important details to the regulations instead of actually dealing with these problems, like the old saying, "The devil's in the details." There's no mention of costs, which will not be insignificant. There's no mention of training, which is important and makes up one of the biggest parts of the Dean panel, what they advocated for, that training would be a big part of this.

There's absolutely nothing in this bill that would stop or restrain the underground economy, which is a huge problem in the construction sector—not so much in my riding where it's a little more organized, but I know in other parts of Ontario this is certainly a problem. It's certainly a problem for the legitimate contractors, the legitimate workers out there who go to work every day and want to come home at the end of the day to their families safe and sound. I know that there's the underground economy, and as we have more rules and regulations, it forces people to go to that underground economy, and it forces the good contractors, the good employees, to go to organizations like that to try and make a living.

At this point, I think I've summed up about all I'd like to say on Bill 160. Like I say, just to wrap up, at the end of the day we support the Dean report and a number of the recommendations in there. We feel that this bill went far away from the Dean report. It's left a lot of things for regulation. I would look forward to this bill going to committee, where we can make a number of recommendations.

I leave that invitation out there. I will bring members from Sarnia–Lambton down here who can show this government how to get things right, and at the end of the day we could look after worker safety.

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

**Mr. Peter Tabuns:** I will have an opportunity very shortly to talk about the bill itself, but I wanted to address two points that were raised by the member from Sarnia. One is that he's quite correct: If in fact the government doesn't take action to deal with the underground economy, we will have businesses that will operate, effectively, outside of the law. They operate outside all of the licensing regulations; they ignore health and safety. If we actually are going to deal with these situations, if we're going to have a substantial move forward, there has to be another component, and that is dealing with that underground economy.

The second point that I want to make, though, is that enforcement and action cost money. We have police forces in cities all over Ontario to enforce the Criminal Code, to enforce bylaws. It costs money to enforce, and that will be true of regulations related to health and safety

as well. They cannot be enforced, they cannot be made effective without people who are hired, trained and directed to ensure that an act is in place and changes the behaviour of those whose behaviour is dangerous.

Although the previous speaker hit one good point, I think to say that you can have enforcement and safety without cost is not realistic, doesn't reflect the rest of our society and doesn't help us move forward in assessing what has to be done with this bill.

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

**Mr. Lorenzo Berardinetti:** I just wanted to address some of the comments made by the member from Sarnia–Lambton. He mentioned the complexity of the bill. It is very complex, but I think the best thing that the government can do at the end of the day is to put in place prevention organizations, which we're doing, and removing it from the workers' safety board and creating a chief prevention officer, along with a council that would advise the chief prevention officer, who would then advise the minister. I think that's been overlooked a little bit. The role of the council is quite important here, because it will be made up of different members from different parts of the working environment, and that council will advise the chief prevention officer.

This act here is only the beginning. There are many more recommendations that will be implemented through further consultation, and that's been made very clear through comments made earlier, and also by the Dean report. The bill doesn't create more bureaucracy; I would argue that it's removing some of the bureaucracy and it's creating a more streamlined, integrated system.

Also, the member from Sarnia–Lambton was concerned that the power would be centralized with the chief prevention officer. I want to reiterate that once again: It won't be centralized because there will be a council which that person, the officer, will take advice from.

We have lots more input and lots more consultation on this bill. The council can even go out, look at and talk about the issue regarding the underground economy, deal with it and bring it forward to the chief prevention officer.

Finally, I wanted to say that the bill, under section 7, talks all about training. There are a number of sections I don't have time to read right now, but it does talk about training, and we will focus on training in this bill.

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

**Ms. Sylvia Jones:** I'm happy to respond after the comments made by my colleague from Sarnia–Lambton. I was intrigued with the 20% decrease that's happening in his community, and I hope he does get the opportunity to bring those experts forward in front of the committee, and ultimately in front of the prevention officer, to share some of those successes.

**1630**

I don't want to lose track and lose focus of the fact that Bill 160 was as a result of four deaths on December 24, and while the concept behind a prevention officer

may have some good points, I don't want to mislead people into thinking that would have helped these four construction workers. The reality is, they were working in an underground economy. They were not being regulated, not being controlled by the existing process and the existing WSIB, and certainly, if the chief prevention officer was in existence at that point, they wouldn't have been helped then, either.

So I hope that we don't lose track of dealing with these individuals who choose to operate in Ontario without the rules. It affects all of us. It hurts all of us, whether we're working in it or whether we're a law-abiding business that's actually trying to follow and maintain the rules as we set out here. It will help no one if we don't deal with the illegal operators and the underground economy. Ultimately, I would like us to concentrate more on how we are going to solve that.

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

**Mr. Bob Delaney:** While this bill was born of a tragedy, and a tragedy I think that we all look at now and say that the measures in this bill, if enacted at the time, might have been able to prevent, we should also recognize that Canada in general, Ontario in particular, is one of the safest places in the whole world if you're going to be in the building trades and construction.

One of the reasons that in Ontario, and Canada in general, we're able to maintain the standards that we do is that we're never satisfied with the status quo. I think that what we're seeing right here in this bill is an effort to take a look at a system that, throughout the world, is recognized as being not merely good or very good but excellent, and we're saying there's got to be a way that we can take excellent and not only keep it excellent, keep it at the leading edge, but make it measurably better.

Several of the other speakers have noted that one of the things in this bill is the establishment of a chief prevention officer and more attention to the occupational health and safety system, and in doing that, one of the things this does is to take a lot of the work in the building trades and bring it up into the sunshine and out from underneath the underground economy. Indeed, in Ontario today there are fewer and fewer incentives to do anything other than to run a clean game. With the financial disincentives owing to the ability of the chief prevention officer and occupational health and safety workers, and your inability as an employer to claim the very substantial input tax credits, getting everybody into a system that provides the optimum protection for the worker in Ontario is really what this bill is all about, and it's a very good reason to support it.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Sarnia-Lambton, you have up to two minutes to respond.

**Mr. Robert Bailey:** I'd like to thank the members for Toronto-Danforth, Scarborough East Pickering, Dufferin-Caledon and Mississauga-Streetsville for their kind comments on my dissertation on Bill 160.

One member talked about that this council is going to have such great input. It will all depend on who the

members are on that council. If we have to have a chief prevention officer for the province of Ontario, at the end of the day, I would like to recommend that that chief prevention officer probably should come from Sarnia-Lambton, because they've already proved that they can do this type of work. They've had a great safety record down there. The minister himself has acknowledged it—a number of Ministers of Labour. I know that this government has had a number of them, and I've met with most of them. As they've had the opportunity to tour my riding of Sarnia-Lambton, they've spoken about the great safety record and the great programs and co-operation that we have in Sarnia-Lambton.

So I would like to recommend, like I said, that if we have a chief prevention officer or if we have a council of people from across the province at the end of the day who are going to give input, then at least one of those people should come from the Sarnia-Lambton building trades and construction area, because I know they would have the best interests of the workers of the province, because they've already proven that in our industry there locally.

I'd like to also make that offer again. I'll be speaking with them again today when we leave the House, and I'll make sure that they know about these hearings that are going to be coming to Queen's Park, and hopefully they'll travel. Maybe they'll be in Sarnia-Lambton; they should come to Sarnia-Lambton if they go on the road. It's where most of the construction in this province takes place. The industry is there, and I would recommend that they come to Sarnia-Lambton. They'd be remiss if they didn't.

I would make that invitation to whoever is doing the scheduling. In fact, I'll insist that, if they travel at all, they come to Sarnia-Lambton. Everything is going to London or Windsor; somebody come to Sarnia-Lambton.

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

**Mr. Peter Tabuns:** I want to start off by noting that what we're talking about today is occupational health and safety very broadly, not just construction safety. It was an accident, four deaths at a construction site, that triggered the Dean inquiry, that triggered this legislation and that captured the attention of this whole province, as has been said, because it's something that happened just before Christmas and because the workers were ones who were already not the most privileged. In fact, they were quite desperate. In talking to the one survivor of that incident, they were well aware that things were not as they should be but didn't feel that they had the opportunity, the options, to be working elsewhere. They were scared when they went up on that scaffold and, unfortunately and horrendously, were right to be scared.

It isn't just construction workers. Every day across Ontario, people are injured on the job. Sometimes it's a very visible injury; sometimes it's a long-term injury, a weakening of tendons or a fracturing of bone that leaves people in a position where they can no longer work. I, Speaker, and you may well have as well, have had

constituents come to my office who have worked in industry who can no longer work because of a repetitive injury that has rendered them unfit to continue to engage in heavy physical labour. For a variety of reasons, they often are not in a position to move to another place. Either from lack of skill, ability, training, they are finding themselves in a position where they are trapped.

When we talk about these matters, we have to remember that we're talking about whether people live or die; are injured or kept whole; will be allowed to be productive through their whole lives, support themselves and their families and make sure there's adequate provision for themselves to retire or have their lives and their working ability cut short so that, in fact, their life is one that becomes dramatically more difficult than it had been.

I'm pleased to be part of this debate on the legislative response to the Expert Advisory Panel on Occupational Health and Safety report, the long form of what we're talking about. We understand, in the NDP, that Bill 160 represents a set of compromises more or less worked out in the Dean report process. Implicit in these compromises is the fact that neither labour nor the employer gets everything that they want in the way of changes to Ontario's health and safety regime. Sometimes that's reality. Politics is a compromise between different forces.

But even taking that into account, Bill 160 falls short of what we had hoped for in terms of implementing the Dean report recommendations. Before I talk about the changes that are embodied in this bill, I'd like to talk a bit about the NDP's vision of what a real progressive change might look like in Ontario's health and safety regime.

#### **1640**

In the NDP's view, fundamental change in Ontario's health and safety regime would mean, first off—and I mentioned this in an earlier comment—external enforcement. Enforcement has to be based on the principle that the cost of non-compliance is greater than the cost of compliance.

As you are well aware, the pressure on companies to produce profits is a profound pressure. It's neither moral nor immoral; it just simply exists. Any large company that trades on a stock exchange knows that every day its ability to raise capital is affected by its ability to produce profits, and so the pressure to make those profits and to cut those costs is profound.

If, in fact, there's going to be a counter-pressure so that the workers who work for those companies, who produce those profits, are kept whole, are kept alive, are kept healthy, then there has to be a pressure from government so that all the companies that are out there in that market have the same pressure applied to them, are all well aware that they are not going to get an advantage by cheating on health and safety, or will not be disadvantaged because they actually respect the law and some other corporation doesn't.

In order to enforce, and enforce effectively, there has to be an increase in the complement of inspectors who are out there seeing that the law is enforced—industrial hygienists who understand the impact of different

chemicals and substances on people's health, and the cost-effective techniques for preventing those substances from damaging people; ergonomists who make sure that machinery and equipment are designed and operating so they don't cause strain damage to the human body; toxicologists; occupational health physicians; and scientists at the Ministry of Labour—as well as providing inspectors with ready access to relevant scientific research and databases.

Production in this province in this century is not the production of two centuries ago. It can be extraordinarily complex. In many ways, some of the grunt labour that our ancestors engaged in has been replaced by machine labour, but in many ways, we're now dealing with substances and processes that we couldn't have imagined decades and centuries ago, that pose new risks and threats to people. We didn't build 30-storey buildings 200 years ago—we barely built them a century ago—but we now operate at much higher heights than we ever did before, and so the ability to work safely and productively requires a different set of knowledge.

When we want to make sure that people are safe when they go to work and that their families have some assurance that they'll be back at the end of the day, then it takes investment in enforcement and in knowledge. We need that.

In order to ensure that those inspectors have an impact, we need to introduce a more immediate and effective system of employer and supervisor penalties that can be dispensed by inspectors and that don't involve the court system, along the lines of a speeding ticket, Speaker. You and I both recognize that someone who's travelling 150 kilometres or 160 kilometres on the 401 is risking their life and the lives of many others. Police are given powers when life is at risk to issue tickets and summonses on the spot. For the same reason, inspectors who deal with workplaces where people's lives and limbs are at risk need to have greater power than they have now.

We need to simplify the prosecution process so that inspectors can prosecute straightforward cases more speedily.

Again, if the new rules that are being put forward in this legislation, the new regulations that will come out of this legislation, are actually going to have the impact that they need to have, then the inspectors, the enforcement workforce, have to have the power to make things happen in the workplace, to change them from what they've been before.

The province must develop an effective process to ensure the prosecution of appropriate cases under the Criminal Code. If in fact you operate in a way that, by omission or commission, is resulting in the death or maiming of people in your company and, under other circumstances, you would be charged with murder or assault, I see no reason why we also in Ontario shouldn't recognize that criminal negligence can happen in the workplace and should be prosecuted as such. Because, in the end, all the people in this province who work, their

sons and daughters, their families, deserve to have the protection from those threats that they would expect to have walking down any street in this province. They should have that in the factories, in the stores, on the construction sites of Ontario.

I've talked about the need for investment in external enforcement, but we also need internal enforcement. We need to look at the provision of power to certified worker members to stop dangerous work, to issue stop work directions, so that the scale, the ability to reach into every corner of work in this province is facilitated.

We need to provide certified worker members of joint health and safety committees and health and safety representatives with the authority to issue provisional improvement notices, calling for dangerous situations to be rectified quickly, immediately.

Employers should be obliged to implement recommendations made by joint health and safety committees and health and safety representatives because, frankly, even though I believe it is necessary to have external enforcement, even though I think it is critical to have external enforcement, it needs to be complemented by a system of internal enforcement so that people in their workplace can act to protect themselves when they are in danger.

We need to provide joint health and safety committees and health and safety representatives with the right to be consulted on the development and implementation of health and safety policies, programs, measures and training.

It seems straightforward enough to me that those in the workplace who are most knowledgeable about health and safety conditions, about the conditions of work, about the need for improvements and the ramifications of changes, need to have the right of consultation awarded to them. We need to provide workers in all workplaces with the right to have health and safety representation. We need to provide members of joint health and safety committees and all health and safety representatives with the right to standardized certification training, with annual renewals from a training organization of their choice.

It is to the advantage of this society as a whole to substantially reduce death and injury in the workplace, and an investment in enforcement and training and an extension of power to the people who work in the workplaces of this province are advantageous to our whole society and not just to those individuals.

In order for all of that to work, there needs to be an enforcement and a strengthening of the provisions in the Occupational Health and Safety Act against reprisals. We need to give ministry inspectors the power to investigate alleged reprisals and to reinstate workers and order back pay and/or damages.

#### 1650

There are many good employers in this province who, when presented with evidence that something is unsafe, will act to correct that unsafe condition; there's no doubt about it. But, just as with all other areas of human en-

deavour, there will be employers for whom the health and well-being of their workforce is very low on the list; for whom the primary concern is their own betterment, their own profit, their own gain. One of the cheaper ways of making sure that they don't have to act on health and safety would be to intimidate those who work for them to keep them quiet about problems. In those circumstances, the workers in those workplaces need to know that they will be protected against reprisals. We need to make that part of this legislation. The Ministry of Labour must prosecute reprisal cases where evidence is found that employers have tried to intimidate workers who have been standing up for their health and safety and the health and safety of the people they the work with.

We need to provide workers who are alleging reprisals with an effective, simplified forum to make their reprisal case when an inspector has not investigated or acted on a reprisal allegation. It goes without saying that simple, straightforward mechanisms that allow workers to point out that something is unsafe, to act for correction of that lack of safety and to deal with reprisals of bad employers is good government policy. We need that.

We also need to improve and expand health and safety training. We need to provide all members of joint health and safety committees and all health and safety representatives with the right to standardized certification training, with annual renewals from a training organization of their choice. The curriculum of certification training programs must be standardized to ensure that all certified workers and employer representatives receive equivalent training. We need to provide all new employees, supervisors and managers with mandatory, relevant and meaningful health and safety training, necessary for them to fulfill the duties of their position safely and competently.

If, in fact, you are training a manager to control inventory, to avoid loss, to ensure that quality is high, training them in the 101 things they need to make sure that in the area in which they have authority, production goes well and goes smoothly, then safety training to protect the working people in their workplace has to be at least as important as those other tasks.

We need to increase the health and safety support and resources for workers. We need to adequately fund the resources for workers, such as occupational health clinics for Ontario workers and the Workers Health and Safety Centre, to ensure that all workers have access to trusted resources for expertise, health information and training.

Without knowledge, without training, no one can effectively ensure that people are safe in a workplace. If you don't know the consequences of a particular operation, of a particular chemical, of a particular practice, then you can't knowledgeably guard against it for yourself or other workers.

Lastly, I wanted to say that we need a regular review of health and safety systems, legislation and regulations. We need a systematic review process to ensure the system and the law meets the needs of modern workplaces and work practices. Right now, we have a system

of review that seems to be incident-triggered: Something horrendous happens and then people are shocked into awareness, the alarm is rung and an inquiry is held. It would be far better if, on a regular basis, we reviewed our health and safety legislation, looked at its failings and its achievements, and took steps then to consistently, regularly improve the system to make sure that everyone who goes to work in the morning is able to come back alive and fully bodied at the end of the day.

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

**Mr. Lorenzo Berardinetti:** I just have a few comments to make on the presentation from the member from Toronto–Danforth. He’s canvassed the bill very thoroughly, and I appreciate his comments. I’m just going to provide some comments back.

One of the comments made was that we need safer workplaces. We on this side of the chamber agree. We’ve hired a lot of safety inspectors, I think more than any other government has, in our time in office.

He also mentioned that we need better prosecution, and we agree with that as well. We’re putting in place a prevention organization with a chief prevention officer and a council, and that is the most important thing we can do as a government: to make sure that it works and that the chief prevention officer interacts regularly with his or her council.

Also mentioned was that we need workers to have the right to make sure that they can complain without retribution. This act provides for that, that they are safe, that they will not be fired and no discipline matters will be taken against them if they do that kind of thing. It’s right in the bill here.

We need provisions in the act to provide protection for migrant or new workers, and that’s also provided for in the bill here.

We need health and safety training—that was brought up. This bill speaks extensively about that and providing for that.

Overall, to summarize everything, we’re creating a new position—brand new—a chief prevention officer, who will be neutral. That person will report, using the help from his or her committee, directly to the Minister of Labour. That’s the most effective thing we as a government can do: to make sure, through the Dean report, that people do come back safe from work every day and they don’t have to worry about getting hurt at work.

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

**Mrs. Christine Elliott:** I am pleased to add a few comments with respect to Bill 160, the act to amend the Occupational Health and Safety Act and the Workplace Safety and Insurance Act.

A lot of the comments that have been made by my colleagues in the PC Party have indicated that we are very respectful of the work that was done by Mr. Dean and his group. They have made a number of significant recommendations and we certainly need to give them a lot of consideration.

As my colleague the member from Dufferin–Caledon indicated, we shouldn’t lose focus of the reason for the Dean committee in the first place, which was the fact that four people lost their lives and another person was very seriously injured on Christmas Eve a year ago when the scaffolding that they were working on collapsed. That is something that we do need to bear in mind—the reason why all that happened and the fact that we are looking at an underground economy—that certainly none of the provisions that are being addressed by Bill 160 would have been of assistance to those people, unfortunately, because of the fact that a lot of the activity that they were working on wasn’t being properly monitored in the first place.

We do need to be proactive in taking action on the underground economy and the so-called black market in order to make sure that all workers in Ontario are properly represented and that there are proper training practices in place, and it is worth the money that we put into it.

As my colleague the member from Sarnia–Lambton indicated, in his area there’s a 25% less incidence of workplace injuries, in large part due to the work that’s gone into proper workplace safety and monitoring practices.

I think that we need to keep the focus on that as we go forward and debate. I hope that we will have a full discussion on this. It is a matter of significant interest and importance for employers and employees across the province of Ontario.

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

**Mr. Bob Delaney:** There are a few provisions in this that really make this piece of legislation an important milestone, and I’m just going to deal very briefly with just two of them.

**1700**

One of them is clauses that deal with anti-reprisals. In the building trades especially, it’s often the case that a worker is very worried about the safety and security of his or her position if they complain about a practice that they know to be improper, illegal, unsafe or whatever. What this bill proposes is to allow the Ontario Labour Relations Board to deal with workplace reprisals in a more timely manner. While workplace issues with the OLRB—some people like them and some people don’t; what this also means is that inspectors would be given the power to refer matters of workplace reprisals to the Ontario Labour Relations Board in such circumstances, presuming the worker agrees.

The other one, I think, is regulation-making authority. The proposed amendments include a regulation-making authority to allow the Office of the Worker Adviser and Office of the Employer Adviser to, in the future, provide support to both workers and employers in reprisal cases. What this does is to ensure sufficient implementation time, as this would involve a little bit of working out of the details at the time. These provisions could come into effect on a date that doesn’t have to be specified.

All in all, what this one does is anticipate some of the issues that may arise and provides means by which these issues can be successfully and completely resolved in the interests of greater worker safety.

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

**Mr. Jeff Leal:** Before I respond to the member from Toronto–Danforth, I think that of course, all of us in this Legislature would like to express our sincere condolences to the two volunteer firefighters who lost their lives over the weekend in Listowel. We know that men and women, whether it's police, fire or EMS, every day when they put on those uniforms, never know what their days are going to be like. Some of them don't come home in the evening. As I said, we express our sincere condolences to those families.

I listened carefully to the member from Toronto–Danforth. He made some very interesting observations—very articulate—on Bill 160, the Occupational Health and Safety Statute Law Amendment Act. I was in this area during my private sector career, as a health and safety officer. I know that each one of us in this Legislature wants to make sure that we have the appropriate legislative framework in place to make sure that when Ontarians, working families, working individuals go to their workplace each and every day, that indeed it's as safe as possible. I think we go to no end to make sure that we can do our best to ensure those kinds of working environments are as safe as possible.

These amendments, if this bill is passed—and it will go, I believe, to committee—will transfer prevention responsibilities from the WSIB to the Ministry of Labour, where I personally believe those responsibilities should rest. The appointment of a new chief prevention officer to better coordinate the prevention system is similar to the chief fire prevention officer and the chief medical officer of health in the province of Ontario. The establishment of this position is consistent with other officials we have in this province—

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

Member for Toronto–Danforth, you have up to two minutes to respond.

**Mr. Peter Tabuns:** My thanks to the members from Scarborough Southwest, Whitby–Oshawa, Mississauga–Streetsville and Peterborough for their comments.

My expectation is that this bill will get through second reading and will go to committee. It's my hope that in committee, people from across Ontario will come, put forward their analysis of the real state of safety—or lack of it—in the workplaces of this province, will make recommendations that will substantially strengthen this bill, will address the gaps that do exist in it and that, in fact, those gaps will be addressed in the course of a committee process.

I think that this Legislature owes no less to the people of this province than a bill that is a fitting memorial to those who died so recently and a fitting instrument to prevent further deaths and injuries.

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

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate on Bill 60 today. From some of the comments that I've heard this afternoon, it certainly sounds like, within a lot of the provisions of the intent of the bill, there's agreement around the House that it's a good thing that we do something to protect the interests and the health and safety of those people who go to work every morning. In our society it's a very normal thing to do; it's what drives our economy.

Perhaps in the past, if you go back quite some time in the past, worker health and safety really wasn't such a big concern. The profit motive was always put ahead of those, and it was expected that accidents might happen on a regular basis. As we have evolved as a society over the years, people have come to believe that it's more important that people return home safely at night than it is that a company put profits above that. I think what's also come as a result of that is that those companies that have a good safety record, those companies that have exhibited the sort of corporate social responsibility that you like to see out of a modern corporation, are obviously the safest companies; they're also the most profitable companies. I think in the past it was often viewed that if you were going to have a good health and safety record within your corporation or within your company, it was going to cost you money. The evidence that I've seen throughout the province of Ontario is that if you're an employer that's got a good health and safety record, you also will be one of the most profitable companies in the province.

I was able to do a tour of the chambers of commerce and boards of trade in my time as parliamentary assistant to the Minister of Labour. We travelled around the province of Ontario with that message to a lot of corporations, to a lot of companies both large and small, saying that if they were to become more serious about having a good safety record, they would find also that it would improve their bottom line. At the same time, we knew that by doing that, we'd be preventing the accidents from happening in the first place and that the men and women and the young people who went to work in the morning would return home safely at night, but they would also be working in secure jobs. They'd be working for companies that had a very strong economic foundation, but also had a culture within the organization that really, I think, acknowledged and respected the right of workers to not have to put themselves in harm's way doing their daily duties, whatever the job entailed.

A person who I came to respect on this issue in large measure was Duncan Hawthorne, president and CEO of Bruce Power, a very strong advocate for health and safety, for workers' rights, and a gentleman who himself came from the shop floor as well and moved up the ranks of the organization, but I don't think has ever forgotten where he came from and I don't think has ever forgotten how important it is to have a culture of health and safety within your organization. How he defined a culture of

safety is that culture is what happens when nobody's looking. That is, it's one thing to inflict rules upon somebody else or to inflict regulations upon them, but the idea really, if you're going to get a preventive strategy implemented at any organization, is that those people who are active in the organization on a daily basis—the members of management and the members of labour—have to feel and have to believe that each and every action they take can be a safe action or can be an unsafe action, and that there are ways to ensure that each of those actions that they take on a daily basis are indeed safe actions that won't result in injury.

So I think the chamber tour really gave me a good understanding and a good appreciation for some of the frustrations of business, some of the frustrations of labour, but underneath it all, underpinning it all, was an element of goodwill. The people didn't want to know that there were people who were being injured within their own organization, and certainly those people who were being injured or the family members of those people who were being injured didn't want to feel that there would be any sort of a reprisal for refusing to put themselves in harm's way.

**1710**

So I think we started to look at the system in a way—and we understood that it could work in a number of ways. But my observation is that, in many respects, the system had developed into a process-based system: A number of inspections would be performed, and a number of charges would be laid. It wasn't really measured on the outcomes that are the really important outcomes; that is the number injuries that were prevented or the number of injuries, more importantly, that weren't prevented and could have been prevented.

There's a saying out there that every injury is a preventable injury, that there's no such thing as an accident. I think when you start to examine the inner workings of a good health and safety plan, you realize that that is true. You have to ask yourself if you have a prevention-based strategy, one that prevents the accidents from happening in the first place, or if you have a reactionary process that kicks into place after an accident has taken place, and perhaps an investigation follows, some lessons are learned, and you move on. I'd like to think in the province of Ontario, as we move forward, that we have a system that's based on prevention, that's based on the outcomes, that's the sort of system that prevents the injuries from happening in the first place.

If you look at the existing regulations and legislation you have to prevent accidents and you feel that you want to make them better—by all accounts, I think all members of this House decided that they wanted to make them better, or they could be made better. There were varying opinions, I think, as to how that might happen. But I think if you're taking a strategic overview of any organization or of the aims of that organization, if you're looking at the basic concepts of what that organization is supposed to accomplish, in this case, what we wanted in the province of Ontario was an organization that was

going to prevent accidents from happening in our workplaces on a daily basis.

I think to do that, like any other business endeavour, like any other element of public policy, you've got to look at the communications you have, you've got to look at the organizational structure of the organization as it currently exists, and you have to see if you're marketing the message. Are the workers and the employers of the province of Ontario buying into the message that a safer workplace is a more profitable workplace?

One of the other things that was quite alarming and quite surprising for me to learn when I was at the Ministry of Labour is that the most dangerous time in your entire working life is in the first week of the first job you ever have. More people are injured on the job in the first week of the first job they ever have. I would have thought that, as you moved into different jobs, as you moved into more complex jobs and more sophisticated jobs, the risk of injury would increase. But exactly the opposite is true: The most vulnerable workers in our society are also the youngest ones.

I've talked to parents in my own constituency office, parents of young people who have been injured quite badly on the job. I can think specifically, without using any names, of talking to the father of a young man who had his arms crushed in a cardboard compactor. That young man had wanted to be a firefighter one day. Unfortunately, that probably isn't going to happen now as a result of the accident that's taken place—a very preventable accident by all accounts. So to sit across from a father as he recounts what happened to his own son in this regard is something that really motivates you to want to make sure that this doesn't happen again.

Those of you who maybe have met Rob Ellis as he's toured some of the high schools—he lost his son David in Oakville at a cookie company the second day on the job. The second day on the job he was asked to do something with a piece of machinery that he wasn't familiar with and ended up tumbling into the piece of machinery. He wasn't killed instantly, but he didn't last very long after that—a very, very young man.

When you hear Rob Ellis speak to a group of assembled high school students, who are usually pretty rowdy and pretty hard to bring under control, he tells his story about his son David. You can hear a pin drop in that hall. That's the sort of message that I think we need to get across to the people of Ontario: that there is something we can do about it; that there's a lot of tragedy that's taken place in past, but there's no reason that tragedy has to continue into the future; that if we're able to improve our process, that if we're able to improve the way that we address this issue, we can do better than we've done in the past. The young man I know who has been injured permanently—and David Ellis would not have to go through, very tragically, what he went through, culminating in his death.

We also met on a number of occasions, when I was at the Ministry of Labour, with the Canadian Federation of Independent Business. Now, they're always concerned

about the cost of doing business. As a small business owner, I understand those costs. I know what it takes to come in with a positive bottom line, and sometimes it's tough. But what the CFIB and labour agreed on, during any meeting I was at, is that we need to concentrate on the bad guys, to leave those people with a good health and safety record alone, ensuring that plans are updated, of course, and that training continues on a regular basis and there isn't any slippage; let's go see what's happening in the underground economy, let's go see what's happening in those companies that have poor health and safety records, let's find those people who aren't even contributing to a health and safety insurance plan for the employees in the province of Ontario.

Even though this can be a polarizing issue, it can also be an issue that unites both sides of this argument. I would hope that would happen on this piece of legislation and on the amendments that are being proposed today, because the structural changes that we're being asked to approve, if we approve this legislation, are going to provide us with a new prevention organization within the province of Ontario. The mandate of that would be a prevention mandate. I think that's what we all want to see.

The responsibility for that prevention mandate would be transferred therefore to the Ministry of Labour. You'd have a new chief prevention officer who reports directly to the Minister of Labour. That person's job responsibilities and accountabilities are to provide the strategic priorities that are going to result in a system that results in far less tragedy within the average working day in Ontario.

The Ministry of Labour is going to expand its involvement in workplace health and safety. Most importantly, I think where you're going to see it manifest itself is in the education and the promotion of the idea itself, because I truly believe that even the most hard-nosed employer does not want to see injuries within their own companies. Somebody who has got their eye on the bottom line on a regular basis, somebody who may have a different view from mine as to what the relationship should be between an employee and an employer, would still—even the hardest of those people does not want to see the type of tragedy that we've seen happen in the province of Ontario.

Now, there are some who fool themselves into thinking somehow they can skirt the issue or they can avoid the issue or they can avoid paying their fair share when it comes to premiums and that other people will pay their share. Those are issues and those are things that can be addressed and things where I think any reasonable and responsible person who is engaged in this issue, either from a business or from a labour perspective, would agree that the costs should be shared fairly. That's what this is going to bring about, I think.

Workers, especially the most vulnerable workers in our society, need to also have what I think are increased protections against the ability of one of the employers that I just mentioned before to enact any sort of a reprisal

against a person who is simply saying, "I don't want to do that job because I think I'll injure myself. I think if you force me to undertake that activity, I'm going to put either my life at risk or I'm going to put my body at risk."

I don't think anybody in this room would want a family member to undertake that risk at work. Some of the jobs in Ontario are very dangerous jobs with very dangerous working conditions, but each and every one of them can be accomplished safely and can be accomplished profitably as well, if we have the right organization in place that helps to educate, promote and guide those companies in assisting them to do what they really want to do anyway. They don't want to have injuries on the job. Morally, I think it's reprehensible, but also, economically, it's not a good thing for the businesses in the province of Ontario to have to shoulder the costs that are associated with the injuries that take place.

#### 1720

The best way of addressing the overall issue is to not have the injuries in the first place, to have a culture of prevention, to have a culture of safety that pervades everything else and just ensures that everybody in that company goes home at night, safe and sound, to their families.

I think if we pass these amendments, and I hope it does get the full support of the House, that it's going to benefit all Ontarians, both employers—being an employer myself—and employees, both union and non-union. I think it's the sort of legislation that families in Ontario want to see passed. Quite simply, when you look at it in its basic form, it's a reorganization of the way that we're going to accomplish those ends. It's a streamlining of the way that we're going to accomplish those ends.

It's based on suggestions that come back from a gentleman who's got the respect of this House and other people who assisted him in that regard, and it's not like they sat in a room and made this up. They went out and held over 50 meetings. That's a large amount of meetings. Having served on a number of committees in the Legislature over the past eight years, any undertaking that results in 50 meetings being held is quite significant and quite substantial. The information I have is that they heard from over 400 responders, people from the employee side and from the employer side of the equation.

They came forward with ideas as to how the system may be made better and how it could be a safer system. They came up with the idea of a prevention council. I love to see that word, "prevention." That means the accident hasn't taken place yet. When you have an organization that's got the word "injury" in it, that means the injury has happened. When you have an organization that's got the word "prevention" in it, that means the injury hasn't happened yet, and it doesn't have to happen. When you have a prevention council, I think that's a wonderful use of the English language.

It's going to have reps from both the employer side and the employee side. It's going to have some of the best health and safety experts that we have in the

province of Ontario on it, and it's going to provide valuable input, I think, on an ongoing basis, as to the direction that the health and safety system in this province takes with respect to—there again—the word “prevention,” and that includes both occupational injuries and occupational diseases that have plagued us in the past as well.

The minister would then have the authority to establish standards for health and safety training in order to enhance this training and ensure that all workers in the province of Ontario not only put in a good hard day's work and earn their pay, but are also properly trained to be able to do that job more efficiently and more effectively, and are able to do that job safely as well; that's just as important as anything else that is involved in modern corporate Canada today.

There are companies that buy into this concept already. This isn't a revolutionary idea. I think there are a lot of companies, both large and small, that understand that the reason for their existence is not simply to make a profit. They want to make a profit—and I hope they all do make a profit—but also, I think they've got a larger responsibility to the greater society and that is to be a good corporate citizen. Most of them really want to be that.

I think the hallmark of a good corporate citizen is an organization that respects the people who are actually providing the labour and who are causing that profit to take place in the first place. The greatest resource that these corporations have is the employees who work for them. The best thing they can do, the highest sign of respect, I think, for those people who are doing that work on a daily basis, is to give them the tools and the training to ensure that they're able to accomplish the work that they've been hired to do in a safe manner, in a manner that allows them to produce whatever product or idea or innovative system that they're involved in, not only to produce at a profitable level, but to be able to go home at night and to come back the next morning and do it all over again and make more money. I don't think there's anything wrong with that. I don't think there's anything that anybody in this House could argue with.

I'm asking members of this House if they will support the amendments that are put forward. I think they're well thought out. I think they've passed the test, certainly, of the public on this, and the process that's been engaged in has been quite consultative. The message, I think, is clear: We can do better and by passing these amendments, we will do better.

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

**Mr. Ted Chudleigh:** The member talked at great length about the safety issues in Ontario and Ontario's laudable safety record. We have one of the best safety records, I think, in Canada, if not in North America. He talked about how people deserve to have a safe workplace, how employers want their workplaces to be safe, but he didn't say how this piece of legislation will help accomplish those goals.

I suspect that this legislation, the more I hear about it and the more I listen to the government talk about it—I see this legislation as being somewhat bureaucratic in nature. We're going to have lots more committees, we're going to have lots more organizations, but I don't hear about how this piece of legislation is going to make it safer for someone to go to work in the morning and come home at night. We're already at a very high level in that area, but we all want it to be better; we want the goalposts to keep moving as to how safe a workplace can be. As you mentioned, accidents happen because something went amiss. They're never purposeful; they're accidents by nature. But someone had a small lapse, and the result can be anything from a sprain to the consequences that we had a year ago Christmas, with the unfortunate accident in the underground economy.

This bill doesn't mention the underground economy. It doesn't do anything to—

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

**Mr. Lorenzo Berardinetti:** It's hard to sum up in two minutes what the member from Oakville did in his 20-minute presentation. It was very eloquent and very thoughtful, and I just want to add a few points to it.

The bill in front of us today, Bill 160, is quite complex. It adds a number of amendments to the Occupational Health and Safety Act and the Workplace Safety and Insurance Act, so we're looking at two different acts that are being amended.

The amendments are quite extensive. The bill in front of us amends both of those acts. They're important acts, and I think that in over 30 years this is the most important change to the Occupational Health and Safety Act, because it provides for something new that we don't have: a chief prevention officer and also a council, people who will advise the chief prevention officer. The chief prevention officer won't be doing things on his or her own; they will have help from the council, and they will then provide that information and advise the minister.

There will be lots of input and lots of consultation. I think it's quite clear that this bill encapsulates a lot of what the member from Oakville was speaking about earlier: to provide for prevention, to provide for safe work environments, to provide for training, to provide for education, to provide for help for new workers and to protect new workers who start a new job, as well as to protect those who are in more hazardous positions, like those who were on the scaffold.

There's a lot in this bill, and I think it's encapsulated, as a result of the Dean report, in this bill. The member from Oakville was quite eloquent in bringing forward some of the key aspects of this bill and of the amendments that this bill is recommending.

**The Deputy Speaker (Mr. Bruce Crozier):** I'm going to apologize again to the member for Scarborough Southwest. I think it's because when you sit in this chair

for about four hours, your mind goes numb, amongst other things.

Questions and comments?

**Mr. Robert Bailey:** I won't touch that, Mr. Speaker, but I've had the same issue over the years myself.

Anyway, I'd like to make some further comments about Bill 160. As I've said, I've listened to some of the debate, both in the chamber and in the anteroom. I had an opportunity to hear a number of the other remarks going forward.

1730

Like I said, our problem, our issue with it in caucus, is that we support the spirit of the report, the Dean report, but we have issues with some of the bill, as written. We'd like to see amendments to it. We'd certainly encourage the committee to travel to parts of Ontario where a lot of construction takes place. I'd like to see them come to Sarnia-Lambton and/or bring some of those people who are in the field, who work in safety and those types of fields, to Toronto as a last resort, but I certainly encourage the committee to travel to Sarnia-Lambton to see what we do there as far as safety.

As we've said, we feel that this will encourage the underground economy because, as people have to deal with these regulations, it could encourage more people to move to that field because of overregulation and cost. We don't feel it does enough to work, as far as the training aspect of it. The costs are certainly still going to be there at the end of the day for those legitimate and reputable businesses to deal with, and you will still have the underground economy, which will try to escape those types of costs and those types of responsibilities.

At the end of the day, as I say, the Progressive Conservative caucus supports the spirit of the Dean report, but we certainly do have issues with the bill itself and feel that it needs more amendments, that certainly it could be improved; and we look forward to those, when it does go to committee, that will commit.

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

**Mr. Jeff Leal:** The member from Oakville, I think, did an incredibly good job on this particular bill, Bill 160. He talked about it from a very interesting perspective, I thought. He looked at it from a corporate perspective, a profitable business, and he made what I think is a very key link: A safe and healthy environment where people work each day is a very productive environment and adds significantly to the bottom-line operation of the business. I mean, it goes without saying: If you have a workplace that is not safe, it's not a productive workplace. Show me any business that doesn't have a stellar safety record; it is not a very profitable operating entity. And anything we can do to strengthen the health and safety provisions in the province of Ontario to improve that level of safety, to improve the level of a healthy working environment, is something all sides of this House should certainly strive for.

The expert panel, which was headed up by Tony Dean—and I think Mr. Dean is recognized as one of the

premier public servants throughout this country. He has served with several governments in an outstanding way. His advice and his leading this particular panel, I think, add a great deal of credibility to the panel itself and, indeed, the recommendations that were made by this panel. They received over 400 responses and had 50 meetings with stakeholders across the province. That certainly indicates to me that they went to the nth degree to solicit opinions and views on how we can improve the safety in Ontario's workplaces.

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

**Mr. Kevin Daniel Flynn:** It was great to hear some of the comments. I think, for the most part, they were positive. It was interesting to hear that most people in this House, if not all people in this House, indeed support the spirit of the intended amendments.

As the process unwinds—as it will, as a piece of legislation travels through this House—different ideas will get tossed around as to how the interests of the passage of this legislation can be structured in a way that best serves the needs of the workers in the province of Ontario.

But some of the key points that I heard and I think are important points—some of the things that are being suggested by the passage of this bill, for example—would be training for high-hazard work, which is something so that people, particularly in the construction fields and for people who work on heights, on scaffolding, for example, on some of the high-rise buildings and “skyscrapers,” we used to call them, are protected in a special way, because, obviously, the potential for a catastrophic injury is much greater in a high-hazard area. So I'm glad to see that this piece of legislation is going to focus on that as well: better protection for those workers who are vulnerable, who don't understand that in Canada we do things differently, that in Ontario we do things differently.

I think we should all be proud of the record that we have in Ontario, no matter which party we belong to, as to the human rights that we accord to workers from an employer-employee perspective. Those people who are new to this country or new to this province may not be aware of the rights they have to their own health and safety. This, I think, goes a long way to ensuring that they do.

Better support for small business: As a small business person, it's always tough, and any help you can get is something that is quite welcome.

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

**Mr. Ted Chudleigh:** A lot of this bill revolves round the Dean report. I think it's probably worth our while to—and I think the Dean report is extremely well respected, as is Tony Dean. He was a former Deputy Minister of Labour and really did a fantastic job as one of the key deputy ministers in the Ontario government.

The Ontario government has a record of having tremendous deputy ministers of very high quality, and by

and large, they do a fantastic job of managing the affairs of government and ensuring that Ontarians receive good value for their government. That may have waned a bit in the last six or seven years, but that quality of individual is still working for the government of Ontario. I have confidence that they will follow the directions that will be implemented in the near future for the best interests of Ontarians.

Again, Tony—Mr. Dean—did a wonderful job of bringing together this report, as you would expect. He was, as I say, a former Deputy Minister of Labour, but he was also principal secretary to the government, which means that he was the top civil servant in Ontario. Most people would assume that the Deputy Minister of Labour, for instance, works for the Minister of Labour. That, in fact, is not the case. The Deputy Minister of Labour works for the principal secretary to cabinet as the top civil servant in the government.

That relationship between the minister and the deputy minister is one of co-operation, moving towards the same goals. Tony Dean was extremely good in that area, which was why he was eventually promoted to being the principal secretary. Of course, that also made him the top bureaucrat in Ontario, and any study that he might have completed—as good as it was and as thorough as it was, with 46 succinct and extremely important recommendations coming forward, it's not surprising that some of those recommendations are somewhat bureaucratic in nature.

There's not much in the report that attacks the underground economy, which is the essence of the problem that we were dealing with when that unfortunate accident happened a year and a half ago on Christmas Eve, as it were. That's unfortunate, because the underground economy is where a lot of these accidents do happen. The underground economy is there with a dollar sign driving it on. The more the government drives up the cost of doing business in the province, the more the underground economy is going to become a way of life for workers and business people and people looking for services. They're going to find more and more of a gap between what legitimate businesses, above ground economies, can provide, the cost being significantly more than the underground economy can supply it for.

**1740**

That's unfortunate, because it's going to drive accidents. It erodes taxes. It erodes the revenue base of government. It has unfortunate consequences in many of those areas, and that's very difficult, especially when workers are working in very unsafe conditions. The workers that died on the scaffold that day were without safety harnesses; they were working on a scaffolding that was not maintained properly.

There were all kinds of things that had gone wrong on that particular day, and those kinds of things tend to happen more often in the underground economy than they do in the above ground economy. This bill is going to look at the consequences of that accident. In my reading of the bill, there is precious little in this bill that

would have prevented that terrible accident from happening.

This is a particular bill, and I have a release here from McCarthy Tétrault that talks about Bill 160 and the new amendments to Ontario's occupational health and safety legislation. I think I'd like to read this into the record, if I might. I think it's a great analysis of the bill, and what the actual consequences are or how the bill will actually work is outlined fairly well. It does emphasize the fact that there is somewhat of a bureaucratic nature to this bill.

It starts out: "On March 3, 2011, the Ontario government introduced Bill 160, An Act to amend the Occupational Health and Safety Act and the Workplace Safety and Insurance Act, 1997 with respect to occupational health and safety and other matters. Bill 160 follows the December 2010 report of a government-appointed Expert Advisory Panel on Occupational Health and Safety. The panel, chaired by former Ontario cabinet secretary Tony Dean, recommended 46 changes to how Ontario regulates occupational health and safety. Bill 160 is intended to implement some of the panel's recommendations. If passed into law, Bill 160 would result in a number of significant changes to the regulation of occupational health and safety in Ontario.

"Below, we have summarized some of the key aspects of Bill 160. As this bill is in the early stages of the legislative process, we will be monitoring its development and will provide future updates on its status."

The government itself has talked about the possibility of amendments to this legislation, and of course, they're talking about committee hearings as well.

"Training standards and approved providers: Bill 160 would amend the Occupational Health and Safety Act ... to permit the Minister of Labour to establish standards for training programs and approve programs that meet those standards. The minister would also be able to establish standards that a person would have to meet before becoming an 'approved training provider' and approve a person as a training provider of one or more 'approved training programs.' The minister would be required to publish these standards." I would point out that none of this, of course, would have prevented that accident from happening a year and a half ago.

"In establishing standards and programs and approving persons as training providers, the minister would have additional powers. For example, the minister could require a person seeking an approval to 'provide information, records or accounts' required by the minister pertaining to the approval. The minister would also be able to 'make such inquiries and examinations as he or she considers necessary.' Finally, the minister would be able to collect information about a worker's successful completion of an approved training program."

Of course, that section of the bill would deal with approved programs and how workers can get on to an approved program, what they're taught on that program, how they graduate from that program and, as they enter the workplace, how they would be safer workers after

having had that program, none of which applies to the underground economy or to people who are going to take shortcuts with our health and safety programs in Ontario.

There's also a section on additional training provisions: "At present, one worker member and one management member of the joint health and safety committee are required to be 'certified' by the Workplace Safety and Insurance Board. Under Bill 160, the minister could establish training and certification standards for the JHSC"—that's the joint health and safety committee—"members and require constructors or employers to ensure that health and safety representatives receive training that would enable them to 'effectively exercise the powers and perform the duties of a health and safety representative.'

"Those individuals who are already certified under the Workplace Safety and Insurance Act, 1997, would not have to recertify." In other words, they would be grandfathered into this process. But, of course, none of this would have helped those four workers who died falling off that scaffold.

Joint health and safety committee recommendations: "Currently, the joint health and safety committee"—that's the JHSC—"has the power under the OHS Act to make recommendations to a constructor or employer for the improvement of worker health and safety. Under Bill 160, if the JHSC did not reach consensus on recommendations, either the worker co-chair or the management co-chair would be able to make written recommendations that would include: (1) the co-chair's recommendation; (2) a summary of the position of committee members who support the recommendation; (3) a summary of the position of committee members who do not support the recommendation; and (4) information on how the committee attempted to reach consensus"—none of which would have helped those four unfortunate workers and all of which sounds to be excessively bureaucratic to me.

"Establishing policies: Under Bill 160, the director of the OHS Act would be able to establish written policies concerning the interpretation, administration and enforcement of the OHS Act. These policies are expected to contain the Minister of Labour's position on the application of the OHS Act, with inspectors being required to rely upon them in the course of their duties"—again, no effect on the underground economy or the people working in that underground economy or their safety.

"Prevention council: Under Bill 160, a 'prevention council' would be established and responsible for providing advice to the minister. This council would comprise worker and employer representatives and other persons with occupational health and safety experience. Essentially, the functions of the prevention council would be to advise the minister on the appointment of a 'chief prevention officer,' then to advise the chief prevention officer on health and safety matters."

Again, it sounds as though there's a duplication of effort being made here as to what's already in place and what the government would be putting in place with this further legislation.

"The chief prevention officer would be responsible for: (1) developing a provincial occupational health and safety strategy"—I think we already have one of those—" (2) preparing an annual report on occupational health and safety"—those are the big, glossy folders of about 100 pages that government seems to just love putting out; it doesn't help anyone, doesn't save anyone's life, doesn't make working in Ontario any safer, but I guess it provides some employment for the people who write those kinds of reports—" (3) exercising powers or duties delegated by the minister; (4) providing advice to the minister on the prevention of workplace injuries"—number 4 does have some merit—"and (5) providing advice to the minister on proposed changes to the funding and delivery of services for the prevention of workplace injuries." Again, that may have some merit.

"Finally, the minister would have the power to designate an entity as a 'safe workplace association' or as a 'medical clinic or training centre specializing in occupational health and safety matters.' Any such entity would be required to meet, and continue to abide by, certain 'standards' established by the minister. Any entity that is already designated under the WSIA would be deemed designated under Bill 160."

The organization of all of this material seems to smack of a highly bureaucratic system that, in my mind, would have difficulty delivering a program to the grassroots people who are actually doing a job in Ontario.

"Under Bill 160, section 50 of OHS Act would be amended to allow a Ministry of Labour inspector to refer a matter to the Ontario Labour Relations Board regarding whether an employer has committed a reprisal against a worker. The inspector would only be permitted to do so where 'the circumstances warrant,' and where: (i) the matter alleged to have caused the reprisal was not dealt with by arbitration under a collective agreement or by the filing of a complaint with the board; (ii) the worker consents to the referral; and (iii) the director has established a policy on referrals. This proposed provision has the potential to increase the number of reprisal complaints to the board, given that in certain circumstances an inspector on a routine audit would have the power to refer reprisal cases directly to the board.

"Implications for employers: "Bill 160 has only passed first reading on March 3, 2011, and has yet to be referred to legislative committee. As such, Bill 160 may or may not become law and/or may be significantly amended before it is enacted. However, it is important to note that the Ontario government has showcased its 'record' on occupational health and safety, and has indicated that it plans to implement all 46 recommendations of the expert advisory panel within the next three to five years." It's making some assumptions there, I would suggest. "Accordingly, it may be that Bill 160 is only the first step in a more comprehensive overhaul of Ontario's occupational health and safety" regulations. That could cause some consternation amongst employers since the Occupational Health and Safety Act does cause

some difficulty in making Ontario a competitive jurisdiction.

We do have a fine record on working safely in Ontario, and that record is to be preserved. It is to be encouraged in every aspect. I think all members of the House would agree that that's a laudable goal that we want to work towards. One of the problems we want to keep in mind is that all regulations and all red tape that comes into this House does have a cost associated with it. In order for Ontario to remain a competitive jurisdiction and to remain the growing community that it is, the growing jurisdiction that it is, with more jobs and better jobs and higher-paying jobs, it's important that we con-

tinue to monitor these increasing regulations and ensure that Ontario can remain the competitive and healthy jurisdiction that it used to be and will be again in the future.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bruce Crozier):** I know all members would like to know that I just got my trusty pocket watch back from the jeweller's. Being the fine timepiece that it is, I refer to it, and it says it's time to adjourn.

This House is adjourned until 9 of the clock, Tuesday, March 22.

*The House adjourned at 1753.*

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Gélinas, France (NDP)	Nickel Belt	
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<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Moridi, Reza (LIB) <b>Munro, Julia (PC)</b>	Richmond Hill 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) <b>Murray, Hon. / L'hon. Glen R. (LIB)</b>	Bruce–Grey–Owen Sound Toronto Centre / Toronto-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Naqvi, Yasir (LIB) O'Toole, John (PC) Oraziotti, David (LIB) Ouellette, Jerry J. (PC) Pendergast, Leeanna (LIB) <b>Peters, Hon. / L'hon. Steve (LIB)</b> <b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Ottawa Centre / Ottawa-Centre Durham Sault Ste. Marie Oshawa Kitchener–Conestoga Elgin–Middlesex–London Scarborough–Agincourt	Speaker / Président de l'Assemblée législative 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) <b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Beaches–East York Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB) Ramal, Khalil (LIB) Ramsay, David (LIB) Rinaldi, Lou (LIB) Ruprecht, Tony (LIB) Sandals, Liz (LIB) Savoline, Joyce (PC) Sergio, Mario (LIB) Shurman, Peter (PC) <b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Etobicoke North / Etobicoke-Nord London–Fanshawe Timiskaming–Cochrane Northumberland–Quinte West Davenport Guelph Burlington York West / York-Ouest Thornhill Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Government House Leader / Leader parlementaire du gouvernement
Sorbara, Greg (LIB) <b>Sousa, Hon. / L'hon. Charles (LIB)</b> Sterling, Norman W. (PC) Tabuns, Peter (NDP)	Vaughan Mississauga South / Mississauga-Sud Carleton–Mississippi Mills Toronto–Danforth	Minister of Labour / Ministre du Travail  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) <b>Wilkinson, Hon. / L'hon. John (LIB)</b> <b>Wilson, Jim (PC)</b>	Lambton–Kent–Middlesex Perth–Wellington Simcoe–Grey	Minister of the Environment / Ministre de l'Environnement First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC) <b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b> Yakabuski, John (PC)	Kitchener–Waterloo Don Valley West / Don Valley-Ouest Renfrew–Nipissing–Pembroke	Minister of Transportation / Ministre des Transports Opposition House Leader / Leader parlementaire de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

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COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

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Vice-Chair / Vice-président: Robert Bailey  
Robert Bailey, Gilles Bisson  
Kim Craitor, Bob Delaney  
Garfield Dunlop, Peter Fonseca  
Phil McNeely, John O'Toole  
Maria Van Bommel  
Committee Clerk / Greffière: Sylwia Przewdziecki

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Comité permanent des finances et des affaires économiques**

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Bob Delaney, Kevin Daniel Flynn  
Pat Hoy, Helena Jaczek  
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Peter Tabuns  
Committee Clerk / Greffière: Sylwia Przewdziecki

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Kuldip Kular, Dave Levac  
Amrit Mangat, Rosario Marchese  
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Howard Hampton, Ernie Hardeman  
Lisa MacLeod, Leeanna Pendergast  
Jim Wilson  
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Vice-Chair / Vice-président: Reza Moridi  
Bas Balkissoon, Lorenzo Berardinetti  
Ted Chudleigh, Mike Colle  
Christine Elliott, Peter Kormos  
Reza Moridi, Lou Rinaldi  
David Zimmer  
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permanent de l'Assemblée législative**

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Vice-Chair / Vice-président: Yasir Naqvi  
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Sylvia Jones, Amrit Mangat  
Norm Miller, Yasir Naqvi  
Michael Prue, Mario Sergio  
Maria Van Bommel  
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent  
des comptes publics**

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Vice-Chair / Vice-président: Peter Shurman  
Wayne Arthurs, Aileen Carroll, P.C.  
France Gélinas, Jerry J. Ouellette  
David Ramsay, Liz Sandals  
Peter Shurman, Norman W. Sterling  
David Zimmer  
Committee Clerk / Greffier: Trevor Day

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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  
Committee Clerk / Greffier: Trevor Day

**Select Committee on the proposed transaction of the TMX  
Group and the London Stock Exchange Group / Comité  
spécial sur la transaction proposée entre le Groupe TMX et le  
London Stock Exchange Group**

Chair / Président: Gerry Phillips  
Vice-Chair / Vice-président: Frank Klees  
Laura Albanese, Wayne Arthurs  
Gilles Bisson, Michael A. Brown  
Frank Klees, Gerry Phillips  
Peter Shurman, Maria Van Bommel  
David Zimmer  
Committee Clerk / Greffier: Trevor Day



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