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Lundi 28 mars 2011

Speaker
Honourable Steve Peters

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L'honorable Steve Peters

Clerk
Deborah Deller

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Hansard Reporting and Interpretation Services
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Service du Journal des débats et d'interprétation
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 March 2011

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 28 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.

RESIGNATION OF MEMBER FOR MISSISSAUGA EAST-COOKSVILLE

The Speaker (Hon. Steve Peters): I beg to inform the House that a vacancy has occurred in the membership of the House by reason of the resignation of Peter Fonseca as the member for the electoral district of Mississauga East–Cooksville.

Accordingly, I have issued my warrant to the Chief Electoral Officer for the issue of a writ for a by-election.

INTRODUCTION OF VISITORS

Ms. Helena Jaczek: In the east public gallery, we are joined by the grade 10 class from St. Augustine Catholic High School in my riding. Also, teacher Christina Iorio is accompanying the class.

Hon. Monique M. Smith: This morning, I had the privilege of meeting with some medical students from the OMA. Chloe Ward is at the University of Ottawa, and she is from the great town of Pembroke. Sophia Lane is at the University of Western Ontario, and she is from Kitchener. I don't think they're in here yet, but they're on their way, and we're delighted to have them this morning.

Mr. Reza Moridi: It's great pleasure to introduce Master Alijan Alijanpour and his family and friends in the east gallery. This morning, Mr. Speaker, you hosted an event where you unveiled his masterpiece painting of this Legislative Building. Please join me in welcoming them.

The Speaker (Hon. Steve Peters): And on behalf of the Legislature, I would just like to say thank you very much for the kind donation of the painting. It's going to hang proudly here at Queen's Park.

Mr. Robert Bailey: It's a great pleasure for me today to welcome to the members' west gallery the parents and grandparents of our page Travis Poland: Christine Poland and Dave Poland, his mother and dad; and his brother Tyler. They're joined by his grandparents Joyce and Bob Poland, their granddaughter Alison Poland and my wife,

Elizabeth Bailey, his aunt. I'd like to welcome them to the Legislature today.

Hon. Deborah Matthews: I'd like to introduce members from the Ontario Medical Students Association, including co-chairs Christina Nowik and Kyle Cullingham, who join 50 other medical students who are visiting Queen's Park today for their seventh annual lobby day. Welcome to all.

USE OF QUESTION PERIOD

The Speaker (Hon. Steve Peters): During question period on Thursday, March 24, I interrupted a question being posed by the member for Thornhill, Mr. Shurman. I did so out of a concern that it was more of a not-so-veiled attempt to import the Canadian general election onto the floor of this chamber as opposed to a question that related to and dealt with matters of provincial policy and issues within the jurisdiction of this assembly.

Following question period, the House leader of the official opposition, Mr. Yakabuski, raised a point of order. He was followed by the House leader for the third party, Mr. Kormos, and the government House leader, Ms. Smith.

I have nothing but a desire to see this place function well. This happens when the House is operating within a band of reasonably acceptable decorum, where members can hear each other and business actually can be conducted. This band is actually very broad, and I think there is almost an intuitive consensus among us as to where that band usually lies.

Last Thursday, I was asked for my guidance on what is an appropriate exchange between members of this House. My point of view in that regard has never changed, nor is it a new perspective.

The purpose of question period in this House is to seek and provide information relating to provincial policy. Questions asked of a minister and answers given must be relevant to his or her program responsibilities. As I said, this is not new; a cursory glance at the precedents in this regard reveals such rulings going back as far as 1978. Specifically, in a case on point, Speaker Carr had this to say on June 4, 2001: "To read other people's records during a by-election is not the purpose of question period.... I will not allow people to use the questions to turn them into partisan situations."

Last Thursday, I simply asked the member for Thornhill to link his question to this government's policy. He attempted to do so, and I allowed the question. I do not

think it is too difficult a concept to grasp that the executive council is responsible for the policies of this government and not for the comments or opinions of candidates in the federal election, and that it is these policies upon which they should be questioned.

I fully expect that the Canadian general election—only a prospect last Thursday, but now in full swing—will find its way onto the floor of this Legislature. As the member for Welland said, politics is what this place is all about. Of course, national issues are of significance and relevance here. However, it is that relevance to provincial policy that I insist on. I would ask all members to keep that in mind when crafting their questions and formulating answers so that we can maintain the integrity of question period and not succumb to the temptation to wander too far into the political battlefield of a federal election.

I thank the House leaders for all your submissions on this issue.

ORAL QUESTIONS

GOVERNMENT SPENDING

Mr. Tim Hudak: My question is to the Premier. Last year, after finally admitting that your runaway spending meant Ontario was on the verge of doubling its debt, you famously retreated to your “thinking place.” When you emerged, you said that you finally had a plan. You said two things: One, you would freeze public sector wages, and second, you would find savings by streamlining agencies.

Now, a year later, we see that your public sector restraint package is badly off the rails and arbitrators are thumbing their noses at your wage freeze, driving up costs. Secondly, you seem to want to pat yourself on the back on agencies, but in reality you’ve pared back only 0.0002% in spending.

Premier, since you didn’t keep your promises last year, why should we believe your budget commitments in 2011?

Hon. Dalton McGuinty: I appreciate the question, and we look forward to presenting our budget inside this hallowed precinct, not over at Magna. I can also assure you that there will be no hidden deficits. We will be very transparent, very open and honest with the people of Ontario, unlike the government before us.

I also want to say that when it comes to our plan, there’s no doubt about it: It differs dramatically from that which would be proposed by my honourable colleague and his party. We are not prepared to fire nurses. We are not prepared to shut down hospitals. We’re not prepared to lay off meat inspectors and water inspectors. Those are the kinds of investments, the kind of public services, that our families have to be able to count on. We have another way when it comes to introducing balance and responsible progress when it comes to eliminating the deficit over time.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: You know, Premier, the reality is that you are on track to doubling the provincial debt. The fact of the matter is that you and your caucus are hard-wired to tax and spend. It’s simply part of the McGuinty DNA.

Last year, you pushed your luck by telling families you were a changed man, that you finally understood the need to get spending under control and give average families a break. But now, a year later, Premier, we see you have not changed at all. You’ve made no attempt to get your spending under control, your wage restraint package is badly off the rails and Ontario families are paying more and more and getting less in return.

Quite frankly, Premier, why should we believe a single word in tomorrow’s budget?

1040

Hon. Dalton McGuinty: As I like to say, history can be our friend. Let’s revisit what happened in 2003. We asked the Provincial Auditor to take a very close look at the books, because the government before us had asserted that the budget was balanced. But we discovered that the previous government had hidden a \$5.5-billion deficit. So we worked very hard to eliminate that deficit over time, which we did. We then balanced the budget for three successive years.

Then we were hit with a global recession. We thought it was important to support our auto sector. We thought it was important to participate in the global effort to stimulate the economy. That meant we borrowed money. That led to a larger deficit. That’s the rationale behind the deficit. What we’re going to do now is lay out a plan that’s going to eliminate the deficit over time.

But we will not, for example, as my colleague opposite insists, take \$3 billion out of health care. That is unacceptable and not in keeping with our values and the values of Ontario families.

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

Mr. Tim Hudak: The Premier obviously has an eight-year amnesia case going on affecting his judgment. The Premier forgets about the fact that he raised taxes on Ontario families through the roof with his HST tax grab, with his so-called health tax, with his eco tax—the list goes on and on.

The problem, Premier, is that it’s in your DNA to ramp up spending, and you keep increasing taxes to try to pay for it. But it doesn’t work. Ontario families are absolutely tapped out. Families need a break, and they need a Premier to rein in his runaway spending.

Premier, why is it that you see every Ontario family as your own personal ATM?

Hon. Dalton McGuinty: I can always appreciate the perspective offered by my honourable colleague, but it’s obviously something I don’t share. In addition to that hidden \$5.5-billion deficit, which is part of the record now, we also passed a law to ensure that that kind of thing doesn’t happen again, so we’re being very open and transparent.

We're also open and transparent with our values, and those distinguish us from the party opposite. Again, they are determined to take \$3 billion out of health care. I can only begin to imagine the pain and suffering and anxiety that will cause Ontario families. They are also determined to shut down full-day kindergarten in the province of Ontario. They want to bring their traditional slash-and-burn approach to our schools and our health care.

Again, I say that that is not in keeping with the values of the people of Ontario, and it's not in keeping with the approach we will continue to bring in the budget we will present in this chamber tomorrow.

TAXATION

Mr. Tim Hudak: Back to the Premier: The Premier uses the phrase, "History can be our friend." If the Premier truly believes it, then that indicates one thing clearly: After eight years, Dalton McGuinty's government is hard-wired to increase taxes to pay for his runaway spending. It's in your genes. Even when Premier McGuinty says, "Read my lips: I won't raise your taxes," there's a 100% guarantee, Premier, that you will raise taxes on Ontario families.

Last year's budget said "no tax increases," and on Canada Day you brought in the underhanded eco tax to try to hide it behind the HST. You said that's gone, but we find out today that you're going to continue with the eco tax with an \$18-million so-called cancellation fee.

Premier, tell us it's not so. Is the eco tax back on the table?

Hon. Dalton McGuinty: Let's talk about my honourable colleague's obsessive determination to make cuts to public services.

I notice that there are some medical students who are visiting us today. I welcome them and wish them the best in their careers, and I thank them for pursuing such an honourable calling.

I want to talk a little bit about all the investments we have made in health care to strengthen that for our families: We have billions more invested in the system, 94% of Ontarians now have a family doctor, we put in place 200 family health teams that are caring for 2.3 million Ontario patients, we're building 18 new hospitals, we're investing in 100 major hospital expansion and renovation projects, there are over 10,000 more nurses working in the province of Ontario today and we have the shortest wait times in the country. That's what it means when you put your values into your budget.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Premier, the eco tax was simply the latest greedy tax grab from the McGuinty Liberal government. You swore in your last budget that you wouldn't increase taxes, and then you nailed families with your underhanded eco tax grab. Now, we find out today you're going to go back to Ontario families to ask them to pay \$18 million more toward your eco tax.

The record is clear: In 2003, Premier, you actually signed an oath to say that you would not increase taxes,

and then you nailed families with your greedy health tax increase. Then you did it again: You said that you wouldn't increase taxes after 2007, and you brought in your greedy HST tax grab.

Families are saying that enough is enough. They need a break. We'll deliver it; you'll increase taxes. Why don't you get it?

Hon. Dalton McGuinty: Let's just break down their commitment to take \$3 billion out of health care so that families better understand what we're talking about here. When they scrap the health premium—I mean, they rail against it every single day; the only logical interpretation to give that is that they're going to eliminate it. They're going to stand by their convictions, surely, and eliminate \$3 billion from health care. We'll take them at their word on that.

That means that we fire 15,000 doctors or almost 72,000 nurses. It means that up to 40 hospitals are at risk of closure, and it means eliminating care for 75,000 seniors in long-term-care homes.

When my honourable colleague says that he doesn't like the health premium, he's saying that he's going to take \$3 billion out of health care. I think that's something families want to hear just a little bit more about, so we're going to take the time to make sure Ontario families understand that.

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

Mr. Tim Hudak: The sad reality, Premier, is that families are waiting up to 26 hours today in the McGuinty Ontario for ER service. Families that I talk to across the province say that they can't get a loved one into a long-term-care home for up to two years. Then you took a billion dollars, flushed it down the drain and put it into the pockets of Liberal-friendly consultants in the billion-dollar eHealth boondoggle. There's enough on that to defeat a government right there, with that waste of precious health dollars. Now, we find out today that after you brought in the so-called health tax, which just goes into general revenue, after you brought in the HST, after you brought in the eco tax, it's \$18 million more for the eco tax.

Premier, will you at least admit that the eco tax is back on the table for Ontario families?

Hon. Dalton McGuinty: It's interesting: This may be the first time ever I've heard my honourable colleague talk about a concern connected with health care—because we know that their agenda is, in fact, to take \$3 billion out of health care.

It's interesting that we measure wait times today in Ontario. We have the shortest wait times in Canada today in Ontario. They didn't even mention them in the past. They were afraid to mention them; they were afraid to get the answers.

Again, what I'd ask my honourable colleague to do is to stand up in this Legislature—at some point in time, surely, there will be some specificity and some clarity with respect to their plan—and assure Ontarians that they're not going to take \$3 billion out of health care,

that they're not going to fire all those doctors and those nurses and close those hospitals. I think that's something they owe Ontario families.

TAXATION

Ms. Andrea Horwath: My question is for the Premier. Yesterday, the McGuinty government trotted out the oldest trick in the pre-budget playbook, a trick sponsored by the Enron accounting department. Yes, it's the incredible shrinking deficit.

If the Premier is as committed to slaying the deficit as he claims, why won't he pull the plug on his \$6-billion corporate tax giveaway?

Interjection: Just can't take good news.

Hon. Dalton McGuinty: There was some talk of some good news. We'll have to wait and see the budget tomorrow to see exactly what we're talking about. I think if you look at our record, though, you'll see that we worked very hard to eliminate the hidden deficit we inherited from the previous government.

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We have revitalized and inspired public confidence once again in our public services, especially in education and in health care. We were side-swiped, like everybody else, by the global recession. We decided it was important to support our auto sector and to stimulate the economy. Now what we are going to do is put forward a budget that protects our public services, that continues to engender economic growth and more job creation and that, at the same time, puts ourselves on a plan to eliminating the deficit and balancing the budget over time. We're going to do it in a thoughtful, balanced and responsible way. That's what families want.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: In my humble opinion, this is where the Premier loses all credibility. As his government imposed \$6 billion in new taxes on home heating, gas and other daily essentials, it shovelled more than \$6 billion out to some of the biggest corporations around, including \$550 million to big banks, through the elimination of the capital tax. At a time when Ontarians are struggling to pay 8% more to keep their homes warm and their cars on the road, how does the Premier justify his corporate tax giveaway?

Hon. Dalton McGuinty: I would again recommend to my honourable colleague a study called Not a Tax Grab After All. That came out in December 2009. I would recommend that to my honourable colleague. She will see that the study looks in a comprehensive way at our package of tax reforms. It comes to the conclusion that for lower-income families they're ahead. For middle-income families, to use the report's language, it's "a wash." For higher-income families, they're going to pay a little bit more because of the consumption tax associated with the HST. The fact of the matter is that we've got a package of tax reforms in place that, among other things, reduces income taxes on the average Ontario family by \$355 this year and every year going forward.

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

Ms. Andrea Horwath: The Premier likes to claim it's "good economics" to dole out tax cuts to large corporations already sitting on record profits; corporations like the Bank of Montreal, whose profits rose to \$2.8 billion last year and whose CEO got a tidy \$2-million raise. Does the Premier really believe that it's good economics for the Bank of Montreal to get a tax cut of \$125 million paid for by the people of Ontario?

Hon. Dalton McGuinty: It's an old-fashioned approach. I gather it's one that my honourable colleague is going to stick with, which is: As the NDP you've got to hammer business and you've got to lose your objectivity. We're bringing a balanced, thoughtful, responsible approach. We understand that it's important to lighten the tax load on our businesses, those people who create jobs for us. We also understand it's important to reduce the tax burden on our families, which is what we've been doing: \$355 off the average family's income tax bill this year. We also have our clean energy benefits there to take 10% off all of our electricity bills for five years. While we are lightening the load on our businesses, we're also making dramatic investments in our schools and in our hospitals. We're bringing a thoughtful, balanced approach.

TAXATION

Ms. Andrea Horwath: My question is to the Premier. There are more than 1.6 million Ontario families living in poverty, and our province is the child poverty capital of Canada. But the big banks are doing more than okay: Scotiabank's profits rose to \$4.2 billion and their CEO took home more than \$10 million. Yet the Premier is giving Scotiabank a \$150-million tax break. In tomorrow's budget, will the Premier finally start looking after the interests of Ontarians or will it be more of the same for his well-heeled corporate buddies?

Hon. Dalton McGuinty: It's that old-fashioned approach. If you are in the NDP and you are steeped in kind of a traditional socialism, then you've just got to hate business. You can't accept that they have a valuable role to play in our economy and in our society. In fact, there are millions of Ontarians who are employed by businesses. That's very important to those families.

I would ask my honourable colleague, then, to acknowledge our Ontario child benefit, the first provision of its kind in our province. We started it at \$600 per child. It's now at \$1,100 per child. It's benefiting 1.3 million children in 600,000 Ontario families. I would ask my honourable colleague: Why does she not support that provision to help Ontario kids?

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The McGuinty government's taxation policies are so obscene, they should be labelled "for adults only." Take the case of TD Canada Trust: That bank made \$1.5-billion profit in the last quarter. Their CEO, Ed Clark, a well-known insider, made more

than \$11 million in salary. Yet, TD—surprise, surprise—is cashing in as well, thanks to the Premier's corporate tax generosity.

Will that generosity be rolling out again tomorrow, as Ontarians continue to get squeezed out of every last penny?

Hon. Dalton McGuinty: My honourable colleague tells us that we shouldn't be working with our businesses, but I want to remind her about some of the investments we've made to support businesses in her own community. We work with Max Aicher North America; we're creating 300 high-value jobs in Hamilton. JNE and Daqo New Energy: That's 300 new jobs in Hamilton over the course of two years. ArcelorMittal Dofasco: We're investing \$44 million. I've never heard my colleague stand up and say, "No, we should not be investing and working with businesses. They're making too much money." We put \$150 million into Stelco to participate in their restructuring process. I don't recall my honourable colleague saying, "Stop working with businesses in my riding, because you're helping to support jobs in my riding."

She can't have it both ways. Either you work with business, you work to ensure we have a strong, growing economy that creates more jobs for our families, or you don't.

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

Ms. Andrea Horwath: I'm very, very proud to remind the Premier and his group over there where New Democrats stand. We don't believe that it makes sense to fork over hundreds of millions of dollars to banks and their CEOs when they're already making billions of dollars in profits as Ontarians are forced to dig deeper and deeper into their pockets to pay the bills, bills made 8% more expensive by this government's unfair HST. Tomorrow's budget can give recession-weary Ontarians a real break or it can keep profitable banks and big corporations at the trough. What's it going to be? Whose side will the Premier be on?

Hon. Dalton McGuinty: Again, "at the trough" is a very old-fashioned line. I just don't think it has a place in modern, progressive debates about how you build a strong economy that supports good public services.

If we were doing nothing to support our social programs and our public services, I would say that my honourable colleague has a point, but the fact is, we're doing much in that regard. We have launched full-day kindergarten. When it's fully implemented, that's \$1.5 billion. We've accelerated the phase-in of the Ontario child benefit, two years ahead of schedule, to \$1,100 per child. We're investing \$63.5 million per year to permanently fill in a funding gap left by the federal government for licensed child care spaces. We have launched a social assistance review and we think we can find better ways to work in that regard. We have increased the social assistance rates, I think, six times over and the minimum wage seven times over. So we're doing what we need to do on both sides of the spectrum.

TAXATION

Ms. Lisa MacLeod: My question is to the Premier. Ontario families saw you use the HST to sneak a greedy eco tax past them and they've had enough. At the time, they demanded that you show them respect and do something about the eco taxes that you added to literally hundreds of household products that they use every day. After you were caught, the last environment minister was fired for his part in trying to slip those eco taxes right past Ontario families. Now we learn that the new environment minister is ready to agree to sell Ontario families down the river and make them foot the bill for an \$18-million eco tax cancellation. How will you hold him accountable?

Hon. Dalton McGuinty: To the Minister of the Environment.

Hon. John Wilkinson: It's important to remember that on this side of the House, we don't believe that hazardous materials should get into our landfills. That contaminates our groundwater, and that's exactly why we have a number of increasingly successful programs to keep hazardous materials out of our landfills.

The member opposite needs to understand that the fees that were brought in on July 1 are cancelled and they're not coming back. It's that simple. But there were six items that we thought it was in the public interest that we ensure do not get into a landfill and that the cost does not rise. We do not believe that the cost of a fire extinguisher should go up. People should buy fire extinguishers, and that's why our government is proud, when it comes to fire extinguishers, compact fluorescent light bulbs and switches that contain mercury, that we will bear that cost, and we were very clear. But if Stewardship Ontario thinks they can negotiate on the front page of the Toronto Star—

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

1100

Ms. Lisa MacLeod: I don't think Ontario families are really in the mood to listen to the father of the \$3-billion greedy HST tax grab, and he's going to nail them with another \$18 million.

They're fed up. They've had enough. They stood up to you when you tried to sneak that tax grab through with the HST, and they demand respect. It does not respect Ontario families to try to slip it past them again. That's \$18 million of their money.

Ontario families are asking for relief, but you're still trying to make them foot the bill for this \$18-million eco fee fiasco. Why should Ontario families believe you won't try to raise taxes again tomorrow or before the next election?

Hon. John Wilkinson: It's very clear that the party opposite wants to do what they did when they were in government, which is to download the costs onto municipalities. We have uploaded that cost.

Once again, the Tories are trying to have it both ways. They think it's acceptable to waste. They said to people,

“We’re going to get rid of those fees.” Well, where do you think all of that hazardous material is going to go? It’s going to go into our landfills and it’s going to contaminate our groundwater for our children and our grandchildren. We will ensure, and we’ll continue to ensure, that that is not happening.

There will be no additional eco fees. We’ve been very clear.

But we will not negotiate with Stewardship Ontario on the front page of the Toronto Star. According to my officials, I can tell you that the number that is reported is inaccurate. The taxpayers of Ontario will make sure that if there are any fees that will be paid by our government to ensure that hazardous materials stay out of landfills, they will be audited.

We are not going to go down the path of the previous government that said, “Well, we’ll just get rid of these fees.” It’s all right by them that these hazardous—

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

TAXATION

Mr. Peter Tabuns: My question is to the Minister of the Environment. Today the eco fee fiasco continues. Industry-run Stewardship Ontario is asking taxpayers to cover millions more in costs for the bungled program.

You’ve been making some very interesting statements. Are you going to tell us right now that they’re out of luck, that in the end, it’s companies that will pay, not families?

Hon. John Wilkinson: What is the position of the NDP today on extended producer responsibility? We’re not exactly sure on this side of the House.

There are programs that we had prior to July 1 to make sure that used tires, household hazardous waste, used electronics and the blue box program were all up and running. Those programs are getting better.

On July 1, there was a program that was brought in that does not work for consumers. It confused them, it wasn’t transparent, and it left people confused. That’s why, in October, we cancelled that program, and we said that those fees are not coming back. But that does not mean that the extended producer responsibility that looks after all of our other programs is not still in force.

When it comes to the article in the Toronto Star, I say quite clearly to Stewardship Ontario: We’re not negotiating on the front page of the Toronto Star. If there are any payments, they will be the result of an audit—an audit that is ongoing, as reported by the Toronto Star. We await the results of that audit.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: It’s no wonder the public is confused: They can’t get straight answers out of this minister.

It’s very clear: We have said companies should pay for their toxic waste—simple as that. Your government hasn’t upheld that principle. You’re about to go into what sounds to me like backroom negotiations on this.

Tell them, ‘Forget it.’ Are you going to tell them that?

Hon. John Wilkinson: I ask the NDP: Do you think that the price of fire extinguishers should go up? It is in the public interest that the price of a fire extinguisher not go up. That’s why we’ve decided that it’s in the public interest that people have fire extinguishers.

Now, the NDP over there have an interesting idea: that when it comes to sharps, to pharmaceuticals, to mercury-containing devices and to compact fluorescent light bulbs, they believe the cost of those items should go up, even though they benefit the environment, even through they’re for public safety.

That’s why we cancelled the program on July 1, but we’re proud, as a government, to ensure that we’re there on the side of the consumers when they do things that are in the public good, like buying a fire extinguisher, like buying a compact fluorescent light bulb. I say to the member, if you’re for an increase in those costs, then you should be very clear about that, because we do not think that is in the public interest.

The programs that we have, through extended producer responsibility, are increasingly working. We’re very proud of that.

ENERGY POLICIES

Mr. Bob Delaney: This question is for the Minister of Energy. For more than a year and a half, the Leader of the Opposition has tabled no energy plan to share with this Legislature and no energy plan—

The Speaker (Hon. Steve Peters): I would just remind the honourable member of a statement I delivered earlier. I trust he’s going to tie this question into government policy.

Mr. Bob Delaney: Thank you, Speaker. I will—and no energy plan to share with the people of Ontario.

Last week, the Conservatives did share something they would do, which is to propose to destroy the Ontario Power Authority and to fire the expert power system planners who are bringing cleaner, more reliable and modern electricity to the province of Ontario.

Minister, could you describe what Ontario is doing to get the best value from our province’s energy agencies?

Hon. Brad Duguid: I want to thank the member for the question. The member for Mississauga—Streetsville raises a really good point.

The government has taken several steps to keep the cost of electricity down through our agencies, and those actions have saved consumers over \$1 billion so far. The Ontario Power Authority has reduced its overall operating budget by 4.1% this year, and we’ve frozen executive salaries. Hydro One is reducing operating costs as well, by \$170 million this year. Ontario Power Generation is reducing operation costs by more than \$600 million over the next four years.

Now, I know that the PC Party never misses an opportunity to insult the good work being done by public servants, from nurses to teachers to power workers. They take a great deal of pride in insulting their work, and I

suspect this latest assault on the Ontario Power Authority is part of a bigger plan to lay siege to the public sector of this province—

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

Mr. Bob Delaney: Thank you, Minister. Since 2003, Ontario's power agencies have become more accountable and more transparent and delivered value for money to Ontarians. The dark days of hiding yachts and lavish expenses from public view went out like the lights once did with the previous government.

From the Ontario Power Authority, our province's citizens expect tangible, cost-effective program delivery and efficient power system planning. Minister, please tell the House how the focus of the Ontario Power Authority adds value to Ontario's power system.

Hon. Brad Duguid: I'd be pleased to do that. Yes, indeed, the Ontario Power Authority is diligently focused on their power system planning responsibilities, on conservation, on working with Ontario's local distribution companies and, of course, on administering Ontario's hugely successful feed-in tariff and microFIT programs.

The Leader of the Opposition's plan to kill this job-creating clean energy program puts the boots to Ontario farmers and isn't something that he really likes to talk about; he has his staff and caucus members do that dirty work for him.

Ontario farmers want to participate in our efforts to build a clean and reliable energy system. Hundreds of Ontario farmers are leasing their land for wind and solar projects. Thousands of Ontario farmers are participating in our microFIT program. They're earning, on average, \$10,000 per year. PC members have arrogantly taunted those farmers, saying they should enjoy these contracts while they have—

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

ENERGY POLICIES

Mr. John Yakabuski: Thank you, Mr. Speaker.

Interjection.

Mr. John Yakabuski: Has the minister finished? I'm not sure.

To the Premier: An Ontario PC caucus motion to dismantle one of your unneeded hydro bureaucracies and pass the savings on to Ontario families and seniors will be voted on this afternoon. You in the McGuinty Liberals hear the same things I do from Ontario families and seniors who are stretched to the limit and can't afford hydro increases for smart meters, hydro exports and rate hikes. They want clean energy, but they can't afford subsidies of 80 cents for five-cent power to companies like Samsung that you hand them over to. You've given them skyrocketing hydro bills and a scheme that makes our children and grandchildren pay a billion dollars a year for the mess that you've made of hydro today.

Today, will you support our motion to give Ontario families some relief?

Hon. Dalton McGuinty: To the minister.

Hon. Brad Duguid: What the PC Party really wants to do is scrap planning for our energy system in Ontario. It's plain and simple.

One of the key functions of the OPA that they do on behalf of consumers is long-term planning. They want to scrap the OPA so they can go back to the days when their leader sat in the cabinet, helplessly watching our energy system fall apart, with no plan from that PC government. The lack of a plan forced that government to roll out energy generators across this province in fear of outages. Their lack of a plan forced Ontario families to pay \$1 billion in their last two years in office to pay for expensive imports of power from coal plants in the US.

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By contrast, we do have a long-term energy plan, and we will provide a clean, reliable power system for the people of this province.

You've learned nothing from your mistakes in the past, and your motion today—

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

Mr. John Yakabuski: The minister talks about a long-term plan that is breaking Ontario families and a long-term energy plan that he keeps tearing pages out of by the day.

It's against the character of the Premier to help families make ends meet, which is probably why he has ruled out tax cuts in the budget. From the moment they get up to the moment they go to bed, Ontario families pay more for hydro under the McGuinty Liberals—16% more in the last year alone. The Canadian exporters' and manufacturers' association says hydro bills will go up another \$732 in the next five years.

It may seem small to you, Premier, but the price Ontario seniors and families pay for a bloated Ontario Power Authority bureaucracy they don't need is a big deal to them. Why are you voting to help a bureaucracy that no one needs, instead of helping Ontario families and seniors make ends meet?

Hon. Brad Duguid: Speaking of plans, I just got late-breaking news: I just heard the PC Party is now considering moving their policy convention and delaying the release of their platform yet again. They're stalling again, trying to hide from Ontarians the true motives of their plan to cut deeply into health care, to cut—

The Speaker (Hon. Steve Peters): I'd just remind the honourable minister to talk about the government policy, please.

Hon. Brad Duguid: Absolutely, Mr. Speaker—and to remove planning from energy altogether.

This is the latest in a series of delays in the PC Party platform saga. Ontario families deserve to know what you're going to do in energy.

Let's look back. The member for Simcoe-Grey said it was "close" last October. The member for Thornhill said, "Sometime in early 2011." That leader is not only keeping his plan hidden from Ontario families; he's afraid to share it with his own caucus—

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

EDUCATION FUNDING

Mr. Rosario Marchese: My question is to the Minister of Education. On Friday, the minister released guidelines for school fees. The guidelines make it official. The government is happy for schools to charge parents fees for field trips, sports uniforms, student agendas, art and music supplies, and much more. If a parent can't afford these fees, then their child will simply sit out the field trip or simply go, as a child, and ask the principal—maybe beg—for him or her to pay for the fee, or drop off the sports team or have fewer materials for art class.

Is this the kind of public education system you, Minister, and the education Premier want?

Hon. Leona Dombrowsky: What I think is very important to remind the people in this House and the people of Ontario is that we are the first government in the province of Ontario, in the history of our province, to bring some rigour to fees and fundraising in our schools. Certainly there were fees in place when they were in government and with the previous government, and we are the first government that brought some rigour. We now have guidelines on what is appropriate to charge students for fees.

There's also a component that does enable schools and boards to have a program in place to address the fact that there may be students in schools who are not able to pay fees. We think that it's absolutely appropriate that school communities would be sensitive to that and that they would have an option, within their board and within their schools, to provide those students, in a very discreet way, with the resources that they might need to—

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

Mr. Rosario Marchese: The minister already has guidelines and a policy banning course fees, but we know that 70% of the schools are still charging fees for courses. We know that.

The enforcer—that would be you, Minister—is missing in action. What the new guidelines do is make school fees permanent. The policy will allow schools in wealthy areas to raise hundreds and thousands of dollars for educational programs, equipment and activities, while students at schools in lower-income areas, which can't raise this kind of money, go without these opportunities.

Why won't the government properly fund schools so that all students have access to educational opportunities instead of only those who can afford it?

Hon. Leona Dombrowsky: I think that it's important for the people of Ontario to be aware of the fact that this government has increased funding in education by 40%. It is for that reason that, as a government, we are saying that no student should be charged a fee that is directly related to the course of studies that would be required for their graduation. We feel comfortable saying this because of the investments we have made over the years, the 40%

investment that is getting directly into schools to support students.

There has been no government that has had guidelines in place around fees until this government. We have worked with parents, with students, with school communities and with school boards to ensure that we have the appropriate guidelines in place to ensure—

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

EDUCATION FUNDING

Mr. Rick Johnson: My question is also for the Minister of Education. A recent report published by People for Education is reporting that many Ontario high schools charge student fees not allowed under the Education Act for courses. We know that caring, involved parents want the best for their children. Minister, this practice is not in keeping with the fundamentals of public education.

Would the minister tell me what I can tell my constituents about this? Is this a growing problem across the province, and what are we doing to address this?

Hon. Leona Dombrowsky: We have listened very closely to parents and people within our school communities and students who have identified that, indeed, there was a lack of consistency, and there were inappropriate fees being charged to students to participate in programs. Our government has changed that. We're the first government in Ontario to do that. The Education Act states already, and we have made it very clear to school boards and, through them, to schools, that no student should be charged a fee to participate in a course or for any material that is required for the completion of a course that is required for their graduation. We have worked collaboratively to understand where fees were being charged, and we have made it very clear what is not appropriate for students to be paying for in our schools.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Rick Johnson: Minister, it's good to hear there are now guidelines in place that will help ensure schools and boards understand how to best apply school fees. Parents in my riding will be pleased to hear that they will now know what fees can be applied and what fees cannot.

Would the minister tell me and my constituents about the process leading up to the guidelines being implemented? Were parents and communities consulted?

Hon. Leona Dombrowsky: This is such an important issue. We thought it was important that we undertake a very comprehensive collaboration with parents, with schools and with students. As a result of that, we put out a draft document; it was on our website some months ago. That was the result of, again, working together with our school communities. We received input from that. We made changes to the draft. Then last week, we put out the final document.

We're following the same process for guidelines around fundraising, and following that, we will be intro-

ducing guidelines on corporate participation in our school communities.

This is the first time that this exercise has been undertaken by any government in Ontario. We think that very it's important for our students and their families. We're going to take the time to get it right so that when we do bring out the guidelines, they will reflect what the students and communities have told us they need—

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

NORTHERN ECONOMY

Mr. Randy Hillier: My question is for the Minister of Northern Development. I recently met with the mayor of Iroquois Falls, who expressed a deep concern for his town's future. Thanks to the exorbitant cost of hydro in this province, AbitibiBowater, which operates a mill in Iroquois Falls and also owns a dam that powers the mill, have been forced to sell off their hydro-electric facilities. The mayor's concerns are clear: Once Abitibi sells the dam, the likelihood of them being able to continue to operate the mill is next to none, which means more lost jobs in northern Ontario.

Minister, when the Premier told you in cabinet that he was going to raise hydro prices by 50% in five years, why didn't you stand up for northerners and northern Ontario?

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Hon. Michael Gravelle: To the Minister of Natural Resources.

Hon. Linda Jeffrey: I'm happy to answer this question. This government absolutely understands how important the ability of northern dams to generate electricity is for local pulp and paper and how important those economics are to northern communities.

I know that Abitibi's business decisions have the potential to impact a lot of mill workers in northern communities. We have worked closely with a lot of the northern mayors; they've talked to us about this issue. Our government formally requested that Abitibi ensure that these dams maintain an available supply of competitively priced hydro to the mills.

I understand that Abitibi has agreed to sell its shares in Abitibi-Consolidated Hydro Ltd., which owns the eight water power facilities, to a Canadian consortium. My office has requested that Abitibi arrange a meeting between the Canadian consortium and Iroquois Falls to discuss the future of these dams. This is an extraordinarily important issue to them. We're going to work with—

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

Mr. Randy Hillier: We have already seen the loss of over 60 mills and 40,000 forestry sector jobs under this McGuinty government. Due to the combination of a disgracefully empty forestry policy and skyrocketing hydro rates, the forestry sector continues to disintegrate under your watch. This is a result of the Green Energy

Act. For every subsidized green energy job, you've lost three good, real forestry jobs.

Families and industries across northern Ontario have been begging for a sliver of help to restore their forestry sector. How many lives will be ruined and northern communities destroyed by the McGuinty Liberals before you convince the Premier that he represents all Ontarians, including those north of Barrie?

Hon. Linda Jeffrey: Back in September 2010, I did write to AbitibiBowater indicating my expectation that if the company sold its majority share, they would guarantee that they would continue to fulfill and honour the terms and conditions of the leases. I'm pleased to report that AbitibiBowater officials have committed to us that the hydroelectric power will continue to be supplied to Fort Frances and Iroquois Falls pulp. This means that these mills will continue to operate under the same long-term power lease contract that was in place before the sale, which will maintain these mills' power cost advantages.

We support our northern communities, and we know how important these jobs are to northern Ontario. We're in their corner, and we're going to be working closely with them. The town has been adamant in their choice to have MNR act as a spokesperson for them on this issue. We continue to be in their corner, and we're going to work closely with them.

NURSES

Ms. Andrea Horwath: My question is to the Premier. Last year, Sault Area Hospital was hit by deep nursing cuts. Two dozen nursing positions were cut, and Sault Ste. Marie patients lost 24,000 hours of nursing care. Now we hear that Sault Area Hospital is about to lose an additional six nursing positions.

Why is it that the Premier thinks our hospitals can deliver the necessary care when they are losing the very health professionals who are responsible for delivering it?

Hon. Dalton McGuinty: To the Minister of Health.

Hon. Deborah Matthews: I have to say I was absolutely delighted to be at the opening of the brand new Sault Area Hospital with the member from Sault Ste. Marie and the member from Algoma-Manitoulin. The sense of pride in that community, a community that had raised enormous amounts of money to pay their share towards the new hospital—it was a truly a wonderful, wonderful event. I want to take this opportunity to say congratulations and thank you to the people of the Sault area for having gotten behind this project in a way that was to me very, very moving.

Our commitment to improving health care spreads right across this province, and it includes the Sault area. I look forward to the supplementary.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Well, a shiny new hospital is no darned good without any nurses in it to provide the care.

We've been through all this before. Our hospitals are placed in an impossible position because of the McGuinty government's failure to adequately fund the front-line care. The government is so busy with their numbers game and their happy, happy comments that they can't see the devastation that their health care cuts have on local communities.

Residents in the Soo want to know that health care services will be there when they need them the most. They want assurances that there will be no more cuts to nursing and support staff at Sault Area Hospital.

Will the Premier commit to ending these nursing care cuts once and for all?

Hon. Deborah Matthews: I really want to stress that health care is a whole lot better in the Sault Ste. Marie area than it was when we took office in 2003.

The fear-mongering that has become the norm for the party opposite is simply not borne out in fact. We've got almost 11,000 more nurses working in Ontario than when we took office in 2003. There is no denying that—11,000 more. They may want to create this narrative of cuts but they're simply making it up. We've got almost 3,000 more doctors working. We've got 94% of Ontarians now with access to primary care, and we're working hard to find primary care for the remaining 6%. Our wait times have come down dramatically. They are now the best in Canada. Yes, there is more to do, and we are doing it.

ARTS AND CULTURAL FUNDING

Mr. David Zimmer: My question is for the Minister of Tourism and Culture. Last night, thousands of Ontarians and Canadians gathered in Toronto to participate in the Juno Awards festivities, and last night at the awards show we were reminded again of the talent and strength of the Canadian music industry. The Junos brought Canadians from every corner of the country to Ontario, contributing millions of dollars to the economy. The Juno Awards is a marvellous example of the kinds of events we need to continue to attract in Ontario. It pumped \$15 million into our economy.

Minister, what's the government doing—what are you doing—to continue to help Ontario attract these kinds of events?

Hon. Michael Chan: I want to thank the honourable member for the question. Last week, the Junos celebrated a very important milestone: their 40th anniversary. One more time to the Junos: Happy birthday.

We understand the importance of the arts and culture sector. It generates over \$20 billion in our economy, supporting over 200,000 jobs.

We are proud of our support for the Juno Awards, a celebration of the talent of the Canadian music industry. We plan to continue to invest in other events, like the Toronto International Film Festival, in blockbuster events to celebrate Ontario and in the Ontario Media Development Corp.

Ontario is a dynamic place for the creative industry, an exciting place—

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

Mr. David Zimmer: Government support in attracting these kinds of international events is critical. It helps to ensure that Ontario is well positioned to compete for these events as they become available, and that's all very good.

The economic benefit, though, must transcend beyond the borders of Ontario's large cities to our local communities in Ontario. Arts and culture events in local communities help showcase the diversity of the talent in this province. They provide an avenue for artists to display their craft, they help students to learn the value of arts, they help Ontario families celebrate our culture and they help local communities create jobs.

Minister, what is our government and what are you doing so that Ontario promotes arts and cultural events not only in the big cities but in our local communities?

Hon. Michael Chan: The member is right. We need to invest in festivals in local communities. This is why our government continues to support festivals and events of all sizes across Ontario. Since 2003, we have supported over 3,500 events, from the Sound of Music Festival in Burlington to the Brantford International Jazz Festival, an event with a stage dedicated to local and young people.

These events are helping to attract tourists and providing economic support to local communities. Beyond this, our support is helping to provide an avenue for local artists and helping to celebrate the culture of Ontario, a province we call home, a province like no other.

HIGHWAY CONSTRUCTION

Mr. John Yakabuski: My question is for the Minister of Transportation. Minister, I've met with you on this subject more than once, along with officials from Renfrew county. I've written to you, I've spoken to you, and you've indicated that you're supportive of the issue.

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The issue, of course, is the extension of the 417 beyond Arnprior. The work that is being done in Arnprior as we speak is scheduled to be completed in 2012. The next logical step for that highway—obviously, after doing all this bridge work in Arnprior—is to complete the section between Arnprior and Renfrew, which is vital for the economic development of my county and much of eastern Ontario.

Will you commit to giving a commitment today, to us and the people in Renfrew county and all of eastern Ontario, to make that happen so that project 417 is not unduly stalled?

Hon. Kathleen O. Wynne: As the member opposite has said, we have had a conversation about this. I think he knows that in principle I understand the concerns of the community and we would like to move ahead. But the reality is, we've spent \$2.8 billion on road expansions, road repairs and bridges in the province of Ontario. When they were in office they spent about \$670 million a

year. I only raise that number to show the magnitude of what we have done and how we recognize how important it is to deal with our infrastructure.

There are many projects across the province that are in the process of being planned; we're looking at them; communities are interested in them. We are doing everything we can to get on top of the infrastructure deficit, really, that was left to us when we came into office.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John Yakabuski: Minister, I didn't hear the answer there, but if we've got money—you've made the commitment to the 407 extension—for political reasons, I might add. People in eastern Ontario want to know what's on the table for them.

I've asked you about supporting—for example, your government decided they would have no money to support the OVR, the Ottawa Valley Railway, between Smiths Falls and Mattawa, which is in danger of being decommissioned and shut down. If that actually happens, then this transportation highway link becomes more vital than ever. It is an absolute necessity that your government make the commitment today that when the Arnprior job is finished, they will move post-haste to start building that highway between Arnprior and Renfrew and take the next logical step.

I ask you, Minister: Give us that commitment. In eastern Ontario and Renfrew county, our economic development needs that and needs that today.

Hon. Kathleen O. Wynne: I think it's interesting that the member opposite is part of a party that is attacking us because we've been spending money on infrastructure, we've been spending money on services, we've been trying to get this province back into shape because when we came to office we had a social deficit, we had a financial deficit and we had an infrastructure deficit in this province. We've been working on all of those fronts and this member has the gall to stand up, after his leader has been attacking us, to say, "Actually, for us, we need more spending in our community."

There is a planning process that goes on in the Ministry of Transportation. The member opposite knows that full well. It is even-handed. It is based on evidence. We know, across the province, there is more work to be done, and we're spending three or four times what that party did to make infrastructure in this province work.

HEALTH CARE

M^{me} France Gélinas: Ma question est pour la ministre de la Santé et des soins de longue durée.

In every community across the province, Ontarians have been struggling to get the care they need from our increasingly overburdened health care system. Our hospitals are the canary in the coal mine. The problems in home care, long-term care, primary care, palliative care, and mental health and addictions have all fallen on the doorsteps of our hospitals.

In tomorrow's budget, will this government be presenting a plan to address these growing problems?

Hon. Deborah Matthews: Thank you for the question. I think the member opposite knows that I obviously will not be commenting on tomorrow's budget today. What I can tell you, though, is that this is a government that is led by a Premier who has reiterated many times that our commitment is to maintaining the progress we have made in health care and education. Our commitment to improving health care is as strong as you could hope a government's could be. We have the evidence to demonstrate that more people are getting more care; they're getting it more quickly. We know there is more to do, and that's why we are going to continue to do it.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France Gélinas: I certainly hear commitment, but it's rolling out on the ground in a completely opposite manner. Thousands of nurses have been laid off. ERs have been closed. The home care system has been sold off to the highest bidder. The long-term care is not meeting the needs of the growing senior population. Up until now, the government has tended to blame the hospitals when they face the crisis that lies at their doorstep.

Can the minister assure Ontarians that tomorrow, they will finally deliver a plan?

Hon. Deborah Matthews: Let's just remind ourselves that Ontario was the first province that actually started to measure wait times in our emergency departments. No other province did that, and the reason may well be because it's a big challenge to get those emergency department wait times down—because, as the member opposite has said, the problems that are not being addressed in the community do end up in the emergency department.

We are working hard to get those emergency department wait times down. We are seeing some significant success in some places. We know there's more to do. In those places where they are not seeing the success, there's more to learn from successes. But absolutely: Getting wait times down in emergency departments by providing more care in the community is our highest priority as a government.

SENIOR CITIZENS

Mrs. Maria Van Bommel: My question is for the Minister of Revenue and minister responsible for seniors.

When I speak to seniors in my riding of Lambton–Kent–Middlesex—or, for that matter, people who are fast approaching retirement age—there are many questions and thoughts about issues that worry them, especially health care, elder abuse, retirement homes and the rising cost of living.

I hear most from seniors in my riding that they are concerned about the rising cost of living in our communities. They ask me what our government is doing to help them make their lives a bit easier. Can the minister tell me what the government is doing to help seniors in my riding and across the province?

Hon. Sophia Aggelonitis: I want to thank the member from Lambton–Kent–Middlesex for being a great advocate for seniors in her community and all across Ontario.

When it comes to our seniors, seniors are a priority for our government, and this government has done a lot for our seniors. What would be really great is to see the opposition parties stand up for our seniors.

Some of the things that we have done in our tax plan to help seniors include the enhanced Ontario energy and property tax credit. That's about \$1,025 for seniors. The other thing we've done is we've doubled the Ontario senior homeowners' property tax grant. It was \$250; it's now \$500. Seniors are receiving the HST transition cheque, \$300 for singles and \$1,000 for families. We're also helping low- to middle-income seniors with a new permanent Ontario sales tax credit. That's about \$260 per senior per year.

The Speaker (Hon. Steve Peters): The time for question period has ended. There being no deferred votes, this House stands recessed until 1 this afternoon.

The House recessed from 1138 to 1300.

MEMBERS' STATEMENTS

DANIEL CARRIERE

Mr. Frank Klees: I rise today to pay tribute to Daniel P. Carriere, one of this country's distinguished leaders and visionaries in the field of health care administration.

Throughout his career, Dan has inspired colleagues and communities with his commitment and untiring dedication to the delivery of world-class health care services. Dan's contributions to Ontario's health care system have reached far beyond his leadership responsibilities in community health care systems. His expertise and advice has often been sought out by Ministries of Health both here in Ontario and internationally.

Since his appointment as CEO and president of York County Hospital, not only has the name of the hospital changed to the Southlake Regional Health Centre, but under Dan's leadership it was transformed from a small community hospital into the dynamic care facility that it is today. It was under Dan's leadership that Southlake Regional Health Centre doubled both its physical and its staff size.

Dan was instrumental in establishing several advanced diagnostic and treatment services, including the recently opened Stronach Regional Cancer Centre, the regional thoracic program and the regional cardiac program, which today is recognized as the fourth-largest program in Ontario.

I ask all members of this Legislature to join me in thanking Dan Carriere for his exemplary service to health care in the province of Ontario and to wish him well in his pursuit of health care excellence at a national level as the president and CEO of the Centric Health Corp.

CARLETON UNIVERSITY RAVENS

Mr. Yasir Naqvi: I'm very pleased to rise today to recognize the Carleton University Ravens men's basketball team, Ottawa Centre's home team.

The Ravens won the Canadian Interuniversity Sport—CIS—National Championship recently with an 82-59 victory over the Trinity Western Spartans. This capped off an amazing season which saw the Ravens go 22 and zero in the regular season. This was the seventh national championship for the Ravens in nine years—another W. P. McGee Trophy triumph.

This year's Ravens have also won a number of the top CIS men's basketball awards. Coach Dave Smart was named CIS coach of the year for a fourth straight year, tying the record.

The Ravens are led by Tyson Hinz, who was awarded the Jack Donohue Trophy as tournament MVP and named CIS player of the year. He is the first player in five years to earn both honours in the same year and, most importantly, he is from Ottawa.

Elliot Thompson scored a game-high 19 points in the championship game, and Philip Scrubb won the CIS Rookie of the Year award.

I want to congratulate all of the Carleton University Ravens men's basketball team players for their outstanding season and another national championship. You make us proud.

STUNTMAN STU

Ms. Lisa MacLeod: I just want to echo my colleague from the city of Ottawa's great statement. We're really proud of those Carleton Ravens. Great job to the member from Ottawa Centre.

I'm rising today to acknowledge a great community hero in Nepean-Carleton and, of course, across the entire city of Ottawa.

Stuntman Stu, who's known by live audiences and Ottawa Senators' fans but also by Bob FM listeners, has used his local celebrity status to raise money and give back to our community by advancing many causes and charities. Of course, he is a Barrhaven resident, so I'm particularly proud of Stu and his wife, whom I often see at charitable events throughout our community.

Just last week, Stuntman Stu and his co-host, also a Nepean-Carleton resident, Sandy Sharkey, sold their show, so to speak, to raise money for the Ottawa Humane Society. They raised \$11,000 for the Fur Ball.

Last Thursday, Stu was also at an event I had attended called Twestival Ottawa, a fundraiser for the Royal Ottawa Hospital. They again raised \$11,000, for mental health awareness and treatment in our city.

Stu has also become a wine connoisseur of sorts. Last year he launched Stuntman Stu wine, with \$2 of every bottle going to benefit the Sens Foundation.

Let me tell you a little bit about the Sens Foundation. Among other things, they contribute to Roger's House, which is Ontario's first pediatric respite and palliative care home.

On May 1, however, Stuntman Stu will be taking his philanthropy to a new level. He will bike 70 kilometres in the CN Cycle for CHEO to help kids with cancer in our region.

He has a heart of gold, and I know, on behalf of all of my colleagues in the Ontario Legislature, that we support his efforts to raise money for this very important charity. Thank you very much, Stu. We appreciate you.

HUMAN RIGHTS

Ms. Cheri DiNovo: I was both privileged and honoured to be one of three international observers in Nepal last week to observe the Tibetan government in exile elections. Unfortunately, unlike everywhere else in the world, the Nepalese government refused to allow the Tibetans to hold these elections. In fact, 10,000 Tibetans in Nepal have no right to vote, no right to work, no right to drive, no right to an education and finally, and most egregiously, no right to leave the country. They're incredibly precarious. They live in danger every day, and we certainly urge all governments to do what they can.

While we were there, we witnessed the army close the monasteries. They put all Tibetans under house arrest on the days the elections were to take place.

The question is, what can Ontario do? Number one, you can urge your federal counterparts, particularly those civil service folk who are involved in immigration, to get them out and get them safe. Number two, we can welcome His Holiness the Dalai Lama here at the Ontario Legislature the next time he is in Ontario. Number three, we can join the Ontario Parliamentary Friends of Tibet. They are the ones who sent me over there to witness the elections and to witness the precarious situation of Tibetans in Nepal. And fourth, and probably most importantly, every member of this Legislature can add their prayers to those around the world who believe in human rights for those who are trapped in Nepal at this time.

To all the Tibetans, I dedicate this one-and-a-half-minute little rant.

MINE101

Mr. Khalil Ramal: Last Thursday, I had the opportunity to attend the grand opening and a fashion show at Mine101 in my community of London. Mine101 is a used clothes store which operates in support of Women's Community House, an outstanding organization in my community that provides emergency housing, second-stage housing and transitional support for women and their children who are victims of abuse.

Mine101 is a creative project spearheaded by Susan Dill and made possible through funding from the Ontario Trillium Foundation and the Ministry of Community and Social Services.

Women's Community House receives more clothes donations than it needs. Through Mine101, the extra clothing can be turned into cash to help finance programs for the women who depend on them at Women's Community House.

I'd also like to take the opportunity to thank Kate Wiggins, Rhonda Hallberg and their staff and volunteers at Women's Community House in London.

Violence against women is something we must all work together to end through education and by speaking out against it. The work they do at Women's Community House and the services they provide for abused women and their children in London are incredibly important, and I thank them for that.

Mr. Speaker, hopefully if you get the chance one time when driving to London, you can visit the store. They have men's and women's clothes, they have good prices, and all the proceeds go to support women who need it badly, and also their children.

Thank you, Mr. Speaker, for allowing me to read this statement.

PREMIER OF ONTARIO

Mr. Randy Hillier: The people of Ontario are angry. They can't afford the Premier's energy. They can't afford his HST. They would like to tell him so, but our Premier does not have a toll-free number where people can call his office. Why, when the Premier would have people pay for all of his visions, must they also pay long-distance charges to express their thoughts to him?

On this side of the House, we've been saying for some time now that this Premier is out of touch with the people he taxes. We didn't know at the time that what we were saying was literal. We've been saying that the Premier has abandoned taxpayers in favour of downtown Toronto lobbyists. No wonder nobody from outside downtown Toronto can reach him. This is the final insult: a Premier who not only refuses to talk to taxpayers, but refuses to even pretend to listen.

1310

ABITIBIBOWATER

Mr. Bill Mauro: Two weeks ago I was pleased to be on site at AbitibiBowater in Thunder Bay to help announce a \$50-million cogen project that our government will support with a \$9.6-million grant. AbiBow already produces around 20% of their own power. That will now be around 60%. Additionally, this combined heat and power project will allow them to use the heat from the condensing turbine to warm intake water for their production processes, thereby lowering their costs. A third benefit is that any unused power can be sold back into the grid, providing a revenue stream for their operation.

Our spring 2010 budget one year ago reduced energy costs for the north's big industrial users by up to 25%. Coupled with our industrial conservation initiative, these two programs will save AbiBow's Thunder Bay operations approximately \$25 million on an annual basis. Now, by adding this third piece, the savings will be even more than \$25 million annually.

As a result of the new project, 56 permanent new jobs will be created. When added to the 50 new jobs announced at the AbiBow sawmill, that's over 100 new jobs at AbiBow in Thunder Bay in the last month, and

that's not including the jobs that will be created due to this significant construction project.

Any time a major employer invests their own private money in a significant way like this, it is a very positive sign for the employees and the community. This announcement was another good day for the community of Thunder Bay and northwestern Ontario.

ALGONQUIN THUNDER WOMEN'S BASKETBALL

Mr. Phil McNeely: Last week, the Algonquin College Thunder Women's Basketball team won a silver medal at the Canadian Colleges Athletic Association national championship. In doing so, the Thunder became the first team from Ontario to make it to the CCAA final. They also are the first Algonquin College women's basketball team to make it to the national championships. They did so by winning the Ontario Colleges Athletic Association championship to cap a perfect 16-0 season and become the first Thunder team to win the provincial championship since 1973.

I'm especially proud of the fact that the entire starting line-up is from the Ottawa-Orléans riding, including point guard Jenny Allen, who was named to the all-Canadian team during the pre-tournament banquet. The rest of the starting line-up included former St. Peter High School standouts Tina Ethier and Dayna Dover, and former St. Matthew High School teammates Trish Grey and Sandre Bascoe.

I would also like to congratulate the head coach, John MacInnis, and assistant coaches Cassandra Carpenter and Jeremy Sims for a job well done. I would also like to mention Jori Ritchie, Brigitte Gratton, Samantha Lariviere and Jennifer Wolfe-Bard, all from Ottawa.

Making it to the finals of the national championship is a tremendous accomplishment. Doing so with such poise and grace speaks volumes about the character of the players and their coaches. In fact, the Algonquin Thunder won the tournament Fair Play Award.

Ottawa and the entire province of Ontario can be proud of these 12 young ladies, both on and off the court, and I know you will join me in applauding their tremendous accomplishment.

ONTARIO POWER AUTHORITY

Mr. Jeff Leal: Today I rise in defence of the Ontario Power Authority and the important role it plays in Ontario's electricity system. The OPA was created in the wake of the blackout in 2003, which saw millions of Ontarians without power due to the mismanagement of the previous Conservative government.

With the help of the OPA, our government has restored reliability to Ontario's electricity system. We've added 8,400 megawatts of supply and 5,000 kilometres of new transmission lines. Through the OPA, we're also investing in new, cleaner technology like wind and solar. These investments mean a cleaner, more reliable energy

system for all Ontarians. They'll also help Ontario become coal-free by 2014, the first jurisdiction in North America. The ambitious conservation targets set by the OPA have saved the electricity system 1,700 megawatts, or \$8.3 billion in savings to ratepayers. All these initiatives would be impossible without the work of the OPA.

The opposition would like to return Ontario to the dark days of 2003, when Ontario families had to cross their fingers in hopes that the lights would stay on. They want to eliminate our conservation programs, throw out long-term planning and return to the days of rewarding Tory insiders at the expense of Ontario ratepayers.

Ontario families won't be fooled. They remember the rolling brownouts that were all too common under the previous government. They understand the important role the OPA plays in creating a smarter, cleaner, reliable energy system for all Ontarians.

WITHDRAWAL OF BILL 170

The Speaker (Hon. Steve Peters): I beg to inform the House that I have directed that order M170, second reading of Bill 170, An Act to proclaim Childhood Obesity Awareness Month, standing in the name of Mr. Fonseca, be removed from the Orders and Notices paper.

INTRODUCTION OF BILLS

PROHIBITION AGAINST GOVERNMENT FUNDING OF THE PROMOTION OF HATRED ACT, 2011

LOI DE 2011 INTERDISANT AU GOUVERNEMENT DE FINANCER LA FOMENTATION DE LA HAINE

Mr. Shurman moved first reading of the following bill:

Bill 171, An Act to amend the Financial Administration Act to prohibit government funding for the promotion of hatred / Projet de loi 171, Loi modifiant la Loi sur l'administration financière afin d'interdire au gouvernement de financer la fomentation de la haine.

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

First reading agreed to.

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

Mr. Peter Shurman: This is a bill that follows up on my resolution, passed unanimously by this House about 14 months ago, that condemned the use of the term "Israeli Apartheid Week" in the province of Ontario. That resolution, like all resolutions, carries a fair amount of moral suasion, and the word went out far and wide. However, it didn't put any teeth into the intent that I expressed in the resolution.

This bill takes a look at hate, as described under the Criminal Code of Canada, and attaches penalties to the

promotion of hatred at events or venues in the province of Ontario. We hope that it will pass with the unanimous support we got last year.

STATEMENTS BY THE MINISTRY AND RESPONSES

GOVERNMENT REGULATIONS

Hon. Sandra Pupatello: I rise in the House today to talk about the success that this government has achieved in reducing regulatory burden, delivering faster and improved government-to-business services and creating a new relationship with the business community.

I am delighted that today I'm joined by a number of industry associations and their representatives in the galleries, on both sides. We're thrilled that you are here, because we think it's time that we celebrate how active the businesses have been with us as we change the way we do business. So, welcome to the House, every one of you. We're delighted that you're here. Thank you.

Through our Open for Business initiative, we're saving Ontario businesses both time and money, two important resources that entrepreneurs and small business owners can reinvest to grow their own business, create jobs and strengthen our economy.

One of the many ways we're fostering a new relationship with business is through our business sector strategy. The strategy is based on five top priorities that the industry representatives bring to us during the consultations. The government then has 60 days to find a way to implement these or provide an alternative solution that is agreeable to the sector, and the sector then signs off on that solution. We've already addressed or are in the midst of addressing the top five priorities of the building and land development sector, the manufacturing sector, the medical technology sector and the information and communication technology sector, and our consultations with the agriculture and agrifood sector have already begun. Today, this afternoon, the hospitality sector is about to begin.

As a result of our round table discussions with MEDEC, as an example, which represents Canada's medical technology industry, Ontario is now the leading jurisdiction in establishing a method of assessing and evaluating medical devices before they're introduced on the market. This doesn't happen anywhere else, and now these companies are saying they wish every province would follow Ontario's lead.

The building and land development sector: another example. They requested a simplification of the permit process for the development of residential subdivisions. The Ministry of Transportation responded, and now only one building and land permit is required. Faster approvals are saving the construction industry money. Paul Golini, Jr., the chair of the Building Industry and Land Develop-

ment Association, says that these changes will have a tremendous positive impact on the industry.

In response to the information and communications technology sector's request to simplify public procurement rules and processes for the health care sector, the Ministry of Finance refined its Doing Business with the Broader Public Sector handbook for small and medium-sized enterprises across the province, an immediate response and something that the sector agreed with.

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As a government, we recognize that we can continue to protect the public interest without creating unnecessary barriers to business.

The Open for Business Act, which was tabled and then passed in this House last October, contains more than 100 amendments across 10 different ministries, all making it easier for businesses to do business—for example, making it easier for internationally trained engineers to work here in Ontario.

The Ministry of the Environment is developing a modern and risk-based approach to environmental approvals. It's consistent with other jurisdictions like BC, California and New York.

We're also making it easier to comply with regulations. For example, under the Highway Traffic Act—I'm delighted the Minister of Transportation is here to hear this; her ministry did a tremendous amount of work—we harmonized inspection standards for large trucks, trailers and buses with national requirements. It sounds so simple, but for business it represents a reduction and a tremendous amount of time and effort—by way of example, through our Open for Business initiative, we've delivered real results, including a 15% reduction in regulatory burden across the government already.

Let me give you an example about what the number means. Governments for decades have talked about reducing regulation. In the past, businesses would hear the example, "Oh, we got rid of a regulation that required the horse and buggy not to park outside of the saloon doors." Businesses would laugh and they'd say, "What does that have to do with business in Ontario today?"

Yes, the number is important, but it's irrelevant compared to how businesses need government to simplify their interaction with business. So, yes, we get the number, but the number isn't nearly as important as the quality. Ask the businesspeople represented in the House today if what they've been getting is quality. That's what we've been working on.

We introduced a new toll-free number to provide businesses with a single contact for government programs and services, instead of 160 different numbers. Regulations affecting businesses now come into effect two routine dates per year, giving businesses that kind of routine they need: predictability and helping them to plan ahead, not married to the website to check every day in case something has changed. That, in fact, was the world before.

We're improving the consistency, quality and accessibility of over 500 business service standards. We

actually took a poll to see what the business standards were like—something no government had ever done.

In closing, we continue to work to make Ontario a top destination for business investment. We want to grow the economy. We need these folks to help us do exactly that.

I'd like to take the opportunity to thank, in particular, the Small Business Agency of Ontario. Representatives who sit on this agency represent multi-sectors in our economy. They do important work for our government.

I'd like to thank the Canadian Federation of Independent Business. Everybody knows that they're like a lion on every government to make us stick to it, to find better ways to work with business, and we appreciate their presence today in the House.

Our government is committed to working with industry and their associations to save business time and money, create jobs for Ontario families, strengthen our economy and make Ontario truly open for business.

MINING INDUSTRY

Hon. Michael Gravelle: Every year at about this time, members of the Ontario mining industry come to Queen's Park to discuss the challenges and the opportunities associated with the mining sector and some of their accomplishments and achievements. Today, indeed, is that day. This is Meet the Miners Day, and we certainly welcome all those who are here in attendance today, and also look forward to a reception this evening that I hope all members of the Legislature can attend.

Certainly, it gives me an opportunity to discuss some of the progress that we've been able to make and the work that we've been able to do with the sector, as well, because, indeed, we are very fortunate in Ontario to have considerable mineral wealth, valuable mining sector expertise and an industry that's completely committed to economic success.

I'm pleased today to provide an update on the resurgence of Ontario mining and a report on the milestones that we've been able to achieve in Mining Act modernization and, of course, the Ring of Fire.

First, let me say that a thriving mineral exploration and development sector is an extremely important part of our recently released growth plan for northern Ontario. This plan will guide decision-making and investment planning in the region for the next 25 years, and it will help create a stronger, a more diverse and a more sustainable northern economy.

These efforts will also support our broader Open Ontario plan, which is focused on creating jobs and strengthening the provincial economy. Initiatives such as the Mining Act modernization are critical to helping us achieve our growth plan objectives, and may I say I believe we are on very good footing.

Mining in Ontario is rock-solid—excuse the expression, but it certainly is. The economic downturn, which was pretty substantial, has been replaced by a much-anticipated and a very exciting upswing. Preliminary estimates for 2010 indicate a total value of On-

tario's mineral production in metals and non-metals of \$7.7 billion, an increase of \$1.4 billion over 2009. As well, a great story in terms of exploration investments: We reached a record \$801 million in 2010; again, a very significant recovery from 2009, where we had about \$536 million—still an impressive amount, all things considered, but it's great to see the upswing. What is even more exciting is that last year's record is very likely to be broken again as mineral exploration spending is forecast to reach close to \$940 million in 2011.

Innovative changes implemented through the Mining Act modernization will also help build on this and keep Ontario competitive and responsive in the global marketplace. Streamlined approval processes are bringing more clarity to the industry, something that indeed they welcome, and are resulting in a more balanced approach to mineral exploration and development.

January 1 marked the first in a series of changes anticipated over the next two to three years as we continue our dialogue with industry, First Nations and Métis communities, as well as other northern municipalities. With these changes, surface rights holders can now seek withdrawal of crown mining rights on their property in northern Ontario, and private landowners can apply for an exemption from the mining land tax under certain circumstances.

And of course we are continuing our work and our very important discussions related to the Ring of Fire. It is certainly no surprise that the Ring of Fire has generated global interest since the potentially world-class chromite deposit was discovered in the Far North of Ontario in 2007. Although it's still in a relatively early exploration stage, industry experts are predicting that the area could well see over a century of production. A mine could open as soon as 2015 or 2016, resulting in exciting new economic opportunities, especially for those in nearby First Nation communities, but, as we've said many times, this is a process that needs to be managed very well. We believe that can be done with the leadership of our Ring of Fire coordinator, Dr. Christine Kaszycki, who will continue to work closely with aboriginal peoples, explorationists, miners and all members of the mineral sector to encourage responsible, sustainable economic development in the area that very much balances the need of industry and First Nations and Métis communities.

As companies move forward with their plans, our efforts are focused on attracting value-added opportunities such as the establishment of a ferrochrome processing facility in Ontario and advancing discussions—very important discussions—on infrastructure planning. We are proud to play a very strong leadership role, and we will continue to be very directly involved as development progresses in this extremely exciting venture.

I also want to take this opportunity today to recognize the Ontario Mining Association, under the presidency of Chris Hodgson, for their ongoing leadership, vision and invaluable contributions to the sustainability and growth of mining in Ontario and the great work that we've done

with them as we worked our way through the modernized Mining Act as well. This evening, as I mentioned earlier, I'm looking forward to co-hosting their annual Meet the Miners reception at the Sutton Place Hotel, Stop 33, I believe. Certainly, I hope to see all members of the Legislature drop in to meet industry leaders. We look forward to continuing to work with partners like the Ontario Mining Association to strengthen the mining industry.

**ONTARIO HUMAN
RIGHTS COMMISSION**
**COMMISSION ONTARIENNE
DES DROITS DE LA PERSONNE**

Hon. Christopher Bentley: I'm pleased to rise in the House today to recognize the 50th anniversary of the creation of the Ontario Human Rights Commission on March 29, 1961. I'm delighted that we're joined in the House, in the gallery, by Commissioner Ruth Goba, Commissioner Bhagat Taggar, Executive Director Nancy Austin, and Kevin Marsh, the manager of communications. I'd like to welcome them and thank them for being here.

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L'Ontario est reconnu dans le monde entier comme un chef de file de la protection des droits de la personne, mais cette réputation n'est pas née en une nuit. Nous avons évolué au fil du temps, secondé par les efforts d'un grand nombre d'hommes et de femmes courageux.

Ontario is recognized throughout the world as a leader in human rights, but we didn't achieve this overnight. We've evolved over the course of time, aided along the way by the efforts of many, many courageous men and women.

One of them was Hugh Burnett, an ordinary man who became an extraordinary leader. He fought for his country during the Second World War and then returned to southwestern Ontario, only to be denied service at a local cafe because of the colour of his skin. Hugh became a leader in Ontario's civil rights movement, and that movement encouraged then-Premier Leslie Frost to establish not only a human rights code, but a commission to enforce the provisions of the code.

Notre province a accompli des progrès énormes dans le domaine des droits de la personne depuis la création de la commission en 1961.

Our province has made great strides in human rights since the creation of the commission in 1961. Ontario's Human Rights Code, the first in Canada, provided us with a framework of human rights goals and standards to aspire to. It was a declaration to all that injustices would not be tolerated here in the province of Ontario.

For a half-century now, the commission has played an important role in upholding Ontario's commitment to human rights, and since the system was transformed in 2008, the commission has continued to help prevent discrimination and promote and advance human rights

through partnerships, consultation, education and policy development. By working with individuals, groups, institutions and employers across the province, the commission encourages respectful dialogue that helps bring people and communities together to resolve issues of tension and conflict.

Notre gouvernement est fier de sa longue tradition à la tête du mouvement de promotion et de défense des droits de la personne.

Our government is proud to have continued Ontario's tradition of being a leader in promoting and defending human rights.

Three years ago, our government took bold steps to transform the system to better protect rights and prevent discrimination. Today, anyone in Ontario can apply directly to the tribunal to have their claim resolved. The tribunal's primary role is to provide an expeditious and accessible process to assist parties to resolve their applications. Nearly 8,000 new applications have been received since the change to direct access.

Our new system provides the people of Ontario with immediate access to the decision-makers, and also provides legal support to those who would otherwise have difficulty accessing justice, difficulty accessing the ability of justice to resolve issues. It continues to proactively address systemic human rights issues.

We've led the way in strengthening our human rights system to better ensure dignity and justice for all Ontarians. To make sure help was available to all, we created, at the time of the transformation, the legal support centre. The Human Rights Legal Support Centre provides free legal advice and services to those who need it. It also helps settle claims before an application needs to be filed at the tribunal. In fact, more than 70% of claimants who receive early intervention can reach a full or partial settlement.

Our government is continuing to strengthen Ontario's human rights system and ensuring dignity and justice for all who face discrimination. As a province, we've always taken a leadership role when it comes to protecting human rights. It's one of the reasons that our justice system is envied throughout the world.

As we recognize the Ontario Human Rights Commission's 50th anniversary, I take this opportunity to reaffirm our commitment, the commitment of all of us, to upholding human rights here in the province of Ontario.

The Speaker (Hon. Steve Peters): Responses?

GOVERNMENT REGULATIONS

Mrs. Julia Munro: I'm pleased to respond on behalf of the Progressive Conservative caucus to the announcement made by the Minister of Economic Development and Trade.

Red tape was, of course, one of the things that we recognized when we formed the government back in 1995 and moved ahead in a number of significant areas. It was also an opportunity for other provinces to look at what the problem was and how to address it, and so we saw Alberta and British Columbia move forward and

today, certainly, take leadership roles in this country on that.

What we also see is that internationally governments have come to recognize that there has been, in some cases, creeping and in other places galloping regulation growth. This government has come to the table late in the game. What I would suggest is that the comments we have today are simply the brush strokes that come into play in terms of the various areas which have been described that the government has taken an interest in. I would, however, just offer the caution that was given to us by the industry group that commissioned a paper on Ontario's regulatory policy. Their caution was that with this announcement of being open for business—and of course I must digress and say that it looked as if, logically, they hadn't been open for business for seven years. The response to the regulatory policy was the caution that with this, Ontario has not yet created an institutional framework that would ensure effective implementation; in other words, the brush strokes looking at where you can make those changes. The 15% reduction that the minister references is set in the background of a 25% commitment that was made by this government. In all, what we are looking at—and certainly, talking to any small business person in this province, they are constantly beset by overlapping and contradictory relations. What we need is a change in the culture of government. Small business needs that change of culture, and the only way is for Ontario to have a change in government.

MINING INDUSTRY

Mr. Randy Hillier: It's my pleasure to respond to the Minister of Northern Development. I noticed that he had his rose-coloured glasses on as he was reading his statement today.

I and the PC caucus would like to recognize the great contribution that mining has made to Ontario and all of our citizens. Mining has always been a major engine of our economy; it drove the development of the north and built great cities. The mining industry is known for creating good, stable jobs which allow Ontario families to prosper. This century brings numerous new challenges. There is more uncertainty in mining today with legislation like Bill 191, which suffocates exploration and opportunities. However, I have no doubt that Ontario miners will face that challenge. And we will make the commitment to Ontario miners that the PC Party is ready to meet those challenges with them.

When the PC Party was in government, Ontario was the best jurisdiction for mining anywhere in the world; today we've dropped to 20th. We'll bring it back to number one. Thank you, and join with me in welcoming the miners of Ontario to Queen's Park. See you tonight.

ONTARIO HUMAN RIGHTS COMMISSION

Mr. Ted Chudleigh: In 1961, in the spirit of the Universal Declaration of Human Rights, the Human Rights

Commission of Ontario was established to administer Ontario's first human rights code. The code was enacted in 1962 by the Progressive Conservative government, under the leadership of John Robarts. Since that time, our party has remained steadfast in its commitment to Canada's international human rights commitments and the code more specifically.

For 50 years, the Human Rights Commission of Ontario has been a foundation of the human rights system. The work of Barbara Hall and commissioners before her has helped to ensure that in Ontario all people are treated with dignity and respect. On the 50th anniversary of the Human Rights Commission, I would therefore like to acknowledge the work of those who have worked and continue to work at the commission. As a valued partner in Ontario's human rights system, you have helped to progress our province so that, true to the purpose of the code, people in Ontario know that in our province discrimination will not be accepted.

Today, as educators and promoters of human rights, members of the commission should be proud to know that they play a key role in ensuring respect for the dignity and worth of all Ontarians. To know our human rights is to have the opportunity to defend them. In your work, promoting and expanding our understanding of the discrimination experienced by people because of their religion, race, age, sex, gender identity, sexual orientation, a disability, mental health and numerous other grounds, members of the commission have supported and continue to support human rights. I commend you and our party thanks you.

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MINING INDUSTRY

Mr. Gilles Bisson: On behalf of the New Democratic Party and our leader, Andrea Horwath, we want to say we are looking forward to tonight's meeting, Meet the Miners, that's going to be held at the Sutton Place Hotel. It's an opportunity for all of us in this Legislature to meet those people who are creating wealth in this province.

I just want to quote something that was written by my good friend Christina Blizzard in the Toronto Sun a while back. Thank God for Moammar Gadhafi. He's done more for Ontario than Dalton McGuinty did because of the price of gold.

Often, you'll hear the members of the government get up and say, "We're doing such a great job. Look what's happening in the mining industry in northern Ontario"—I would say, despite yourselves. When you've got \$1,400 gold, it's pretty hard not to have ore. Waste is stuff that doesn't pay. Ore is something that does pay, and there's lots of ore because we have \$1,400 gold. We have some good base metal prices.

Despite a lot of what this government has tried to do which, I would argue, has made things a lot more difficult, we're very thankful that we have \$1,400 gold and good base metal prices.

I look at our community. We've lost the Xstrata refinery smelter, something we should never have allowed to happen. I still feel to this day that the Liberal government, under Dalton McGuinty, was wrong. We should have intervened on that. The money is in the refining; the money is in the smelting. You have a processing facility in Ontario; that means you can develop more copper and zinc mines. You're able to produce in this province in a way that would have been a lot more interesting if those had stayed in place.

My last point is that we had finally the consensus—First Nations, local municipalities, chambers of commerce and everybody—when it came to the issue of development in the Far North. I think this government, quite frankly, has stood us back and brought us back about 10 years on the file. It has not brought us forward.

ONTARIO HUMAN RIGHTS COMMISSION

Ms. Cheri DiNovo: Congratulations to the Ontario Human Rights Commission for its 50th anniversary. I want to, however, correct the Attorney General in saying that, unfortunately, the Ontario Human Rights Code does not cover every marginalized and oppressed group. We have three times now brought Toby's Law before this House to ask for gender identity to be added to the Ontario Human Rights Code, and we have the support of Barbara Hall in doing that; she wrote a letter to the Toronto Star. Yet Egale and all the LGBT activists across this country have lobbied this Attorney General to no accord. Luckily, federally, Bill Siksay brought in a bill, and that's now lost. So it's back in your court again, Attorney General. Let's make the Ontario Human Rights Code really cover everyone.

GOVERNMENT REGULATIONS

Ms. Cheri DiNovo: I also want to respond regarding small business and that statement by the minister. Everyone knows Dalton McGuinty's government is not a government that is supportive of small or medium-sized business. They are a government supportive of big business and banks; about \$6 billion of Ontario tax dollars has gone into banks. But small business? A record number of bankruptcies in the last while.

What have they done? We had the Toronto Association of Business Improvement Areas come to this House, and this government wouldn't even meet with them. In fact, they don't even have a minister in charge of small business anymore. They've eliminated that role in cabinet. That's sad. TABIA couldn't get a meeting. Why were they here? Because they wanted to object to the harsh HST, which they knew would hurt their business.

Certainly, one thing after another has been lobbed at small-to-medium business. The so-called smart meters—we call them stupid meters over here—have really targeted small and medium-sized business because most

of them have to stay open during the day, when rates are highest. That hurts small and medium business. This government brought that in.

Certainly, this government is, again, a friend of large corporations and multinationals. That's not what small to medium-sized business needs. No, they don't need a government supportive of the mall; they need a government that's supportive of Main Street, and this government is not. You have only to talk to any small business holder and you'll find sector-by-sector problems, where this government has targeted from small butchers to small pharmacies in favour of large business.

Again, it's nice that they've rid themselves of a little bit of red tape, but the problem still remains. We need some help for small business and we need some help for medium-sized businesses in this province, because that's who provides 90% of the new jobs in this province. We need a government that really looks to their interests, that doesn't just look to Bay Street.

With that, I'll stop. Again, congratulations on the 50th anniversary. Please take my regards to Barbara Hall. She is doing an amazing job. I wish the Attorney General would help her a little bit better.

PETITIONS

REPLACEMENT WORKERS

M^{me} France Gélinas: I have this petition that comes from the Ontario English Catholic Teachers' Association, and it reads as follows:

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

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

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

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

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

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

PARAMEDICS

Mr. Reza Moridi: "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 sign this petition and pass it on to Jia Jia.

DEVELOPMENT IN VILLAGES OF HEART LAKE

Mr. Ted Chudleigh: I’m pleased to read this petition submitted by the people from the Villages of Heart Lake, many of whom are here today to witness the presentation. There’s over 1,000 signatures on this petition.

“To the Legislative Assembly of Ontario:

“Whereas we voiced disapproval of the Ontario Municipal Board’s (OMB) decision of April 15, 2010, to build a development which includes six (6) high-density, high-rise apartment buildings, one seven-storey commercial building and 42 townhouse work/live units in the Villages of Heart Lake; and

“Whereas this is a small tract in the centre of an area of single-family dwellings, and this proposed development simply does not belong in this area; and

“Whereas our elected officials unanimously rejected this proposal; and

“Whereas the OMB—which is not an elected body and supplies no infrastructure support to the city—has ignored the wishes of both council and the residents by approving this development;

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

“To have the OMB decision of April 15, 2010, regarding the Villages of Heart Lake reconsidered, ensuring the size of a new development is supported by adequate infrastructure and land and that the position of elected municipal officials and the existing residents is given greater consideration.”

I’m pleased to submit this petition. I’m in agreement with it, I affix my signature to it and pass it to my page, Gemma.

The Speaker (Hon. Steve Peters): I’d just remind our guests that they are more than welcome to be here. The only ones, though, allowed to applaud are the elected officials on the floor. Thanks.

HOME WARRANTY PROGRAM

Ms. Cheri DiNovo: This is a petition to support extending the Ombudsman of Ontario’s jurisdiction to include the Tarion Warranty Corp.

“To the Legislative Assembly of Ontario:

“Whereas homeowners have purchased a newly built home in good faith and often soon find they are victims of construction defects, often including Ontario building code violations, such as faulty heating, ventilation and air conditioning (HVAC) systems, leaking roofs, cracked foundations, etc.;

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

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

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

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

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

I couldn’t agree more. I’m going to sign it and give it to Madelaine to be delivered to the clerks.

1350

PARAMEDICS

Mr. Jeff Leal: Today, I have a petition from Bill Campbell from the wonderful community of Strathroy, Ontario.

“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 agree with this petition and I will give it to page Devon.

DEVELOPMENT IN VILLAGES OF HEART LAKE

Mr. Peter Shurman: I too have a petition concerning the Villages of Heart Lake, with over 500 signatures on it.

“To the Legislative Assembly of Ontario:

“Whereas we voiced disapproval of the Ontario Municipal Board’s (OMB) decision of April 15, 2010, to build a development which includes six ... high-density high-rise apartment buildings, one seven-storey commercial building and 42 townhouse work/live units in the Villages of Heart Lake; and

“Whereas this is a small tract in the centre of an area of single-family dwellings, and this proposed development simply does not belong in this area; and

“Whereas our officials unanimously rejected this proposal; and

“Whereas the OMB—which is not an elected body and supplies no infrastructure support to the city—has ignored the wishes of both council and the residents by approving this development;

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

“To have the OMB decision of April 15, 2010, regarding the Villages of Heart Lake reconsidered, ensuring the size of a new development is supported by adequate infrastructure and land and that the position of elected municipal officials is given greater consideration.”

I agree with this petition, will affix my name to it and hand it to page Leighton.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have this petition that was gathered by Tony Sottile from the people of Sudbury.

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

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

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

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

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

CREDIT SCORING

Mr. Mike Colle: A petition to ban credit scoring for home insurance in Ontario:

“To the Legislative Assembly of Ontario:

“Whereas a growing number of insurance companies are using credit scoring to significantly increase insurance premiums or to deny home and personal property insurance; and

“Whereas the use of credit scoring is hurting Ontario consumers; and

“Whereas the use of credit scoring is not being used to predict whether customers will pay their bills; and

“Whereas the use of credit scoring punishes consumers who can least afford it, namely: seniors, newcomers to Canada, the unemployed, single-parent families and small business persons with extended lines of credit; and

“Whereas the use of credit scores is not transparent and credit scores are a factor that consumers have little control over...; and

“Whereas 75% of Ontarians do not know credit scores are being used to set the price of their home insurance; and

“Whereas the Ontario government has banned the use of credit scoring completely ... in auto insurance; and

“Whereas the provinces of New Brunswick and Newfoundland both have announced their intent to ban the practice of credit scoring for home insurance;

“We, the undersigned, petition the Legislative Assembly of Ontario to extend the ban on the use of credit scoring in auto insurance to home and other personal property insurance by passing Bill 130, the Homeowners Insurance Credit Scoring Ban Act, 2010.”

I totally support the banning of credit scoring and I affix my name to this.

REPLACEMENT WORKERS

Mr. Jerry J. Ouellette: I have a petition that reads:

“To the Legislative Assembly of Ontario:

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

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

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

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

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

I affix my name. These were presented to me by Tim Eye and Chris Buckley.

SERVICES EN FRANÇAIS

M^{me} France Gélinas: J'ai une pétition qui m'a été donnée par ceux avec qui je travaillais avant au Centre de santé communautaire de Sudbury. Ça dit :

« Attendu que la mission du commissaire aux services en français est de veiller à ce que la population reçoive en français des services de qualité du gouvernement de l'Ontario et de surveiller l'application de la Loi sur les services en français;

« Attendu que le commissaire a le mandat de mener des enquêtes indépendantes selon la Loi sur les services en français;

« Attendu que contrairement au vérificateur général, à l'ombudsman, au commissaire à l'environnement et au commissaire à l'intégrité qui, eux, relèvent de l'Assemblée législative, le commissaire aux services en français relève de la ministre déléguée aux services en français;

« Nous, soussignés, demandons à l'Assemblée législative de l'Ontario de changer les pouvoirs du commissaire aux services en français afin qu'il relève directement de l'Assemblée législative. »

J'appuie cette pétition et je demande à Sydney de l'amener à la table.

PARAMEDICS

Mrs. Laura Albanese: I have a petition addressed 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 will affix my signature to this petition, and I will hand it to page Madelaine.

OAK RIDGES MORAINES

Mr. John O'Toole: I'm pleased to present a petition to the Legislative Assembly, which 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 contamination of the Oak Ridges moraine” especially on Lakeridge Road and Morgans Road in the riding of Durham.

I'm pleased to sign and present this to Devon.

REPLACEMENT WORKERS

M^{me} France Gélinas: I have a petition from the people of Sudbury and Port Colborne.

“Whereas the strike at Vale Inco's mines, mill and smelter” lasted way too long—close to a year;

“Whereas this strike is causing hardship to the 3,300 workers, their families, the communities and the businesses and contributing to a significant net drain to the economy; and

“Whereas the resumption of production with replacement workers has demonstrated an unwillingness to negotiate a fair collective agreement with the workers and has produced undue tension in the community; and

“Whereas anti-replacement legislation in other provinces has reduced the length and divisiveness of labour disputes;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact legislation banning the use of replacement workers....”

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

1400

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, affix my signature and send it via page Christopher.

OPPOSITION DAY

ONTARIO POWER AUTHORITY

Mr. John Yakabuski: I move that the Legislative Assembly recognizes the Ontario Power Authority was set up as a temporary agency, but in less than six years it has become a bloated bureaucracy ballooning from 15 to more than 300 employees, spending \$80 million a year, contributing to skyrocketing energy bills paid by Ontario families, and has been a driving force behind Premier McGuinty’s expensive energy experiments, and therefore calls on the Ontario government to dismantle the OPA.

The Speaker (Hon. Steve Peters): Mr. Yakabuski has moved opposition day number 3. Debate?

Mr. John Yakabuski: It’s a pleasure to move this motion, and I would like to thank all of my colleagues for joining me here today.

In 2005, Premier McGuinty set up the Ontario Power Authority as a temporary agency. Today, that so-called temporary agency has ballooned from 14 employees to more than 300, and of those employees, 75 are on the sunshine list. A full 25% of the OPA’s payroll is making more than \$100,000 a year. No wonder this bloated bureaucracy is now costing Ontario families more than \$80 million each and every year.

Last Thursday, PC leader Tim Hudak introduced a private member’s bill entitled the Agencies, Boards and Commissions Sunset Review Act. It is designed to root out waste in government and protect the pocketbooks of hard-working Ontario families. It is a real plan to deal with Premier McGuinty’s alphabet soup of ABCs, and any grade one student understands how it works. It’s called ABC 123: (1) If it works, keep it; (2) If it needs to be fixed, fix it; and (3) If it can’t be fixed, get rid of it.

If you want to talk about the poster child for waste in an ABC, well, you’re talking about the OPA. The OPA is the brainchild of Premier McGuinty and is complete with Liberal family ties going back three generations: the Premier’s former spokesman and, until recently, OPA vice-president of communications, Ben Chin; former Liberal leader and OPA vice-chair, Lyn McLeod; and

former adviser to Liberal Premier David Peterson and OPA board member, Patrick Monahan.

When we scrap the OPA, we have a three-step process to move the work to more appropriate agencies: (1) Long-term planning would be transferred to the Independent Electricity System Operator, already charged with short-term and medium-term planning, because that only makes sense; (2) Conservation targets will be set by the Ministry of Energy, with advice from experts, and local distribution companies will design and deliver those programs; (3) Contracts and RFPs will be handled by the Ministry of Finance, which already has the expertise to deal with them.

This is a simple way to do away with an agency that spends \$80 million a year of taxpayers’ money.

Unlike Premier McGuinty’s so-called restraint program—we hear them bragging about it—that merged 14 agencies so he could get \$5 million more to spend somewhere else, we will scrap one unnecessary agency and save hard-working Ontario families who pay the bills 16 times that amount: not \$5 million, but \$80 million.

The McGuinty Liberals have grown out of touch. Today, they’re actually bragging that their deficit is 40% larger than the previous deficit record.

Speaking of being out of touch, I want to talk a little bit about the OEA, the Ontario Energy Association, which is an organization that represents people from every possible part of the energy sector. Here’s what they had to say about the ABC of agencies, and specifically the OPA and the political interference that it is constantly subjected to. In a survey of their members, “85% of respondents felt that the current structure with a number of agencies assigned to specific tasks either needs better implementation … or needs to be changed altogether”—85%.

“For example, the OPA was established to provide planning and procurement in the expectation that the market would eventually respond to that information and make investments without OPA procurement contracts. However, these functions are no longer transitional.” That’s the Ontario Energy Association, which has serious concerns about the OPA, the way it has grown and the fact that it has become a governmental shield, but one that is subject to continuous ministerial interference and directives.

The McGuinty Liberals simply don’t understand that to help struggling families make ends meet, we need change. The energy minister gets up in question period day after day, defending the bloated bureaucracy at the OPA, lecturing our party that we should support the things that the OPA is doing, like supporting those ridiculous hydro rate increases. I guess that’s what he’d like us to support. Well, hydro rates have already gone up 75% under the McGuinty government’s watch; 100% if the OPA has already imposed a smart meter and time-of-use pricing on you. And do you know what? The OPA tells us they’re going to be going up another 46%.

Mr. Robert Bailey: That’s not so, John; say it ain’t.

Mr. John Yakabuski: Yes, it is.

Those future increases are largely due to the expensive experiments with Ontario's energy system that Dalton McGuinty decried when he was energy critic. The OPA makes it all possible, and it has grown right alongside. In fact, it has quadrupled in size in just five years.

Why has the OPA bloated so much? Because the McGuinty government is scrambling to put a positive spin on the consequences of its poorly-thought-out, politically driven energy policies. That's why the OPA spent \$3 million of taxpayers' money on an expensive ad campaign in an attempt to paint a rosy picture around the McGuinty government's expensive energy experiments.

Some of the OPA's other accomplishments include \$1 billion, potentially, for your flip-flop and backtrack on the Oakville gas plant, which your energy minister is now refusing to admit is being pushed on the people of Cambridge.

Mr. Kevin Daniel Flynn: You know that's not true, John.

Mr. John Yakabuski: The original member of the seat-saver club interjects.

A \$1-billion tab for your smart meter and tax machines that are driving up bills, and a \$1-billion tab to pay Quebec and the United States to take excess hydro.

Today, every MPP in this House has the opportunity to support \$80 million of relief to Ontario families on their hydro bills. The PC Party has a plan to eliminate the bloat at the OPA and shift its responsibilities to government arms more appropriately suited to addressing them. A Tim Hudak government will pass those savings on to hard-working Ontario families.

Let's do the right thing. To the people over there: Let's scrap the OPA.

1410

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Dave Levac: I appreciate the opportunity to talk to the member from Renfrew–Nipissing–Pembroke's motion.

First, what I'd like to do is to start the discussion by saying what is in it and what is not in it. Unfortunately, what is in it is a piece of information that's not correct. He talks about \$80 million. As a matter of fact, it's about \$60 million. So let's get the record straight. They're starting on a premise of misinformation, so I want to make sure we explain exactly what we're talking about here. I, for one, would be honest with those numbers, and that's what I'm asking everyone to be.

I also want to tell you, which they're not going to tell you—first of all, there was no history before 2003. They don't want to be reminded of it, and when they are reminded of it—they're sitting back on that side for that reason, and when they come over here, they say, "We did such a great job." So let's talk about one of those things.

They don't want to tell you that it was actually the Tory government that set up the task force to create the OPA. They're the ones that actually wanted to do it. All of a sudden, now it's an idea that's gone bad and they want to exit themselves from it. I find it rather interesting

that this particular party who had a government that was in at that time made the decision to create the OPA, and the fact is, it is a needed one. The OPA has a unique role in Ontario's electricity system because it has a mandate to undertake system-wide, long-term planning, to develop and deliver province-wide conservation programs—a term that this particular party is saying it doesn't necessarily believe in—to contract new generation, such as the successful microFIT program, and also develop the sector to reduce reliance on the OPA for contracting and the procurement of contracts.

Speaker, I wanted to make sure we put on the record what is in there and what is not in there.

What else is not in there? Here's what else is not in there. First is that the Harris-Hudak gang tried to force deregulation and privatization, which saw electricity prices rise over 30% in seven months. That's something they forgot. Sorry, I forgot; there is no history before 2003. They don't want to talk about that. They don't want to talk about a 30% increase in prices in just seven months and then the fact that they failed with that. They flip-flopped again and imposed an artificial price cap costing us \$1 billion on the debt.

One thing I want to remind people of: This is the party that, when in government, ran around in trench coats, proclaiming, "We are the guys who can fight red tape." What did they classify as red tape? Water inspectors, meat inspectors. So here we go again. Be careful of what is not said by the members of that party. What they want to talk to you about is that they condemn all of the actions that governments—plural, "governments"—do, and then they turn it into a guise of connecting it to somebody's pocketbook.

So I have a problem with this motion. This motion is basically saying that they are going to be able to save everybody that money by getting rid of the OPA. That does not do a single thing for the public. What it doesn't do is talk about a long-term plan, which this government's done for the first time. They hinted at doing it, and when they found out that it was going to cost them 30% in seven years, they flip-flopped and cost us \$1 billion. So add the savings minus the price and you've got a government that didn't know what it was doing then, and it wants to say that it knows what it's doing now. All it's doing is giving you a catchphrase of a piece of information that simply says, "Yeah, that's going to cost me money, so don't do it."

Well, remember your meat inspectors. Remember your water inspectors. Remember the public service that was slashed and burned to the point where people were complaining not about government, but about the fact that they couldn't get service from the government. That's the whistle that I'm going to blow here. The whistle I'm going to blow here is the fact that this particular party is asking us to return to the future. They want to go back to the Mike Harris slash and burn. They're going to take all kinds of money out of the system. They're going to cut this; they're going to cut that. They're going to reduce this; they're going to reduce that. But they don't have a plan.

You know what I call it? I call it a plot. There's a difference between a plan and a plot, and the plot has not yet been unravelled. All I'm saying to you is, be careful of the plot that's being exposed, because if you look at what they're actually telling you, the plot is thickening here. The plot is thickening because there's no plan. What they're talking about is hiding it. They're talking about hiding it. And guess what? They've delayed their policy plans. They have delayed things. Why? Because they don't have that plan.

Look, there's not perfection in any government's plan on any agency—there is not perfection. But what we've got is a direction for the next 30 years that provides us with the opportunity to create, once and for all, our dependency on our energy plans and to correct the foibles that were happening to us before.

So, during Mike Harris's time, demand rose—this is during their time—by 8%. Guess what generation fell by? It was 6%. I can tell you right now what they're talking about is hiding all of this information from us so that we can turn around and say, "We need to clean up another mess that they're going to create."

All I'm suggesting to you, very respectfully, is, listen very carefully to what's being said in the motion because it is a return to the future. For me, it's the Mike Harris return to the future regarding what they consider to be the public service and the capacity for us to deliver good, clean energy in this province.

I think there's a big difference between a plot and a plan. I support our plan; I do not support that plot.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Ms. Lisa MacLeod: I'm pleased to be here today to support my colleague Mr. Yakabuski, the member for Renfrew–Nipissing–Pembroke, in the great region of eastern Ontario, and to support this motion to scrap the Ontario Power Authority.

It's no secret what Mr. Yakabuski, myself and my colleagues, at least on this side of the House—and, I'm sure, with the third party as well—are hearing, and I wish my colleagues opposite would listen to what we're hearing: that people in this province are having a very difficult time in trying to make ends meet and pay their hydro bills, which seem to have skyrocketed, particularly in the last year.

Let me just refresh some of the fees people are paying: a debt retirement charge that we believe there needs to be a forensic audit into, \$7.8 billion that's been paid for by the people of this province that has gone nowhere in terms of down; and the HST. We're paying for that on hydro but we're also paying for it, as my colleagues well know, on that debt retirement charge. They're also paying for these smart meters, these tax machines, that have cost the public purse \$1 billion.

Now we're paying for the OPA, as my colleague has pointed out, which was effectively conceived at a very early period of time as a "virtual" and "transitional" agency. It has expanded from 15 employees to over 300 in a very short period of time—I believe in about six

years. The people of this province are now funding this agency, which we actually refer to, in the Ontario PC caucus, as the "Ontario Propaganda Authority."

Let me tell you why. There's a lot of family ties, Liberal family ties. Remember that show we all used to watch in the 1980s, *Family Ties*? Well, I can tell you something.

Ben Chin was the vice-president of communications at OPA until his resignation in February 2011. He made \$185,000 in 2009. He used to be Dalton McGuinty's spokesperson.

Lyn McLeod—not Lisa MacLeod—Lyn McLeod is the vice-chair of the OPA. She is paid by the corporation. No per diem information is available, but we do know one thing: She was the former Liberal leader prior to Dalton McGuinty becoming Premier of Ontario.

Adèle Hurley is a board member at the OPA. Hurley is paid by the corporation. She is a former Liberal researcher.

Patrick Monahan is a board member at the OPA. He's also paid by the corporation. He is, of course, a former adviser to Liberal Premier David Peterson; and, of course, a famed person from Atlantic Canada, a former Attorney General of Canada, Andy Scott.

Mr. Robert Bailey: It sounds like the Ontario Senate.

Ms. Lisa MacLeod: This, as my colleague from Sarnia points out, sounds like the Ontario Senate.

These public agencies have been used and abused by this McGuinty Liberal government to further the padding of Liberal staffers and former politicians and to ensure that they have a place to softly land.

Let me tell you a little bit about what the OPA has been up to in the past few years. In 2010, the Ontario Power Authority listed a job posting for a position of hospitality coordinator. Let me tell you what the responsibilities include.

In Ontario, people in Nepean–Carleton—they told me yesterday, in Greely and in Manotick, when I hosted two coffee parties in my riding—the folks of my riding told me they couldn't afford their power bills; they're just too high.

1420

Do you know what I told them about this hospitality coordinator? Their power bills are paying for—or would have been paying for—someone to operate the OPA hospitality program and coordinate meeting room set-ups, ensuring the appropriate room configuration. Apparently, the people at the OPA don't know how to configure their room when they're having a meeting, so they needed to hire somebody for over \$100,000 to ensure that could happen. They would order and coordinate catering for small-to-large meetings and various corporate events for up to 300 participants, and they would order and receive and set up catering and beverages.

This is what the OPA is doing. They're more worried about setting up parties for that political party than actually worried about the hydro bills the people of this province are paying. That's why—for my colleague opposite, who is so concerned about the fast-forward to the future—we actually will stand and continue in the PC

caucus under Tim Hudak's leadership and, of course, John Yakabuski's tenure as our critic, to challenge this Liberal government.

Let me point out that this Thursday is going to be a very important day in Ontario. Tomorrow, of course, is the budget. We're going to find out that Mr. McGuinty and Mr. Duncan are going to continue to celebrate being \$17 billion or \$18 billion in deficit, and we're going to find out on Thursday what the sunshine list is in Ontario. Of course, everyone here—and hopefully, the people at home—understands that the sunshine list is made up of people who make over \$100,000 a year from the public purse.

The number of people on the sunshine list at the OPA has ballooned from six in 2005 to 75 in 2009. That is an increase of 1,150%. Can you believe that? The cost of the sunshine list at the OPA has increased from \$1.6 million in 2005 to a whopping \$12 million in 2009. That is an increase of 650%.

Of course, we're going to find out what the sunshine list for 2010 is this Thursday. We're going to be concerned on this side of the House, of course, if that number continues to grow and more people are on that list, increasing what the public is paying for a propaganda authority more concerned about hospitality than the price of hydro.

Finally, in 2009, eight people at the OPA made over \$200,000 a year, including the CE, who made over half million dollars.

I have to tell you that yesterday when we were in Greely and in Manotick, my staff and I were consulting with the people who sent me to Queen's Park. They were frustrated that people in this province, who are paid with their tax dollars, are making over \$1 million, particularly at an agency that is not advocating on their behalf to lower those hydro bills, to ensure that they have an ability to pay for hydro, which, by the way, is a necessity in this province. We do have a very cold climate in the winter and we do have a very warm climate in the summer. The reality is that you need your power.

This agency is doing nothing with the transmission or the generation of power in this province. The only thing it is generating is a lofty place to land for Liberal appointees who want to live off the public purse. Ladies and gentlemen, that is what the problem is with this agency. That is why we want to scrap it in the Ontario PC caucus and that is why we will continue to fight until election day to ensure that happens.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. John Yakabuski: On a point of order, Madam Speaker: The member for Brant challenged the numbers of the opposition with respect to the operation of the OPA. I have the public accounts—

The Acting Speaker (Ms. Cheri DiNovo): The member knows well that this is not a point of order. Thank you very much.

Further debate?

Mr. Peter Kormos: New Democrats will be supporting this motion.

I want to welcome you back to Ontario, Speaker. You were on a mission to Nepal last week, where you were witnessing the oppression of Tibetan people living in Nepal during a time when they should have been allowed to vote in their own election. We applaud you for your work in that regard.

I did ask you to bring me a gift back from Nepal; you didn't. For the life of me, I don't understand why you wouldn't have, but I forgive you. I understand there could have been any number of things that would have caused you—you were busy; you were preoccupied; maybe you just didn't have enough space in your luggage to bring back the gift I anticipated from Nepal.

As I say, New Democrats are supporting this motion. Because of the rules, of course, there are only two hours within which to debate it—40 minutes per caucus. I will be joined, before the afternoon is over, by my very capable colleague from Beaches-East York, Mr. Prue, who will be speaking to this motion as well. Later this afternoon, we're going to be engaging in the ongoing second reading debate of Christopher's Law amendment act, the sex offender registry legislation. I will be speaking to that sometime around 5 o'clock or so, I expect, for the hour that is permitted to me during that time.

It's no secret in the province of Ontario that the most menacing item one can get through the mail slot or in the mailbox is one's hydro bill. Ontarians are increasingly shocked month after month at what they see are not only outrageous but unaffordable electricity bills. Over the course of the winter, those ever-growing electricity bills were accompanied by the McGuinty Liberal government's HST, that new tax that was imposed on everything from being born to dying, including one's electricity bill. That's why Andrea Horwath and the New Democratic Party have been adamant that this government should be giving householders some modest relief by, at the very least, eliminating the HST on electricity bills and home heating fuels.

Rather, the government persists with its HST on electricity, and indeed promises—and this is a promise we know will be kept—that over the course of the next five years, electricity is going to increase by darned near 50%. Those are the government's own numbers: darned near 50%. So that, I say to you, is a rather conservative figure in the total scheme of things. It's probably going to be much higher than 50%, and that's what has people in the province of Ontario reeling, fearful of those electricity bills.

Of course, the history of electricity in Ontario—at least, the recent history, well within my lifetime and yours—has been rife with outright scandal. We learned yet again in the early 1990s how expensive nuclear power was when it was discovered and revealed that Steve Roman—a controversial entrepreneur here in the province of Ontario and Canada, a Slovak Canadian—the owner of Denison Mines, had a very close relationship with successive, as it was, Conservative Premiers. That's how in the 1970s, while Premier William Davis led the government here in the province of Ontario, Steve

Roman got himself 30 years' worth of uranium contracts with the province of Ontario at \$60 a pound, about four times the market price of uranium. Of course, Ontarians and electricity ratepayers were saddled with that huge, huge cost.

Steve Roman became very, very wealthy. He did build a church—it's the big Byzantine church on the highway up to Markham—so I suppose there was some return for the investment by the electricity consumers of the province of Ontario.

But I tell you, the history of electricity in our lifetimes has been rife with scandal. And nothing has been more scandalous than the privatization of electricity and the deregulation of electricity. The Bay Street barons—the Pavlovian saliva was flooding desktops at the prospect of wholesale privatization, along with the disassembly and breakdown of electricity.

There was the potential, and it was just huge, huge, huge. The dollar signs were bouncing off the walls. The corks were popping; not at some corner deli, but at the finest restaurants, I'm sure, that money could buy you a table at.

1430

As a matter of fact, I just happened to encounter in the Toronto Star last week—they're doing a series of lists. This one was “Five Hopping Restaurants Where You Are Most Likely to Spot a Provincial Politician in Toronto.” Number one is a place I go to often. It's called Caplansky's Delicatessen, on College Street.

Mr. Michael A. Brown: It's very good.

Mr. Peter Kormos: It's a wonderful place. It's called Caplansky's. The article says it's “popular with Liberals, Tories, New Democrats and smoked-meat-loving journalists and their sources.” Obviously, because the writer for the list story got his sources there.

Caplansky's is one of the best smoked-meat joints that I've been witness to. It has good prices. The owner of it is an amiable person. I can't speak for other members of his family, but Zane, who owns Caplansky's, is a great host and he has delightful staff there. So I recommend it to you, and it is truly a tripartite place. It's noted—I'm aware of the Liberals, Conservatives and New Democrats who go there.

They mention that number two is “Mercatto on College Street, where cabinet ministers are frequently spotted munching on thin-crust pizza.” I've never been to Mercatto. I don't know where that is, and I'd rather have smoked meat at Caplansky's than a pizza at Mercatto.

Of course, Bistro 990: I've stuck my nose in the door, from time to time, of Bistro 990—

The Acting Speaker (Ms. Cheri DiNovo): I would remind the member to get back to the opposition motion.

Mr. Peter Kormos: Yes, we're getting there. There are only two more on the list. We're going full circle here.

“Mullins Irish pub on Bay Street, a favourite place for Liberals to relax and unwind over a Guinness after a long day of governing.”

Interjection.

Mr. Peter Kormos: Beats me.

However, this is what I found truly alarming, that this should be in the top five restaurants at which to find politicians here in the city of Toronto: “Swiss Chalet in the Ontario Power Generation building on University Avenue is a hotspot for certain would-be Liberal leadership hopefuls.” Swiss Chalet? Give me a break. Why aren't these people identifying themselves? Who are these—I understand, maybe at 10:30 at night you might want to order some takeout from Swiss Chalet. But you notice, “Liberal leadership hopefuls.”

Hon. Kathleen O. Wynne: Is this snobbery? Is this NDP snobbery? Is this elitism I hear?

Mr. Peter Kormos: It's just not good food. It's highly processed.

Hon. Kathleen O. Wynne: You're a man of the people.

The Acting Speaker (Ms. Cheri DiNovo): Order.

Mr. Peter Kormos: You're darned right, which is why I prefer to go to Caplansky's any night of the week and have smoked meat served by delightful staff than have highly processed food at Swiss Chalet.

Hon. Kathleen O. Wynne: What do you have against chicken?

The Acting Speaker (Ms. Cheri DiNovo): Excuse me. As much as the member is making us hungry, I would just advise him to get back to the opposition motion at hand.

Mr. Peter Kormos: The Swiss Chalet is in the Ontario Power Generation building, the old Moog building just down the road.

My fear isn't so much about the chicken; it's the prospect of running into would-be Liberal leadership hopefuls at their Swiss Chalet. I may well have to drop in. It's at the Ontario Power Generation building. I may have to drop in there at some point to check out which Liberal leadership hopefuls are wining and dining on Swiss Chalet.

But as I say, Caplansky's I'm a big fan of; Bistro 990 does a good job; the others I can't speak to. I do note that the menu at Caplansky's says that if a party is of more than eight people “or if my brother David is coming,” there's an automatic tip of 15% added to the tab. It says that on the menu.

Mr. Michael Prue: Is there a tipout there too?

Mr. Peter Kormos: My colleague from Beaches-East York wonders whether the tipout is there. I suggest that he go down to Caplansky's and talk to the staff himself.

So here we've got people in the province of Ontario being hammered every time they open an electricity bill, with the prospect of more to come. We haven't even begun to see the impact of the new nuclear projects that the province is hell-bent on embarking on. This will bring with it, in its own right, untold huge new costs far beyond any estimates provided to date.

Then we've got, of course, the notorious matter of this government shipping some 16 radioactive generators through the Great Lakes system on their way to Sweden, which has the technology, or at least they claim to, to

sanitize these, to remediate these generators, to take the radioactivity out of them. So we've got 16 huge steam generators that are radioactive that are being shipped through our Great Lakes system all the way through the Welland Canal, down where I come from, through the St. Lawrence River system. Yet this government will not hold an environmental assessment to determine whether or not it's safe, indeed, to ship these radioactive generators in that manner. We don't have to use our imaginations any more to understand how even a high-tech, technologically sophisticated community can suffer just incredible impact from nuclear accidents.

You hear the government of Ontario saying, "No problem; all the best of luck to you." Heck, they're only the largest single freshwater body in the world. They only provide water for Lord knows how many hundreds of thousands—millions—of people in North America. This government is prepared to put that water at risk and the populations of not just Ontario but Quebec, countless US states and all the way through into the western provinces at risk with its foolhardy—because, part of the problem is, you see, the government has to pretend or create the illusion, in the same way that a Houdini-type magician does, that there is nothing to fear, especially, again, after what we're witnessing from across the ocean in Japan.

I don't know about you, but I've heard the CNN reports indicating that there was radioactivity measured in Seattle, Washington, that's attributed to the radioactive outburst coming from Japan. To think that somehow that we're isolated from this, that we're separate and apart, is beyond naive; it's downright dangerous; it's foolhardy.

Here's a government that is so wedded to high-cost nuclear power that it's prepared to endanger the welfare of the Great Lakes and of the people who rely on them for their source of water and the people who live the area.

Here we are, at six months to a provincial election; Ontarians can't wait. There is, coming from this government, a mephitis, an outright mephitis, that is identifiable. Of course, it's from the decay of a government that has lost its direction, that has lost its passion, that has lost—other than the leadership hopefuls—the core of its caucus. Some of the best people in caucus have been leaving the government without the guidance and the advice, the counsel that senior members give to a government caucus especially. I'm saddened. I'm saddened when I see some of the skilled people leaving Queen's Park from the Liberal caucus. As I say, there are some capable people remaining. These are the ones who are the leadership hopefuls. They're identifiable, as often as not, by the frequency with which they speak French in the chamber, and by the degree to which their French has improved—

The Acting Speaker (Ms. Cheri DiNovo): Again, I would remind the member to get back to the resolution about the OPA.

Mr. Peter Kormos: —over the course of the last 12 months. I find the government here desperately resisting this resolution, wishing that they had the counsel of some

of their members who have said, "Farewell; so long; it's been good to know you." These are people scrambling over each other on their race to the lifeboats looking for dry land, I suppose, and I—

Hon. Monique M. Smith: Nothing to do with the resolution, again.

1440

Mr. Peter Kormos: The government House leader intervenes.

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Order.

Mr. Peter Kormos: The government House leader intervenes again.

We were talking about the Swiss Chalet at the Ontario Power Generation building.

I've got a scant three and a half minutes left to speak to this resolution before I surrender the floor to my colleague from Beaches.

Hon. Kathleen O. Wynne: Gucci socialist.

Mr. Peter Kormos: Oh, she just hurled an insult at me. I've never worn a Gucci in my life.

Hon. Kathleen O. Wynne: Those are Gucci cowboy boots.

Mr. Peter Kormos: These happen to be Canadian-made cowboy boots, made in Quebec, as a matter of fact. Does Gucci make cowboy boots? I suppose the leadership hopeful would know, because I certainly don't.

As I say, we're supporting this resolution. I yield the floor to my colleague from Beaches. I look forward to his contribution to this debate.

We'll be speaking later this afternoon to the sex offender registry legislation, the Christopher's Law amendments.

And I will be reviewing the Toronto Star list articles to see whether there's anything further I can provide in that regard.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Bill Mauro: I'm pleased to have a few minutes this afternoon to speak on the opposition day motion. It's not a lot of time; we're sharing this amongst a number of our members here today who are excited to speak on this particular resolution. I'm pleased to have just a few minutes to speak to this.

I'm a little bit surprised—not a lot surprised, but a little bit surprised—that the Conservatives would bring forward an opposition day motion on energy pricing or electricity-related issues in the province. I'm not completely surprised, but a little bit. I'm surprised there are none of them here to listen to the debate today, but I guess that, even though it's their opposition day motion, perhaps they're not as interested in it as they would like us to believe they are. I'm sure some of them will show up here in a little while.

The reason I say that I'm not surprised, or I am a little bit surprised, is that when I spoke on this issue last week in the Legislature, I made reference to the fact, at least when it came to the issues of electricity pricing in the last four or five years in the province of Ontario, that I was

willing to concede to the Conservatives a bit of credibility on the file, unlike the third party, the NDP, who have been linking every lost job in the province of Ontario to the price of electricity with those silly, simplistic arguments that they continue to put forward. Those arguments had not been put forward by the Conservatives.

I welcome the member from the Conservatives who has come into the chamber to listen to his party's opposition day motion.

Mr. Robert Bailey: I'm watching you.

Mr. Bill Mauro: Thanks for coming, Bob.

Unlike the NDP, at least the Conservatives had some credibility. They understood that every lost job in the forestry sector had nothing to do with the price of electricity. But unfortunately, it has only been now in the last six months or so, as we get closer to a fall election, that the Conservatives have—well, let's say they've gone over to the dark side on this issue. They've now become the champions of lower electricity pricing in the province of Ontario.

Just a quick bit of history; I only have six or seven minutes today. We remember, in 1990 to 1995, when the NDP were in power, that electricity prices rose in the province of Ontario by 40% in five years—8% a year for five years. Perhaps they can stand, when they have an opportunity to talk, and tell us about the investments in the transmission grid or what new generated capacity came online in those times. Maybe there was some. I don't know. I stand here and say that I'm not sure if they invested in new generation. I can stand here and say that I don't know that for certain. But prices did go up by 40% in five years.

They also cancelled every major conservation initiative in the province and did not replace it with anything. They cancelled the 1,000-megawatt green energy project called Conawapa from Manitoba that would have brought about 1,000 or 1,200 megawatts of clean, green energy into Ontario 20 years ago. It would have created an incredible construction boom in northwestern Ontario, through my neck of the woods. They cancelled that in 1990-91, and they paid the province of Manitoba about \$130 million to get out of the contract. We would have had that for over 20 years. The project would have started. That province would have been contributing at about four cents a kilowatt hour to the pool of electricity produced in the province of Ontario. The NDP cancelled that, yet they still talk on a regular basis about the forestry piece and energy. I've spoken at length in this chamber about how silly that argument is. As we go forward closer to the election, I look forward to constructing with even more clarity an argument for people that will show just how ridiculous and absurd their arguments have been, connecting it to forestry.

For the Conservatives, I want to talk a little bit about where they were. We remember in 2002 they went forward with a deregulated market. Very shortly after they deregulated the market, the consumer outrage began. It really began in full force. So what was the response of the Conservatives in 2002—the free marketers, right?

"Let the private sector do it; it will fix everything; let them take care of it. The invisible hand, trickle-down economics—it will work. We're going to let the free market take care of this." In very short order the price went through the roof, and the Conservatives in 2002 came in and did what? They capped the price of electricity. They capped it at, I think, 4.3 cents per kilowatt hour in 2002.

So the people who are listening to this debate and who are interested in electricity pricing need to understand that when it was capped by the Conservatives, you weren't getting a break; you just weren't seeing the true cost of the energy on your bill. Because when they capped it, they transferred the rest of the cost, which they didn't want you to see on your bill because it had political consequences, to the debt. In very short order, \$1 billion more had accrued on to the debt in the province of Ontario. So taxpayers became responsible for it instead of the ratepayers. That's how the Conservatives dealt with it, and they thought that was a better way—certainly, they didn't think it was a better way; they knew it was a more expedient way.

What I want to talk about in my last two minutes or so here is the approach that the Conservatives took in 2002 when they moved to deregulate the industry. They were not only going to privatize generation but they were going to privatize Hydro One. So people in my riding of Thunder Bay-Atikokan and people in northwestern Ontario and people all across northern Ontario should just take pause for a moment and think about what it would have meant had the Conservatives in 2002 succeeded in their plan to deregulate Hydro One. Because as a northerner, I can tell you how much it concerned me. If you want to privatize Hydro One, let's think for a second about what it means when you have almost no economies of scale existing in that part of the province with the provision of transmitting and delivering electricity to the geography of northern Ontario. A private sector entity would have come in and taken over that responsibility, and I have no doubt that within five or 10 years we would have seen that system fall into great disrepair, and I have no doubt that the people who rely on that energy distribution transmission delivery to their households would have been up in arms in a very short period of time, because there is no way that a private sector entity would have been able to manage that and get a return on their investment. They would have been making decisions—either they would have maintained it and seen the rates go through the roof so that they could justify it, but otherwise it just would not have worked. But that's what they did.

On this file, we brought in several mitigation measures to affect people. For the large industrials, we brought in significant programs. We had a great announcement at AbiBow in Thunder Bay just last week—the third major announcement for them on this file. We brought in a 10% clean energy benefit for all people, all residences and small businesses, fully for five years. We've got a specific northern Ontario energy tax credit for northerners, I

think from Parry Sound north and west. We've done a lot to really help. In fact, one of the members of the third party himself has said very recently that the total tax burden on people in the province of Ontario has not increased in the last six or seven years since we've been in government.

I wish I had much more time than I do today on this particular file. It's one I have a lot of passion for. As I said, as we move forward closer to the election, there will be much more to say on this file, specifically with regard to the position of the NDP.

1450

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. John O'Toole: I think the previous member from Thunder Bay–Atikokan should have saved himself a lot of trouble. Basically, what he had to say was a reasonable interpretation of part of the history. The real history: People just open their electricity bill and see how it's changed. That's the real issue here, at the end of the day. We believe that they're spending lots of money. Some of it's already in your rate. He said as his closing remark that this 10% reduction of the bill—actually, the records will speak for themselves on that. They've actually borrowed \$1 billion. They financed \$1 billion to give a 10% cut in the rate, and that borrowing is actually future taxes. They're giving you a tax break now because we're heading towards an election.

Let's focus on the member from Renfrew–Nipissing–Pembroke's opposition day motion. What it's specifically about—I think it's time to review that—is, "That the Legislative Assembly recognizes the Ontario Power Authority was set up as a temporary agency"—by the Harris Conservative government—"but in less than six years it has become a bloated bureaucracy ballooning from 15 to more than 300 employees, spending \$80 million a year, contributing to skyrocketing energy bills paid by Ontario families, and has been a driving force behind Premier McGuinty's expensive energy experiments, and therefore calls on the Ontario government to dismantle the OPA" as it exists. It's addressed to the Minister of Energy.

There is a real history to this file. There's no question about it. If you look back—and I think this history is important, relative to how we got where we are. The history is, while the NDP were in government, the economy went into the ditch. Not necessarily all their fault—it was called a depression or recession.

Hon. Deborah Matthews: That's very generous of you.

Mr. John O'Toole: No, they don't control the monetary system. They had some problems on the fiscal side, but they don't control the monetary system, and that's important to put on the record.

They did freeze rates. There's no question about it. But here's the real issue: There was a commission formed in the dying days around the restructuring of the debt at that time because of the overrun at Darlington, which is a whole story in itself—the Darlington plant; Pickering was already up but not paid for.

Here's the issue. The commission they formed—and this is important—was called the Macdonald commission. The Macdonald person was Donald Macdonald, who was actually Trudeau's finance minister. He's a smart guy. He's actually brilliant on free trade. He was an independent, and he had a panel of about four or five experts, Ph.D.s primarily. There were some other capable people as well. But here's the point: They came up to the fact that the assets called the old Ontario Hydro were unable to support the debt that had accumulated, through all governments. Don't ever kid yourself. Peterson was a big problem with this; so was Bob Rae.

Mr. Peter Kormos: Two Liberals.

Mr. John O'Toole: Yeah, two Liberals. Exactly.

Now the point being, they accumulated a fair amount of debt because in the debt, the original—what most of the media pays attention to—was the Darlington nuclear plant, which is in my riding of Durham. The Darlington nuclear plant was costed out to be a \$4-billion project, and it ended up being a \$14-billion project. That constituted some of the leverage debt. That debt cannot be factored into the rates until the plant actually starts to generate electrons. And so the debt of the previous legacy assets—these are the old assets, the generation plants, whether they're hydroelectric; we could talk about the regeneration of those assets. Most recently, it was the Beck tunnel project in Niagara Falls, billions of dollars over budget, over schedule. It's yet to show up in the rates, but it's in some of the work we're talking about today. It's in this little booklet here.

For years, ever since Sir Adam Beck, back in 1906, when he founded what is now or was then known as Ontario Hydro—his saying was "power at cost." There's a book out there. Read it. It's very interesting reading. OPA, the Ontario Power Authority, is one of the factors trying to unravel the big mystery. But Adam Beck had a principle, and his principle was "power at cost." That principle or policy was, power regardless of the cost. It was an economic subsidy for Ontario's manufacturing industry. In fact, if you look at the profile of consumption of hydro, probably about 70% of the consumption of electricity is by industry itself. Refining, forestry, pulp and paper, mining industries, auto, steel—they consume the vast majority of electrons. And some 30% of the electricity consumed is consumed by the residential homeowner, apartments etc.

The residential side of electricity consumption has very little discretionary usage. These time-of-use meters—it's a disguise—don't conserve one electron. They shift the load. They shift the demand from doing your clothes and your washing and drying whenever it's convenient to doing it on-peak or off-peak. In fact, the time-of-use meters increased the cost of electricity 100% if you don't use it when they tell you. Electricity is about five cents a kilowatt hour as far as the market goes, but the real cost is far more than that—far more than that. They doubled it. When you're using it on-peak it's 10 cents per kilowatt hour, what used to be five. So that's a 100% increase.

But if you look further on the bill, the cost of electricity is—about 50% or less of the total bill is actually

the electrons. The rest is the debt retirement charge, the HST, the delivery charge. All of these charges to have the privilege of electricity is about 60% of your bill. It isn't even for the electricity, so it wouldn't matter if you shut all the lights out; you'd still get a bill. I get complaints from people who have recreational properties: "I've got a bill. We haven't been there since last September, but I've got a bill for \$65 for the month." They weren't even there and it costs them to have the privilege of being able to turn the lights on, which is an argument; we won't disguise that.

Getting back on track, the power-at-cost argument of Sir Adam Beck is that we really need to have a reliable, safe, affordable electricity policy. The Ontario Power Authority was designed—and I met the CEO. The first CEO was not a politician. He was an academic. His name is Jan Carr; he's brilliant, absolutely brilliant. On the energy file, there are two people I've met who are impressive in their knowledge as well as their public contribution. One would be Jan Carr and the other one would probably be Duncan Hawthorne, who's the CEO of Bruce Power. He's brilliant. He's always on television, talking about things to do with the nuclear industry etc.

But the history is that they determined that the assets of the old Ontario Hydro were not capable of supporting the load of debt, because of interference by politicians, primarily. Here's the deal: The generation side would be Niagara Falls. We were always quite concerned that Premier McGuinty might sell Niagara Falls. It's been brought up. It's been in the media.

Mr. Robert Bailey: Don't sell Niagara Falls.

Mr. John O'Toole: Don't sell Niagara Falls.

Don't think that energy is all public; it isn't. Bruce Power is on a contract to be run and all the small generators are private business. Who are you kidding? So there's the generation, which is the generation of electricity through water, from coal, from natural gas, from nuclear, from—now they've got this renewable file. We'll talk a bit about the supply mix. Part of the job of the Ontario Power Authority was to design the mixture of supply. We don't want all wind or all solar. We don't want coal. Our plan was to cancel coal by 2015. They promised it in 2007, 2011 and now they still haven't closed them all. So they have misled—pardon me—or misdirected the policy completely. It's a failure, an absolute failure.

Interjection.

Mr. John O'Toole: No, he hasn't even got a clue and he's an engineer. We'll talk about it. He should understand this. He should understand it; he should. Here's the deal: They're going to replace the coal plants. Listen up, because they're going to replace the coal plants; the fuel is now going to be wood.

Mr. Jeff Leal: What's wrong with that?

Mr. John O'Toole: The member from Peterborough asks, "What's wrong with that?" You tell us. What is wood? Trees are made up of carbon. And what's coal? Carbon. Do you know what? They've gone to a biomass—they call it now biomass. Nobody approves of carbon—nobody.

On this side, we are at least being straightforward with the people of Ontario. This is going to close the carbon plants. No, they're not. They're not closing them. So that's the end of the discussion. They're going to have some other name for it in the future. But when you look at the supply mix report, all experts have determined that that nuclear baseload is very important.

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I have the privilege of representing the riding of Durham, and the area of Durham region has almost all or at least the vast majority of the nuclear baseload with Pickering and the Darlington plants. I'm proud to say that there's a hearing going on as we speak, called the Joint Review Panel for Proposed Darlington New Nuclear Power Plant Project. They were meeting last week and this week. They're meeting in very trying circumstances with the recent Japanese event with the nuclear plants there.

They're not the same. They're not anything near the same. The Candu reactor is a double-fail system. It's two systems where they have heavy water and light water. They boil water, but the water that is boiling is not actually radioactive material. So when it vents, it's steam. It's not radioactive, whereas the other plants are. Boiling water reactors are quite different. There's one single-shutdown system.

To me, those plants have operated and there's been one incident of one death. Chernobyl, Three Mile Island and all the other nuclear things—the Candu reactor has yet to have any kind of major event. I commend the Canadian researchers who have done the work there. They're clear on this: They're going ahead with it. I'm proud to say that our riding is the host, and we're a willing host community. That's firmly on the record. We've been through that debate. We need to have the most robust system, the safest system and the most stringent oversight possible, because this is the source of our energy that makes the province as great as it was.

I would only say this on that part of it: There are three points that I would like to make at the hearings, which I will be doing in the next week or so. I will be on as a delegation myself because I live and work there, and have for many years.

First, we're a willing host community. Secondly, that debate has been held and it's in the official plan of the area, as well as Clarington council. The renewable debate is part of that. The renewable energy debate—when I look at the cost of energy, the booklet here tells us the various costs, from five cents to eight cents.

The real cost is the next thing. They're selling renewable energy for five, six or eight cents, as I said before, but they're paying 80 cents for it. Where is that money coming from? Don't be fooled. The cost of energy is a central question. There are health effects. They say that coal has health effects. It certainly does, and they've costed that: so many deaths a year and all the rest of it—cancer, asthma and all these various things—and it's true. Everyone agrees. Tim Hudak at least has been straightforward about it.

The next issue is that solar power only works when it's sunny. You have to back up all the energy from solar up with something. There has to be a gas plant on standby in case. It's the same with wind. Wind only works when there's no high pressure. When you have high pressure, there's no wind. When you have high pressure, you have hot weather or cold weather, which is when you need the electricity. Those solutions may, over time—I wouldn't make a huge investment now. I would keep an eye on the research and innovation in that sector. That's the important part.

Conservation is not getting nearly enough attention and needs more. To help people to shift the demand usage, give them appliances that use less energy at the wrong time.

The final point that I think needs to be on the table for this—it was recently on Steve Paikin's show, *The Agenda*. Several experts—none of them were political—were on there, and they were talking about energy pricing. This is something that affects every household. I know that my seniors feel very vulnerable about it. They're very concerned about this careless sort of government-knows-best idea that Premier McGuinty has about what you're going to do when on everything. Energy costing in the future—they're forecasting 46% increases. This is not sustainable. There have to be some tools for the consumer. What Tim Hudak has said is that we would look at time-of-use pricing as part of that energy policy thing.

The real issue here, in the last few minutes that I have, is that the Ontario Power Authority has done its work: It has supplied the government with a supply mix. There's general agreement on conservation being an important part of that and renewables being a part of that. Being competitive in their pricing is the big issue, we're finding out in Europe. Feed-in tariffs are very high. As our leader, Tim Hudak, said, you can't pay 80 cents for a kilowatt of solar power and then sell it for five cents. It's just not—who's paying the other 75 cents?

Mr. Randy Hillier: The taxpayers.

Mr. John O'Toole: It's the taxpayers who are paying it. This is where you have to be transparent.

It's the same with the nuclear. To build, to finalize—I think there has to be a full discussion on the real costs, from commissioning to decommissioning, of nuclear energy. We need to know what it's going to cost to secure that plant when it's not in production. We need to know clearly and honestly with the people of Ontario, and during this provincial election I hope that energy takes its rightful place, because it's part of the economy. Without our economy functioning, what are all our young people going to do? My children, my grandchildren and the young people here today—what is their future? Not everyone can be employed by the public sector or be a researcher or a doctor or an astronaut. We'd love them all to be the best they can be, for sure, but by the same token we have to be straightforward. We're all here for the purpose of seniors who have served the country—you can't price them out of living in their own home—and

young people who want to stay in Canada and help us all to be a prosperous society. I can say that on this energy motion without any pause for apologizing in any way.

I should say that the previous speaker, from Brant, made a serious error—I've since got the research here—when he said that the Ontario Power Authority was only about \$60 million a year. I have the public accounts documents in front of me. Obviously, he was given the wrong material, either accidentally or deliberately. In 2009—these are the audited statements—\$79,737,000 for the OPA. They started off with 10 or 15 employees; they've ended up with 300 employees. What I can tell you is this: They have about 10 people making over \$200,000. They have some making half a million dollars a year.

In our view—Tim Hudak has told us—their work is done; they've done a spectacular job. Your time is up. When I look at the board, I'm ashamed to say that almost all of them are former Liberal executioners or whatever—leaders, or whatever you'd call them. It's so discouraging. It's almost cynical for the people—

The Acting Speaker (Ms. Cheri DiNovo): I would ask the member to withdraw the comment about that.

Mr. John O'Toole: But they can't pay their bills anymore, and they're spending money like drunken sailors.

The Acting Speaker (Ms. Cheri DiNovo): I'd ask the member from Durham to withdraw that comment.

Mr. John O'Toole: It's unnecessary spending; let's put it that way. I'll withdraw the comment which was offensive.

With that, I'm going to relinquish the time here, because there are other people who want to speak on this important file. I appreciate the opportunity to speak on it.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Michael Prue: Thank you very much, Madam Speaker. I too welcome you back.

I'd like to preface the remarks that I'm going to make now by saying that before being elected to this place, I had an opportunity, for some five years, to be a Hydro commissioner. That was a real, huge learning experience with a large curve. In that time, I had the privilege of being on the East York hydro commission along with two Hydro commissioners, Bob Currie and Jack Christie, who unfortunately are now both deceased. We learned a lot, and we did a lot for the people of East York in terms of hydro pricing, in terms of making sure the facilities worked, in making sure that there was never any loss of electricity in combining hydro between the old units of East York and Leaside, and any number of things.

I recall with great familiarity what happened before 1998. Before 1998, there was Ontario Hydro, there was the Ontario Energy Board and there was the ministry. There were three separate functions that you had to deal with, not 10. I remember, after the so-called reforms of the Mike Harris years, it suddenly ballooned from three organizations, which had a function that people knew and understood, to 10, which have functions which are really quite arcane in nature.

I remember the kind of rationale for having 10 organizations, or the rationale that the government tried to put forward. Nobody bought it at that time, in 1997, when it was being introduced. Nobody bought it within the entire electricity system in Ontario. And certainly the meetings that we had with other commissioners across Ontario all said the same thing: "This is going to turn into a complete mess," which it did.

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Now I'm here today listening to my Conservative colleagues and they're putting forward this motion and I'm reminded too of Tommy Douglas. One of his most famous sayings was, "Dream no small dreams." The Conservatives here have a small dream. They want to get rid of one organization, the OPA, and I'm suggesting that we ought to look far bigger than that. We should be looking to go back to the way it was before 1998, when this whole thing was messed up in the first place. Maybe we should start talking about going back to one system with Ontario Hydro, with the OEB setting the rates. It has to be separate because it's almost like a court of separate jurisdictions, setting the rates that are fair to the company, the consumer and the ministry. After all, the ministry is the tail that wags the dog. All these other things are superfluous.

I'm going to support the Conservative motion because it's a little, tiny step in the right direction, but I think that what we really need here and what the people of Ontario would demand is a wholesale change to the way we do business here in Ontario.

As has been said here already today, the most frightful thing that comes in the mail every month is the hydro bill. I do know that when I open up the hydro bill and discuss it with my wife, we both are perplexed, in spite of the fact that I work here and in spite of the fact that she has an MBA. We are perplexed when we look at that bill and we see all the charges. It's hard to understand where all of those charges come from. If we don't understand it or if we have to question it, what does the general public think of all that? They see the bottom line and they don't like the bottom line, but how did we get there?

We got there because we now have 10 separate bodies regulating what two used to do before, and I think we need to change that and we need to go back. We need closer integration with the integrated planning functions so that Ontario Hydro is again great.

The whole time that I was a hydro commissioner, and in fact throughout almost all of my life, I don't ever remember a brownout. I hear members of this Legislature talking about brownouts all the time. I remember blackouts. I remember what happened to the Eves government when, you know—but that wasn't even the Conservatives' fault. That happened in Ohio. But I remember that. I remember blackouts. I remember the big one across the eastern seaboard when I was in my teen years. But I don't remember brownouts.

I hear all the time in this House people talking about how we have to produce all this excess electricity which is being given away to the Americans and Quebec; we're

paying them to take it. Every week for the last couple of years, I open up the Toronto Star, as I am wont to do every morning, and once a week they have the electricity across the province for the week before. They show the peaks and the valleys of the electricity; they show the amount that is being produced; they show the average retail cost. I have to tell you, we're producing 25,000 megawatts of power every day consistently in Ontario and we're using between 15,000 and 18,000 megawatts every day, depending on the valley or the peak. Very few days do we ever get up to that 20,000 range, which is only using 80% of what we are producing ourselves. If you ask, "How much are we importing electricity into this province?" the answer is virtually nil.

So then you have governments that are turning around and saying, "We need to spend billions of dollars on new nuclear for some unforeseen circumstance 20 years down the road." New Democrats reject that. We reject that because we know how much this has cost the government in the past. We know that every single nuclear experiment and plant in this province over my lifetime has gone over budget. We know that Rolphton went two times over budget; we know that Douglas Point was 50% over budget; we know that Pickering A was 50% over budget; we know that Bruce Nuclear was two times, or 200%, over budget; we know that Darlington started out at \$4 billion and ended up at \$14 billion, which is 250% over budget. And then people turn on the other side and say, "Our future is nuclear. Let's build some more."

Take away all the problems of what do you do with the waste and spent fuel; take away all the problems about potential disasters, which we've seen in Japan; take that all away and just look at the costs. Does it make economic sense for this province to go down that road if we cannot control the cost of the construction, if we cannot control the cost of actually operating the plant? New Democrats have consistently said no, because every single time you get your hydro bill and you open up that bill, if you look down you'll see that we're paying a debt retirement charge.

Members here know what the debt retirement charge is for: It's for all those nuclear plants. That's mostly what it is for. The reason Ontario Hydro got itself into a debt and a problem was because they were carrying the burden of all these nuclear plants that went over budget two times, 50%, 200%, 300% more than what they should have cost.

If that wasn't bad enough, when you open up your energy bill each and every month, you'll see that not only do you pay down that debt, not only are you forced to pay down the debt which the consumers themselves did not make, but there's HST added to it. This is the first time in my entire career as a politician I have seen debt charges taxed. I don't know where the government gets off doing this. Perhaps somebody will comment on this. Where does a government get off taxing a debt charge?

Mr. Yasir Naqvi: GST was on it.

Mr. Michael Prue: GST—ah, yes, my friend reminds me. Of course, this government is in lockstep with their

heroes, the Conservatives in Ottawa. If the government could put the GST on it then this government can put HST on that same debt. If people wonder why their bills are going up—

Interjections.

Mr. Michael Prue: —and I'm hearing moaning all around me from the government benches—then look at that, because there's an additional 8% charge for the whole thing, including the debt.

We, as I said, are supporting this because it's one tiny little step. We think, quite clearly, that a whole lot can be done, as was done before. We think that Hydro One now has planning and transmission upgrades as major responsibilities and they need to continue to plan and to upgrade our transmission lines. There is no doubt that that needs to be done here in Ontario.

I got myself in some political hot water when I first arrived here back in 2001, when I was debating about hydro and policy and what to do, and into the election in 2003, by saying something which was kind of radical at the time, and I guess that was the hydro commissioner in me coming out. It was to say that the public should be expected to pay for the cost of the electricity. What a radical thought that was, because governments were subsidizing everything. I still to this day believe that consumers should pay the realistic cost. The problem isn't paying the cost; the problem that consumers have, I think, is the unfair taxes that are put on it, or that the energy, in particular hydro, is taxed at all. We, as New Democrats, find that that is the most egregious thing that is happening here, not the cost of producing the electricity—although I'm going to get to that in a minute—but the fact that it is taxed at all.

In terms of the production of electricity, we believe that we should be using every form of green electricity production that is available and that is known. Some of it is more expensive; yes, it is. Some of it is more expensive than burning coal or natural gas. It is obviously much more expensive than water power coming out of Niagara Falls or any other place where water naturally flows or falls, and that is always the cheapest form of electricity. Something like windmills: This government has signed contracts—among the most lucrative contracts in all of North America, in fact, all of the world—paying 15 to 18 cents per kilowatt hour. That is much higher, quite literally, than almost every other jurisdiction in North America is paying for wind power at this point. I understand how the government wanted to get going, but I think they've overextended themselves, and they've also paid too much for this green energy. It can be produced and is being produced elsewhere for much cheaper amounts of money.

1520

Also, this government has looked to solar. I think the sun is obviously the ultimate source of all power, at least in our solar system, and solar's a good idea. But producing electricity with the technology we have today does not necessarily make good economic sense. If you have to pay 80 cents per kilowatt hour for solar, then we

ought not to be doing it. Even if you can get it for 60 cents or 50 cents, we ought not to be doing it. We should be looking at other forms.

Now, solar is a wonderful thing. You can go to apartment buildings here in the city of Toronto, and I have some of them in my own riding, that put solar instruments on the top of the apartment building, but they're not for electricity; they're to heat the water. It is marvellously, absolutely marvellously, efficient. There are companies in this city that will put all of the mechanisms on the top of the roof, and they will charge the apartment building the equivalent of what the natural gas would have been to heat the water to that level. There are instruments. They can tell. It costs absolutely nothing to the people who live in the building other than what they would have spent on natural gas in the first place to heat the water.

I think that's a great idea. I would love to see those on top of every government building, on top of every school, on top of every apartment building or large edifice. In Canada, I would even like to see in households things that you see all over most of Israel or what we call the Third World: If you go there, you'll see little water heaters on every single roof. Everybody's responsible for their own water heat, and it's on everybody's roof. It heats the water. It's sufficient for the families. Once it's installed, it costs virtually nothing to pay for.

That's what we should be looking at. Those are the kinds of investments we should be making here in Ontario.

As I said, back before 1998, we had one utility that planned and did almost everything, other than the OEB, which set the rates. We had a ministry which sort of guided, looked along and made the rules in order that it all worked—1998. Of course, that all came crashing down, and it particularly came crashing down in 2002. I was here. I watched, to my chagrin, as a government stood in its place and announced they were going to privatize the whole electricity system. I remember the hoots and howls coming from the New Democratic members. I also remember then-opposition leader, now Premier McGuinty, standing in his place and saying it was a good thing. I don't know if the Liberals remember that, or want to remember how the first reaction of Mr. McGuinty, then opposition leader, now Premier, was that privatization of hydro was a good thing. He recanted after a few days because the pressure was so enormous, but that was his initial reaction.

I was very pleased and somewhat surprised and overwhelmed when the courts of this province shot the whole thing down. They recognized it was an illegal action being taken by the government of Ontario and that it was not sustainable, given all the laws under which the cabinet had to operate. They shot it down and we were saved. But in the saving, we ended up with 10 new mini-bodies which were not coordinated at all.

New Democrats believe that we have to go back to what there was. There is a need for coordination. There is a need for Hydro One. There is a need for an Ontario

Energy Board that can set the rates. But there is also a need in this province for us to look at alternatives to building new nuclear, or any kind of energy production at all. As I said, if we are producing 25,000 megawatts today and we are using between 15,000 and 18,000, do we really need to spend all this money? We are still paying off debts that are generations old. We are adding to debts every day, and we have a \$17-billion or \$19-billion deficit which we're going to hear more about tomorrow. Do we really need to add debts to hydro? It would be my contention that we need to do important things so that we can actually reduce even the 15,000 megawatts to 18,000 megawatts we're using today—things like Energy Star appliances. This government, when they brought in the HST, took that right out. That was a backward step. With Energy Star appliances, we could have individuals, homeowners, factories, people who rely on these appliances buying the very best appliances they can. The HST would not be charged. That would save them 13%, and of course they would want to go out and do that.

We also have to see that the rebates on energy efficient homes—LEEPs. A LEEP home uses between 42% and 45% less energy than the average home and they are more efficient; we need to give rebates to those types of homes being built. As I said already, we need to give rebates when people put hot water facilities on their roofs. We need to give rebates when things are properly insulated. If we can get our energy consumption level down to that of most of the European nations, that would probably be 11,000 megawatts to 12,000 megawatts. We would be producing twice as much. We would have years and years and years that we wouldn't need to build new facilities like mega-nuclear plants that are probably going to go over budget and I think are worrying to many people.

I also want to talk a little bit about the government smart meter program, because I think quite clearly it's not working. It's not having the intended effect that most people and most government members, when they talked about it—I warned them, as a hydro commissioner. Jack Christie set up one of these smart meters, the very first one I had ever seen or heard of when I was on the hydro commission before 1997. He put one into his home and we took five other homes at random and put them into the homes and told people how they worked and told people that if they used electricity between these hours we were going to note them. We were going to try to get people off the peak and see how it worked. It didn't work. I said the same thing to the Legislature a couple of years ago: It did not work.

Jack Christie and his wife were, by then, into their 80s. He was quite a conservationist. He did his dishes and all the things at night. He didn't have any small children at home. He did the washing after 9 o'clock at night. He did all of those things. At the end of the two months his hydro bill was down almost \$2. We had other people who had children and families we used as test groups and their bills went up. Their bills went up any-

where between \$2 and \$5 for the two months. But it told me, and I tried to convey this to the Legislature, that smart meters are not going to work in terms of saving money. People cannot change their habits. The children have to be fed in the morning; the coffee has to be put on to get ready to go to work; people want to have showers and do all the things that they normally do—they have lives to live—that cannot be put off to the weekend or after 9 o'clock at night. So for that reason, I don't think these are ever going to work.

But at the same time, there are programs that can work and reduce electricity in peak times. One of the best is Peaksaver. I signed up for that program the moment it came to my house. I thought it was one of the most innovative and intelligent things to do. That is, if you have air conditioning, and many people in Ontario do, you give permission to the hydro company to shut down the air conditioning when you get close to that 25,000 megawatts, when you have to import it from somewhere else. You give them permission to shut it down and you can turn it on later at night. In the couple of years that I've had that, they've shut it down two or three times; that's all. That made sure we didn't go over. That's the kind of innovative thing that we should be looking at here in the province of Ontario, but Peaksaver is not being used or even being promoted that much by this government. Certainly, if you can shave off everything above 25,000 megawatts in the summertime, which is the high time that we're using it now, then it will make a substantial difference in terms of how much we have to pay on our hydro bills because we won't have to use imported energy.

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In the 45 seconds that are left, I just want to state to my colleagues in the Conservative Party that we will be supporting this resolution. We don't think it goes nearly far enough, but at least they are looking at ways of cutting the cost to the ordinary consumer.

I would only ask that the government opposite do the same thing. Embrace the idea that I have given to you. Why do we need 10 separate organizations that all have their finger in the pie? When you get your bill, you can see the results of all of that. We need to start doing more and more things to help ordinary people in Ontario. This is getting to be a very expensive place in which to live.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Yasir Naqvi: Thank you for giving me the opportunity to speak on this motion. As I have been sitting here listening to the debate that's taking place on this particular motion, it kind of took me back to the summer of 2003. I started reminiscing about the blackout. I think everybody remembers the blackout. I'm sure everybody has a story about the blackout, as to what they were doing. It's almost like other big events that happen in our life; we have sort of a trigger moment.

I remember that late afternoon/early evening very clearly, when the lights went out and there was no explanation for it. Not only did the lights go out; I remem-

ber my phone wasn't working. The lights went out, and all our neighbours came out and we were trying to talk to each other and were not getting any news. So I thought I'd call my mom to see what was going on, and I wasn't able to connect to her.

It was kind of funny. Finally, a few hours later, I was able to talk to my mother, and she tells me and we heard the news that this was bigger than Ottawa—that, lo and behold, in Oakville, where she lives, it was the same thing. They were sitting in darkness and they had no idea as to what was going on. And we kind of chuckled. The reason my mother and I chuckled when we were talking was that it kind of reminded us of the time when we lived in Pakistan. This kind of stuff used to happen all the time. We were like, "Wow, so here we are living in Canada and there's this major blackout that is taking place and the system is down."

In my case, I lived in darkness for about three days and three nights, as I recall. Thank God you could find restaurants which had propane and stuff like that, to feed yourself; thankfully, I had the financial wherewithal to do that. But it did really cause significant hardship, and most importantly, it really caused significant hardship to our businesses.

I've had the opportunity to look at the economic charts where you see GDP up and down and business activity, and if you look at Ontario, besides all the normal recessions and peaks and valleys, there is one significant dip you see. It's around that particular blackout, because it had a significant impact on our economy, the result of the fact that our electricity system in this province was not able to withstand a power shutdown from the United States of America.

The system was overloaded. It was a hot, hot summer. I remember it distinctly. It was August; I think it was August 14. That's it—it was my mother's birthday, August 14. I was trying to call her to wish her a happy birthday and I wasn't able to do so because everything was shut down. I think I'm emotionally traumatized since that day because of that experience; that is a big thing. But—

Interjection.

Mr. Yasir Naqvi: I will send her flowers.

It was a significant thing because our system was not up to snuff. Our system was not able to take the burden on it. It was because the previous government, or the government in power at that time, the Conservative government, was not making any investment whatsoever in our system, and it was really what caused a significant impact not only on the province, but especially on the provincial economy.

Since the McGuinty government came into office in the fall of 2003, the government has been making a lot of investments. We've talked about putting in 8,000 megawatts of new generation, spending roughly \$8 billion to do so; and investing about \$7 billion in getting about 5,000 kilometres of new transmission. That is to ensure that we have an electricity generation and distribution system in the province which really belongs to the 21st

century. What a surprise, folks, that somehow we couldn't continue on with an electricity system that was built in the 20th century: that somehow we learned all of a sudden that those wooden poles just couldn't last forever; that we had to make sure that we upgraded our electricity generation system in our rural areas. That's the kind of investment we are making.

Let me speak to the issue around OPA. That is an important issue. What are the three big purposes, the mandate, of OPA? One is to undertake system-wide, long-term planning—and I talked about making sure that we have the right set of planning around generation and distribution of electricity. But two other functions, which are really important to my constituents, are around province-wide conservation programs and around new generation, especially through renewable sources. In my riding of Ottawa Centre, these are two really important issues. I hear from my constituents again and again: They want good conservation programs because they want to participate in reducing the use of electricity. They want to ensure that they are reducing their consumption. That is a function of the OPA. It is an important organization for ensuring that we have robust conservation programs in the province, and that those conservation programs are easily understandable and applicable to Ontarians.

I think we're starting to see the results as to the conservation programming that has been done in the last six years. We have seen that we have achieved conservation of 1,700 megawatts in peak demand savings. That's equivalent to 500,000 homes; that's more than Ottawa. Five hundred thousand homes is more than Ottawa in terms of the savings we have seen in reduced consumption because of the programs that OPA has put into place. That has saved ratepayers, those who use electricity, \$3.8 billion in avoided system costs—\$3.8 billion is a significant number.

OPA's plan, and this goes to its long-term planning in terms of conservation, is a target of about 7,100 megawatts of reduction in peak demand, or peak usage, by 2030. That is equivalent to 2.4 million homes off the grid. That is significant. That is the best way of saving money in terms of not using those dollars in new generation to meet the demand. And the demand is going up. I think we all have to recognize that demand is going up. Just look around your home at the number of electronic gadgets we use, from iPods to iPads to BlackBerrys to our stereos, and big flat-screen televisions which consume more energy than the old TVs used to do. Many, many homes now have more than one television: They have one in the living room and one in the bedroom, and sometimes they have one in the basement. One of my friends—I'm sure he's not watching—I think he's got four televisions in his home, which is beyond my comprehension. All of this has a significant impact on our electricity consumption.

My time is running short, so I'm going to address one other important point, which is around the role of OPA in new, renewable sources of energy, in terms of managing the FIT and microFIT programs. About two months ago,

along with the Glebe Community Association, which is one of the very active community associations in the city of Ottawa, I hosted a community session on how best to take advantage of the microFIT program, and how homeowners who were interested can install solar panels at their home. We had over 100 people attend that session. It was all afternoon on a Saturday. People stayed from the beginning to the end. We had about 10 or 12 different vendors who were present; Hydro Ottawa was also there. It was an extremely successful session. We had one of the actual homeowners who is part of the microFIT program there to talk about her experience. I constantly hear from my constituents who want to participate in the microFIT program. They want to enter into an agreement with OPA to be able to generate electricity because they understand the benefits.

1540

The more we can invest in renewable sources, the more we can get away from using coal and make sure that we all can play a role, locally, in the generation of electricity. That is because of the Green Energy Act and that is because of the function of OPA. There is some significant utility to this organization.

In my riding of Ottawa Centre, conservation and the use of the microFIT program are extremely important. That is why to have an organization like this is important and is value for taxpayers' dollars.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Randy Hillier: It's my pleasure to rise and speak regarding our motion to scrap the Ontario Power Authority, the OPA.

Before I engage in that debate, I was listening to the Liberal member from Ottawa Centre, who was just speaking, and I think it's interesting how the member was telling this House how he was traumatized when it was dark and he couldn't use the phone. Would it be unfair to suggest that the member from Ottawa Centre may be a trauma queen? I don't know.

But I think that may be what is happening with all the Liberals and our health care system: Whenever the sun goes down, it's such a traumatic experience for them all that our health care system gets overloaded until the sun rises in the morning, possibly.

Let's go back to the Ontario Power Authority and this Liberal government. Let's recognize that the Ontario Power Authority is just one of over 600 unelected, unaccountable agencies, boards and commissions that this Liberal government has sicced upon the people of this province.

Really, the only role for these agencies, boards and commissions is to allow the Liberal government to hide from the taxpayers of this province, allow the Liberal government to obscure from the taxpayers who's making decisions in this province. It creates that thickening layer of fog and confusion between who has power and who's using it.

Let me recall a story: Last summer in Toronto, when this Legislative Assembly hosted the midwestern state

and provincial leaders' conference, a vice-president from the OPA was at that conference. He spoke about energy and he said to the conference, "We in Ontario have made a conscious decision to go to green energy, and it's going to cost us all more."

What happened after that? A legislator from Nebraska stood up and asked this vice-president of the OPA, "How does industry react to that statement about rising and increasing energy costs?" The vice-president said, "We've made a conscious decision in this province that if your industry requires a significant amount of energy, this is not the province for you to do business in."

We never had that debate. I never heard that debate, and I challenge anybody in this House: When did we debate that industry has no place in this province? But that's what the OPA vice-president said to the mid-western state conference just last summer in Toronto.

Really and truly, that's the Liberal conservation plan. If the Liberals have a conservation plan, that's it: Drive industry out of this province, and that way we'll use less energy. That's their conservation plan. Nobody else can compete here, and one has to look no further than last May with Xstrata up in Timmins. They left this province because of energy costs. They didn't go to Mexico; they went to Quebec, where hydro costs are a third of what they are here.

This Ontario Power Authority is nothing more than a bloated bureaucracy. It has gone from 15 to 300 employees in five years. It has gone up to \$300 million in expenses to run it. Its expenses are up 465% in five years. Its sunshine list has gone up over 1,000%. It's this McGuinty Liberal government that's building bureaucratic empires, and they're using the agency boards and commissions to do it.

This is just one small step we're proposing here today: to get rid of one incompetent agency that provides no value to anybody in this province except the Premier and the Minister of Energy, so that they can hide from the truth, so that they can hide from the taxpayers of this province while the Liberal smart meter just keeps cranking up the costs to the people of Ontario; cranking up the costs to every family, to every industry, and driving industry out. For the government members: Let's stand up and tell the people of Ontario that you've had enough and you're going to get rid of this agency once and for all.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Phil McNeely: I think I'll start with something from *Storms of My Grandchildren*, by James Hansen. James Hansen is a NASA scientist. He's head of the Goddard Institute and he's adjunct professor in the department of earth and environmental sciences at Columbia University. He's been an expert that most presidents, except for George Bush, consulted with—the last three or four presidents.

He talks about coal. I think coal is something around this argument that we're talking about today. What he says is that, looking at the environmental deaths caused

by air pollution, assigning 10% of those to coal, which he feels is very, very moderate, that there are 100,000 deaths per year from coal and we still get people talking about clean coal. That's not even looking at the impact it has on the carbon dioxide in the atmosphere, the greenhouse gases. We've got that as something to start with. Mercury, arsenic, sulphates and other air and water pollutants—coal kills for sure.

One of the things that is sort of opposite to the way that we're doing—and we have our plan prepared by the OPA and our government—Ontario's long-term energy plan. This is a good plan.

Let me tell you how they do that in the United States. He says, on page 186 of his book, to "Think Washington" for these sessions on energy. "Think lobbyists. Think revolving doors. There were 2,340" and this is to the—

Mr. John Yakabuski: On a point of order, Madam Speaker: I don't think it's too much to expect that the member would speak to the motion, not giving us some gobbledegook about United States'—

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Thank you.

The member for Ottawa–Orléans.

Mr. Phil McNeely: I just say that we're looking at the planning of our long-term energy plan, our planning in Ontario. I just want to compare it with the US: They had 2,340 registered energy lobbyists when he checked in 2009. One "lobbyist, former House Democratic leader Dick Gephardt"—\$120,000 from coal company Peabody every three months. Everybody in Washington is sort of owned by the coal or the oil or the big car lobbies.

In here, we have a group of very competent civil servants working with the government, and have prepared a really good plan. It's a good plan. You talk about the energy mix. That's something we've been working on for three years. It's a good energy mix. You're all concerned about solar; well, it's 1.5% in 2030—1.5% solar. We're moving the clean, green energy forward. We're doing the research. The industry tells us that the costs will come down. We're doing our part as leaders in Ontario to do that. We've got wind energy shown in 2030 of 10%.

1550

But the nice thing about what we're doing in Ontario—and I'd just like to get to that. Some \$1.6 billion has been spent on the Niagara tunnel hydroelectric project. Water power is green, and we're doing the best we can with what we've got. There's \$2.6 billion for the Lower Mattagami River. We're doing that.

I'd just like to go through—because there's a lot of information that hasn't been correct around the tie-in with Quebec in my area and your area as well, the member for Renfrew–Nipissing–Pembroke. That area has possible benefits from the tie-in. The Ontario government recognized the importance of accessing hydroelectric supply from Quebec and invested in a transmission interconnection that provides our province with access to

1,250 megawatts of clean hydro power at the interface, just east of my riding, in Jean-Marc Lalonde's riding, the riding of Glengarry–Prescott–Russell. It's right at Cumberland; there's a tie-in with the Quebec system. It's a new tie-in. We spent \$124 million, and the Quebec government spent \$684 million, to provide that 1,250.

We're looking forward to getting the best deals for Ontario, and we've negotiated with Quebec. In June 2008, Ontario and Quebec signed a memorandum of understanding to promote energy co-operation between the two provinces. The 1,250-megawatt intertie fully came into service in June 2010. So it was just last year that we got that tie-in with Quebec.

We've had a lot of incorrect information from one radio station in particular in Ottawa, so I'd just like to clarify Ontario's ongoing discussions and contracting power purchases with Quebec, Manitoba and Newfoundland. To date, we have not been able to achieve a mutual agreement that meets Ontario's need for reliable, cost-effective supply. Quebec has many options when it comes to selling their power, including markets in the northeast United States. Quebec has a finite amount of electricity it can export, and most of it is already tied up with long-term power purchase contracts with Vermont and New York. Power purchases from Quebec would be at prices—not six cents, as we hear around Ottawa on some of the news places; it would be at a price that we would negotiate with the government of Quebec, and we'd be in there with Vermont and New York. And we're only going to be buying that during peak periods, so we're going to pay the market price. Nobody is going to give us six-cent power in Quebec.

The recently completed intertie enables power to flow freely between the provinces when it's cost-effective to do so. Ontario is able to purchase power from Quebec during peak periods in the summer, and Quebec is able to purchase power from Ontario during Quebec's peak winter season, when their heating demand is highest and their rivers are generating the least hydro. That's just a wonderful connection where we can get that 1,250 megawatts of electricity, and at a reasonable price.

These are the good people from OPA who have negotiated that over the years and put that in place, and that's the long-term planning that they're looking for. During the winter, Quebec is often in need of additional power, rather than being in a position of surplus. So we'll be selling to them; they'll be selling to us.

Our supply situation is much better today. At low-use periods, we don't need Quebec's power. Just a few years ago, in 2003, we were a net importer of power, paying \$400 million that year. In 2010, Ontario was a net exporter of power, receiving a net benefit of \$300 million. So we do have a good record of energy buying and energy selling, and certainly now that we have sufficient power in place, we are doing a great job.

But that's the engineers and other professions down at OPA that are looking to that. And I can see that the first thing to go—and that's probably where the opposition parties are coming from. Develop and deliver province-

wide conservation programs—that's what they're doing. Right now, we have, I believe, 1,700 megawatts of conservation, and for 2030 we're looking for 14% projected. That would be a great deal of conservatio that will be coming on over the next few years.

I thank you very much for the opportunity to speak to this, Speaker, but I have, I believe, clarified the situation re: our connection with Quebec in Cumberland.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Bob Delaney: This opposition motion comes down to one point: Your government and your province have a clear, workable plan to generate sustainable, affordable and abundant electrical power and the Conservative Party does not. Ontario has a plan, and it has been in process for more than six years. It takes planners to formulate and administer a plan and to keep it on budget and on schedule. The Conservatives have no plan, and they propose to fire the people who have a plan and know how to make it happen. That's what this motion is all about.

So what do you get when you have no plan and you say you're going to fire the people who are making Ontario's electricity plan work? You get the Conservative four-point electricity plan:

(1) Blame the government, because you don't want people to think; you want them to succumb to their darkest emotions.

(2) Do nothing. They did it before, and they'll do it again. They built nothing, and Ontario lost more electricity generation capacity than Niagara Falls provides during those years from 1995 to 2003.

(3) Burn dirty coal. They did it before, and they'll do it again. Goodbye, clean air; hello, smog days. Get your children a puffer for the asthma that has been in decline since 2003, because Ontario has been phasing out coal.

(4) Finally, buy US power on the US spot market. The very people who feign indignation at feed-in tariff rates would pay between \$1.50 and \$2—or more—per kilowatt hour for expensive spot market US power. That's more than double the highest feed-in tariff rate for solar photovoltaic electricity.

So what, in very practical terms, is the result of scrapping the Ontario Power Authority, which is completely in keeping with the Conservative four-point energy plan? It would force planning, procurement and conservation duties onto another agency that isn't set up to deal with them and would save the province no money—and probably cost it more. Or it would spread planning, procurement and conservation duties across multiple agencies, resulting in duplication, inefficiency and more, not less, bureaucracy. But that is also in keeping with the Conservative four-point energy plan.

Finally, it would kill conservation programs, requiring more and more expensive generation, and it would eliminate long-term planning, thus returning us to the chaos, the confusion and the expense of those last chaotic Conservative government years. If we've learned anything about the way the Conservatives manage electri-

city, it's that when they say it will be simple, it means it will be complex; if they say rates will decrease, it means that rates will increase; and if they say generation will increase, it means that generation will decrease.

The Ontario Power Authority is an arm's-length agency that ensures that the electricity system can't be used as a tool to reward insiders, as the Conservatives did before and, if given a chance, will do again. From losing 1,800 megawatts of generating capacity on their watch—roughly the equivalent of Niagara Falls for a year—with the help of the Ontario Power Authority, Ontario has added more than 8,400 megawatts of electrical generating capacity. That alone pays for the Ontario Power Authority's costs many times over.

The Conservatives spent nothing on upgrading Ontario's transmission grid when they were in government. This Ontario government has upgraded more than 5,000 kilometres of transmission lines.

Coal costs Ontario more than \$3 billion a year, with an estimated 250 premature deaths, 340 hospital admissions, 400 emergency room visits, and 120,000 preventable illnesses each year, most of them in the very young and the very old. They did it before; they'll do it again.

By the end of their last sorry watch in government, this Conservative Party's Independent Electricity Systems Operator—that's the agency that oversees the moment-by-moment functioning of Ontario's electrical system—had to repeatedly plead with consumers not to use electricity when they desperately needed it, at the height of the summer and in the depths of the coldest weather.

If you want to go back to those days when the system teetered on the brink of collapse, this resolution is your starting point.

Besides driving up the use of dirty coal by more than 127%—that's more than double—and ignoring the mercury and the sulphur dioxide that went up the stack and out into the environment, Ontario during their watch went on life support from imported—and that's at any price—American electricity. That cost us an extra \$1 billion in just two years, and we owned nothing—nothing.

They also generated electricity from privately leased generators whose price was \$2.84 per kilowatt hour when the price of power in the province was 4.3 cents.

This resolution speaks so eloquently to the reason that, next October 7, this province of Ontario will again have a Liberal majority government.

The Acting Speaker (Ms. Cheri DiNovo): Pursuant to standing order 43(d), the time has expired, and I will now put the question without further debate.

Mr. Yakabuski has moved opposition day number 3. 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 nays have it.

Call in the members. There will be a 10-minute bell.

The division bells rang from 1602 to 1612.

The Acting Speaker (Ms. Cheri DiNovo): Mr. Yakabuski has moved opposition day number 3. All

those in favour of the motion will please rise one at a time and be recorded by the Clerk.

Ayes

Arnott, Ted	Gélinas, France
Bailey, Robert	Hardeman, Ernie
Barrett, Toby	Hillier, Randy
Bisson, Gilles	Jones, Sylvia
Chudleigh, Ted	Klees, Frank
Clark, Steve	Kormos, Peter
Elliott, Christine	MacLeod, Lisa

The Acting Speaker (Ms. Cheri DiNovo): All those opposed to the motion will please rise one at a time and be recorded by the Clerk.

Nays

Aggelonitis, Sophia	Hoskins, Eric
Albanese, Laura	Jaczek, Helena
Arthurs, Wayne	Jeffrey, Linda
Bentley, Christopher	Johnson, Rick
Berardinetti, Lorenzo	Kular, Kuldeep
Broten, Laurel C.	Kwinter, Monte
Brown, Michael A.	Leal, Jeff
Chan, Michael	Levac, Dave
Chiarelli, Bob	Mangat, Amrit
Colle, Mike	Matthews, Deborah S.
Crozier, Bruce	Mauro, Bill
Delaney, Bob	McNeely, Phil
Dhillon, Vic	Meilleur, Madeleine
Dombrowsky, Leona	Milloy, John
Duguid, Brad	Moridi, Reza
Gravelle, Michael	Murray, Glen R.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 21; the nays are 46.

The Acting Speaker (Ms. Cheri DiNovo): I declare the motion lost.

Motion negated.

ORDERS OF THE DAY

CHRISTOPHER'S LAW (SEX OFFENDER REGISTRY) AMENDMENT ACT, 2011

LOI DE 2011 MODIFIANT LA LOI CHRISTOPHER SUR LE REGISTRE DES DÉLINQUANTS SEXUELS

Resuming the debate adjourned on March 23, 2011, on the motion for second reading of Bill 163, An Act to amend Christopher's Law (Sex Offender Registry), 2000 / Projet de loi 163, Loi modifiant la Loi Christopher de 2000 sur le registre des délinquants sexuels.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. John O'Toole: I'm shaken after that vote that I thought for sure would have passed on that opposition day motion by my colleague from Renfrew–Nipissing–Pembroke. With that in mind, I will proceed.

This is an important bill, Bill 163, An Act to amend Christopher's Law. To put a bit of a frame around this,

our leader, Tim Hudak, and of course the Conservative caucus are in support of this particular bill. Why? Because Christopher's Law was implemented in 2000, and I believe at that time—I'm not certain, but I believe with some confidence—David Tsubouchi was the Minister of Community Safety and Correctional Services.

It was long-sought-after by a couple of well-intentioned members of cabinet, at that time, who wanted to make Ontario's communities safer. There were various trials at that time of convicted sex offenders. I remember David Young, for one, who was very outspoken as a lawyer; the Attorney General was supportive; Jim Flaherty as well at the same time; and most members of caucus—

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Excuse me, I would ask the member to stop for a second. Stop the clock. All those members who have no business in chamber, if they could take their private conversations outside. I'm having difficulty hearing the speaker. Thank you. Continue.

Mr. John O'Toole: Thank you very much for that respectful remark, Speaker. It seems that no one was listening. I'm not sure that's a good or a bad thing.

Mr. John Yakabuski: Not true.

Mr. John O'Toole: It's not true.

As I said, it's just a bit of frame around it by repeating the past. I think it's important to read Christopher's Law. I have a copy of it here. In the preamble, it discloses to the people of Ontario the intent.

"The people of Ontario believe that there is a need to ensure the safety and security of all persons in Ontario and that police forces require access to information about the whereabouts of sex offenders in order to assist them in the important work of maintaining community safety. The people of Ontario further believe that a registry of sex offenders will provide the information and investigative tools that their police forces require in order to prevent and solve crimes of a sexual nature."

It goes on to define in regulation a lot of what this bill does. It does what it says, which is a nice change: It provides a registry.

The interesting part of how this gets a bit twisted over time is that the rules change. Whether it's provincially, federally or internationally, these registries change, and there are different rules for people required to report—if they're out of the country or other circumstances.

If you look at this bill, in the explanation clause—it's a very small bill. It's mostly housekeeping, but it does a couple of things which I think are worth repeating, since the parliamentary assistant, I think, was last to speak. It says that the bill aligns itself with recent changes made to the national sex offender registry via Bill S-2. These changes are as follows: (1) amends the requirements of offenders "to report within 15 days after or before various events ... so that the number of days will in the future be specified by regulation rather than" the act itself; (2) requires offenders who have been convicted of a sex offence outside of Canada and who have been ordered to report on the national registry to also report to the

Ontario registry; and (3) allows the Ontario registry to maintain the records of registered offenders who receive a pardon under the Criminal Records Act.

That is the information. As I said, the last amendment here was in 2008. The sex offender's law by David Tsubouchi, as I said, was in 2000, and the registry has a compliance rate of 97%, which is highly respected internationally. The Ontario registry is managed and maintained by the ministry's sex offender registry (SOR) unit within the OPP headquarters based in Orillia.

1620

I know that there's a lot of respect for the law enforcement officers having the right tools in the right place at the right time, and this is where there's a bit of a gap, if you will. I think this is an attempt to manage or maintain—there's a harmony between the federal act and the registry as well as the provincial. I would hope there are no holes here where things get missed.

If you look at the bill in some detail—and again, there will be other speakers who are lawyers, which I am not, who will draw your attention to the intricacies of legislation that is so important. I think we all kind of agree with it. Have we got it right, and what things should be discussed openly? I'd say here, in my case, I'm critic of the Ministry of Government Services. In that ministry, really, not a lot happens outside of spending a lot of money on contracts, which is probably—I understand it is about \$1 million a day they spend on consultants and other things that should be questioned. In fact, FOI stuff often doesn't get answered in a timely manner, as you would know, Madam Speaker, in your critic role, in your other job here.

There's a name change act which comes under that ministry, and here's the small slice where I raise some consideration, if you will. I'm going to read the section, without it being totally kind of just blah blah blah for some people listening. For lawyers and others it might be important.

"Subsection 1(1) of the act is amended to define 'pardon' as a free pardon granted under Her Majesty's royal prerogative of mercy or under section 748 of the Criminal Code (Canada) or a pardon or record suspension under the Criminal Records Act (Canada). The new section 9.1"—which I'll read in a moment—"which replaces the former subsection 9(3), requires the minister to delete references to an offender from the sex offender registry if the offender receives a free pardon for every sex offence in respect of which the act applies to him or her, but not if the offender receives only a pardon or record suspension under the Criminal Records Act (Canada). However, an offender's reporting requirement ceases under subsection 7(4) of the act if the offender receives either a free pardon or a pardon or record suspension under the Criminal Records Act (Canada)."

Sounds a little complicated, and there'll be others who will clarify this for us in the debate. But really, what it's saying in substance is, a person can commit an offence. In this case we're talking about sexual offence. Some of them might be—I mean, they're all reprehensible, in my

view, abhorrent in many cases and unacceptable in almost all cases. But things happen, whether it's at an office party or whatever. Often even people at the time may have been consenting individuals, but in time they may have had disagreements and then they would claim the person was violated and have charges laid. It could even happen in a marriage, technically, a marriage of same-sex partners or opposite; it doesn't matter. If the charge was laid, then the authorities would have the responsibility to follow up on it.

There's where it all gets a bit dicey. If a person commits an offence—let's say they rob a bank. I happened to see a program on television some months ago. The person had robbed the bank—in fact, they were a police officer—then admitted it, and had really been given a pardon because the rest of their life was about giving back to society by exposing their wrongful deed. They were given a pardon.

Now, how a pardon works is federal. So the federal government, under Her Majesty's orders, can give a pardon to someone who has committed an offence and been charged and served time and has obviously been rehabilitated somehow. There's the second key word: "rehabilitated."

I'm not in any way an authority at all, but I think it's always important to err on the side of protecting public safety. That's what the intent of this bill is. If there's a risk to the public—we saw that in the G8 and the G20. Perhaps they may have overreacted in that case; I don't know. I think there are three or four inquiries about it, because some people's rights were perhaps trampled and one or two individual police officers may have gone overboard or got excited.

But my point here is that section 9.1—I'll just read that because it's not that big and there's time here. I'm reading the bill, and as I said, it's only a couple of pages long; it's not that large. It's amending existing legislation. It's under the section called "Offender deleted from registry."

"9.1 If an offender"—"offender" means they're a convicted sex offender; let's put this in real, exact language—"receives a pardon of the type described in clause (a) or (b) of the definition of 'pardon' in subsection 1(1), for every sex offence for which this act is made applicable to him or her, the ministry shall delete every reference to and record of the offender from the sex offender registry."

I think of Clifford Olson and others—predators in society—and I think of those who are what I'd call addicted sex offenders, serial rapists and those kinds of things. It's completely unacceptable to any party of any stripe.

I've written a letter to the federal minister on this. I don't understand why anyone who has been convicted of a predatory type of offence—like the old hockey coach that was in the news here some months ago—would ever get a pardon. I've written to the federal minister to clarify this. I want an answer from the federal minister on this. Why would they ever get a pardon—period?

Now, it's not me. I have five children and soon will have seven grandchildren. I did a bit of research on this. What's the recidivism rate? It's quite interesting, because here's Christopher's Law, and this is an article—I'm not making this stuff up. These are research papers that my legislative intern—and they're wonderful; OLIP, the Ontario Legislature internship program, is the best program here. Charles Thompson, a Queen's grad, could easily be standing here perhaps doing as good a job, but no experience so far. He's just learning.

This article is from Scientific American: "Once a Sex Offender, Always a Sex Offender? Maybe Not." It raises the question that I'm raising, and the point here, in the few minutes, is to sort of educate myself and those who may be listening.

This is a recent research summary on child molester recidivism. It's an article issued by the Solicitor General of Canada. This article, issued in 1996, by the way, says—there are several answers—"The initial follow-up of the child molesters found that 42% were reconvicted of a sexual or violent crime during the 15-30-year follow-up period." That's just a very brief one.

"Sex Offender Recidivism," a July 2004 article by Karl Hanson, Ph.D., Corrections Research, Public Safety Canada—again, these are all citations that I can give you. Basically in summary he goes on to say: "Between years 15 and 20, post-release, an additional three percent (3%) had a new charge or conviction for a sexual offence. After" 25 "years, 73% of sexual offenders had not been charged with, or convicted...."

When you look at the broader, you have to look at the subcategories within the classification of "sex offender" who would be on the register. It could be somebody who had an argument with their partner, really. So these big paintbrushes often mischaracterize the actual event. I'm trying to establish here that not all—but that's up to the experts, whether they're judges, trial lawyers or whoever.

There's a forum on corrections research—and this is another citation. This is fairly recent. It's talking about sex offender recidivism as well. "After an average follow-up of 59 months, 27.5% of the sex offenders sexually recidivated and 40.4% of the sex offenders were arrested, convicted or returned to the psychiatric facility for a violent offence."

1630

Now, there's the word that's sliding in here. The person has a medical condition, I would say, potentially. It's potential. They're saying 40%. And in some cases, if they're tried and not convicted because of a medical condition—illnesses often categorized as mental illness—this comes into play as well. Again, this is "A Meta-Analysis of the Effectiveness of Treatment for Sexual Offenders: Risk, Need, and Responsivity." This is by R. Karl Hanson, Guy Bourgon, Leslie Helmus and Shannon Hodgson for Public Safety Canada.

There's a lot of work that's been done on this. Why is there a lot of work? There's uncertainty. If there's uncertainty, err on the side of safety: no pardon. Now, they can appeal for a pardon—it's shown in these records that

they are contributing to this study and pardon should be granted. I'm not the person granting this, nor would I ever want to be, especially if you pose a risk to society.

In this one here—I guess there are several pages. This is a little longer report, actually. It says, "Based on a meta-analysis of 23 recidivist outcome studies meeting basic criteria for study quality, the unweighted sexual and general recidivism rates for the treated sexual offenders were lower than the rates observed for the comparison groups." It goes on to cite technically that there is evidence that recidivism does occur, and oddly, to the readers, an age and sexual recidivism comparison of rapists and child molesters in 2001 to 2010.

This is Karl Hanson's work. He's done a lot of work on this issue and certainly would be a person you'd refer to if there were hearings. If there were hearings on this particular bill, I would encourage him to—even if he gets a piece of this Hansard, he might want to follow up.

But because we're on limited time, and I know the member from Welland, as a lawyer, will probably be speaking more accurately and more thoroughly on this bill—there are a couple of other parts that I did want to get on the record before I stop; to put on the record what I felt. In Ontario, we could have the right to refuse a name change on a pardon. That would be one solution. If someone had a pardon, they have no duty to inform the name change agency that they have a pardon. I think they should be required to inform, on a name change, the history. These are small, innocuous things; one in every 10 million, or even greater, possibilities.

Recidivism: A study from the University of Florida found that the average number of the general public believe that 75%—this is an observation—of sex offenders re-offend. That's actually wrong, and it should be corrected. The actual rate of sexual recidivism in Canada for all sex offenders is around 27% within 12 years after release. So it does exist; it's about one in four. That's about it.

The likelihood that a released sex offender will commit another violent offence of any type—assault or murder—in addition to rape or sexual assault is around 40%. So we are getting—these aren't things I'm making up. These are from the research here.

Non-sexual criminals, by contrast—these are people who have committed a bank robbery or whatever—have an 83.2% chance of re-offending, though it should be noted that this is probably for any kind of offence, from breaking and entering to murder. So that's a whole group. That's everybody else but the sex offenders. So it's a higher recidivism rate—and you wonder how well the corrections facility part works; early release or early parole. These kinds of things come into it. I'd like to see the early release and early parole and their recidivism numbers; how many don't re-offend, having served their time, and we just don't bother.

Here's the issue, though: The rate of re-offence differs substantially by category of offence. A certain subgroup of offenders reoffends at a higher rate. The highest rate of recidivism, maybe as high as 77%, is for those who have

previous sex offences who selected extrafamilial boy victims and were never married. Child molesters generally have a rate of reoffending as high as 35%.

I only bring this up because in the nature of this bill, which we all endorse, we need to be confident that the pardons portion gets addressed. Federally, “Why give them a pardon?” solves the problem.

It's also affecting the volunteer organizations. People who work with vulnerable individuals have to get a background check today, whether it's Cubs, hockey or working in an elderly home. That background check, if you happen to meet, on the name—and I have a constituent who has lost a job, a very qualified individual, because their name is the same as somebody on the sex offender registry. They lost the job.

We've got to sort this mess out so that when there are hits, there's more than the criteria of where they were born and more than just the name that they were matched on. There's a lot of John Smiths around, and technically, that could possibly affect a person's future career as well. So there are some things here to add to this discussion, and I hope that the ministry and their staff are listening and they fix it before it actually becomes law.

With that, Madam Speaker, I thank you for the opportunity to speak on this Bill 163.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Peter Kormos: I have listened carefully to the member as he addresses this bill on behalf of his Conservative caucus. I'll be speaking to the bill for my one-hour lead in approximately eight minutes' time.

New Democrats are supporting this legislation. We don't intend to belabour the point at length here in the chamber. It's important that this bill get into committee, and we look forward to doing that committee work.

There are some questions that should be put during the course of the debate and, of course, more conveniently and appropriately, once we're in committee. They go to the effectiveness of this registry as a means of protecting—obviously, in the case of many children or other potential victims of sexual predators—but also, the effectiveness of the legislation in terms of avoiding the recidivism that the member for Durham just spoke of in his address to the chamber.

The behaviours that we're talking about here are probably some of the most resistant behaviours that you can find towards treatment or towards therapy. Even dramatic treatments like chemical castration have oftentimes been unsuccessful at deterring a child molester. Again, let's understand that we're not just talking about people who victimize children; we're talking about people who are sexual criminals across the spectrum. Obviously, it's children who warrant the most protection, and the reason why is because they're ill-inclined to protect themselves and because children inherently trust adults—and they should be able to trust adults. As a matter of fact, that should be perceived and addressed as something of a very fundamental right, which is why we have such repugnance for people who perpetrate the sort of crimes

that are contemplated by the legislation and people who are therefore called upon to submit themselves to inclusion on a registry.

In around eight minutes' time I'll have the floor and will be speaking at greater length to this bill.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Jeff Leal: I really appreciate the contribution made by the member from Durham today on Bill 163. What I found very interesting—and I certainly commend him for the research that his team provided. He spoke, in drilling down, on some general statistics that are often used in the media, talking about some of the most heinous crimes that have ever been committed here in Ontario, or indeed, throughout Canada. You need, as he articulated this afternoon, to take the time to drill down through those subcategories and really get the true picture of what we're talking about in terms of these sexual predators that are out there and the number of repeat offenders, particularly in very specific categories.

Hopefully, these amendments on Bill 163 will go to committee and it will be the opportunity for individuals who have a great depth of knowledge in this particular area to come forward and, certainly, to comment on some of the points that have been made quite effectively by the member for Durham on this particular bill. There's no question.

Christopher's Law, the foundation, was put together back in 2002, and I think it's fair to say that members on all sides want to see these amendments put into place as quickly as possible to make sure that the amendments indeed will instil the confidence that we expect when we establish this registry and that people who need to use it are getting very accurate information to provide some confidence and safety in today's society. It's interesting; on Thursday, the member from Oshawa will have a private member's bill dealing with background checks for people involved in minor league sports.

1640

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Ted Arnott: Madam Speaker, I appreciate you recognizing me. I want to compliment the member for Durham for his presentation this afternoon on Bill 163, the amendments to the sex offender registry legislation, which is, of course, known Christopher's Law. The member pointed out that Christopher's Law was originally passed through this Legislature I believe in the year 2000, during the years of the Progressive Conservative government, between 1995 and 2003. This is one of the signature pieces of legislation that was in the public interest at the time. Certainly, we are very proud of having brought it forward and we're pleased that the government of the day is building upon it with these amendments to ensure that our sex offender registry in the province of Ontario conforms to the recent renewal to the federal sex offender registry.

The member for Durham made a number of very pertinent and insightful comments, but the one thing that

he said that I couldn't agree more with is, of course, that we should always err on the side of public safety. If we're thinking about what we can do to protect children in the province of Ontario, obviously, there's nothing more important than that, quite frankly. That should be our motivation.

We're aware that the federal government maintains a sex offender registry as well, but the provincial government registry enhances the ability of all police services to access information. That is a very important feature of what we're talking about today.

Our caucus is going to be supporting this legislation. I would hope that this debate will continue quickly so that we can get the bill to committee and make the further refinements that are going to be necessary to get the bill passed to ensure that our system, our sex offender registry, is as up to date as possible, meeting the needs of the police services of Ontario in the year 2011 that we're in and ensuring that everything that can be done is being done to protect our children.

Again, I want to compliment the member for Durham and thank him very much. I look forward to the contributions of other members in this debate.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

The member from Durham has up to two minutes to respond.

Mr. John O'Toole: Do I get the extra two minutes or no? Whatever.

I thank the members from Welland, Peterborough and Wellington–Halton Hills. I guess there were a couple of more comments. There have been quite a few hours or time spent on this bill that we all agree on. We all agree that it's going to go to committee, I would hope.

I just reflect on one more thing, to clarify: The member from Toronto Centre has mentioned a couple of times that the vast majority of offenders who are involved in familiar relationships with children and vulnerable people would be—family members are the biggest perpetrators. It's sad to say that, but it happens, and we've seen inquests about it. Violence and sexual abuse and the rest of it—it's not a pleasant topic. That's why we need to make sure we protect the most vulnerable members of society, that is, the very young and the very old. This bill is just one part of that. I have a private member's bill that looks at the power of attorney and the Substitute Decisions Act, which isn't that glamorous, but elderly and frail elderly are often being abused by having the improper paperwork in place to make sure that they are properly protected by—and including loved ones. I have cases there.

We're going to have, I gather, some time in committee. The experts should be called on to those committees. Often those things are more or less housekeeping amendments and drafting errors and stuff that they deal with, but there's an opportunity here to strengthen the bill. I think that's important.

I would say that every member here has a story, or even in their riding work, where they know of families

that have been destroyed by these incidents. I always think, most importantly, of the victims. Those people who are using their positions of strength and power to abuse someone else's life—it's completely unacceptable, most specifically when it addresses children. All of us feel, I'm sure, the same way. I hope this bill does improve those things for vulnerable people in society.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Peter Kormos: Thank you kindly, Speaker. Let's spend a few moments putting this bill in the historical context. Christopher Stephenson was an 11-year-old boy back in 1988 when he was butchered, murdered, slaughtered, by a sex offender who, in fact, was on parole from the sentence that he was serving when he committed this offence. The coroner's inquest in 1992 recommended, amongst other things, that there be a sex offender registry. I recall well the debate in this Legislature in 2000, when the government of the day brought forward Christopher's Law. I recall the debate in the chamber as well as the process in committee, and it's trite to say that all three parties, every member of this Legislative Assembly, supported Christopher's Law when it was enacted in 2000.

Here we are, six months before a provincial election, in the midst of a federal election, a federal election in which the crime card, or at least the fear-of-crime card, is being played, and I suspect will be played more heavily as the federal election advances, with a bill that everybody supports, that everybody simply wants to see become more effective. There will be no shortage—it will be like old dogs marking their turf—of caucus members from the government caucus or the opposition caucus or the NDP caucus trying to out-law-and-order the other because somehow there's this passion for being more true to the law-and-order agenda than the other guy.

That has happened before in this Legislative Assembly. I think one of the things that it compels one to speak to is the fact that there isn't a single member of this assembly—I dare say, has never been a member of this assembly—who, in any way, shape or form, advocates criminal activity or supports criminal activity or isn't on the side of victims of crime, especially kids who are victims of crime or women who are victims of crime. In that respect, trying to outdo one another is really not fair to the issue, is it? It's certainly not fair to Christopher Stephenson and his memory.

His father has to be commended. His father was here in chamber when the government introduced this bill on the occasion of its first reading, and certainly was here listening to Minister Bradley speak to it when he led off second reading debate on, I believe, March 23, last week. I was here as well. One has to admire the pluck of Mr. Stephenson, his doggedness, his tenacity, his courage for continuing to hound governments, federal and provincial, so that they can develop a system of sex offender registries.

He does this, I'm sure, in memory of his son, but he also does it because he knows the incredible pain of

losing a child that way. Losing any child is pain, and the very essence of losing a child is an injustice, but to have your daughter or son brutally murdered by somebody who's on parole, by somebody who's literally still serving a sentence—because when you're on parole, you're still serving that sentence.

One of the problems is that most sentences for most sex offences are sentences for which, at some point, unless the convicted party is deemed a dangerous offender or any of those classifications or categories for which he can be detained indefinitely, the person is released from custody. While one can refer to literature, and the literature is abundant, about the difficulty of treating these sorts of extremely dangerous behaviours—the likelihood of treatment is slim, marginal—surely, one of the things that we have to focus on, one of the things we have to think about, one of the things we have to commit ourselves to, knowing that the vast majority of sex offenders are going to be released at some point because their sentence will be completed, surely we've got to address the need for there to be as intense a treatment regimen as possible when that person is serving a custodial sentence.

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Part of me believes—and I've believed this for a long, long time—there should only be two types of sentences: either very, very short ones or very, very, very long ones. The acting parliamentary assistant to the Solicitor General—because, of course, he's the parliamentary assistant to the Attorney General, but he's very ably assisting the Solicitor General in this instance. The acting parliamentary assistant to the Solicitor General, full-time parliamentary assistant to the Attorney General, may well have hard data for us by the time we get to committee, and I think one of the things that we really want to look at is the extent to which this registry has been effective.

You will recall that in 2007, the Auditor General devoted a significant amount of his report to the Ontario sex offender registry. Questions were put by the Auditor General that remain to be answered by the government. One of the interesting comments made by the Solicitor General when he was speaking to this bill on second reading—I'm sorry; it wasn't on March 23, it was March 22—was his, the Solicitor General's, reference to a Washington State Institute for Public Policy report. This is what the Solicitor General, the Minister of Community Safety, said: "According to the Washington State Institute for Public Policy, offenders convicted for failing to register are 50% more likely to reoffend." No kidding. The mere fact that a person wouldn't register sends a pretty strong signal that that person has ill intentions or evil intentions, that that person has consciously avoided registering so that he or she can't be identified or located as a registered sex offender, and one of the strong motivations for that person to do that is because she or he wants to keep on committing offences, or has little confidence in their ability to not reoffend.

In many respects, that point becomes troubling, because although there is a high level of compliance, and

in fact the Solicitor General told us that we have one of the highest compliance rates of all sex offender registries, it is the 1% or 2% or 3% who don't register who, it appears, are the most dangerous, because they're the most likely to reoffend. So what does that tell us about the sex offender registry? Because the mere fact that the person hasn't registered means that you're not going to be able to locate him or her by scanning that registry.

I suppose the question that ought to be put to the ministry when this goes to committee is, what is being done, either at the federal level or at the provincial level, to ensure that data acquired during the course of a trial is being deposited with the sex offender registry, so that the state isn't merely relying upon voluntary compliance by the offender when she or he is released from custody? Because it's the small, small, small percentage of people who don't register that are the high, high, high risk people. We learned back in 2000, when we dealt with Christopher's Law in the first instance, that the first literal minutes after a kid disappears are the most critical, and certainly the first 24 hours—that a child, if not found during that critical period of time, is increasingly likely to be found as a corpse rather than alive. That's why there's some real pressure on police when it comes to locating children who have been abducted by deviants.

One of the concerns that the Auditor General had back in 2007 was that, at that point in time, a scan of the Ontario registry didn't allow people doing the search to break it down into components that would help them refine their search. In other words, if they were looking for a male offender who showed a preference for a particular-aged youth and youth of a particular sex, the search couldn't be refined to hone in on those people who fit that profile. The Auditor General recommended that be one of the changes that be made—logically—to the sex offender registry. I'm going to get to more, but I have no concerns whatsoever about the existence of the registry even if it only exists as a scarlet letter. The mere fact of having to register after a conviction or a finding of guilt, if it does nothing more than draw attention to the fact that there is a strong societal denunciation of the behaviour that's committed by that offender, that's fine by me. I have no qualms about that whatsoever.

Indeed, the sex offender registry in Ontario and Canada is accessible only by police services, police forces. There are sex offender registries that are accessible by the general public—in the United States, for instance. Some would say, and it's pretty difficult not to agree, that this could give rise to vigilantism. It could put innocent people at risk if an innocent person's name is found on a sex offender registry, not because they are there, but because somebody with an identical name is there.

But having said that, and I know we had this discussion first round in 2000, why wouldn't there be public access to a sex offender registry? Why aren't you as a parent entitled to know that your neighbour molests kids? Why aren't you? How else do you protect your kid, if you aren't identifying people who are going to prey on him or her? Of course, the contra arguments, counter-

vailing arguments, are the risks of vigilantism and the risks to innocent people who are misidentified.

Yet, having said that, all of this information is, in itself, public. People are entitled to access to a court-room. People can identify who's being tried and who's being convicted. People can read this in the newspapers.

There would appear to be multiple levels or classifications of sex offenders. There are those who maybe travel out of the jurisdiction where their trial and conviction took place so that they can exploit the anonymity of being a stranger in a strange town. Then there will be those for whom there's no escape, even though it's remarkable how casually even some of our most notorious sex offenders manage to function.

I do want to mention great praise for my federal counterpart, Malcolm Allen, who is the federal member for the riding of Welland. He was the member of Parliament who was responsible for negotiating with the federal minister, Minister Toews, around the legislation, the Criminal Records Act pardon legislation, that made it impossible for one Karla Homolka to get a pardon under the Criminal Records Act legislation almost as a matter of course because five years had elapsed between the completion of her sentence and the time of her application for a pardon under the Criminal Records Act. Malcolm Allen did everyone a great service by raising this with Toews and ensuring that, in fact, legislation proceeded quickly through the federal Parliament. Otherwise we would have seen the bizarre, the unconscionable, the unforgivable scenario of that woman literally not having a criminal record for the purposes of the Criminal Records Act.

1700

We already discovered how other notorious sex offenders were not just slipping through the cracks but were walking through them when it came to Criminal Records Act pardons, and them no longer then bearing the stigma of a criminal record or a record of finding of guilt.

I do want to ask the parliamentary assistant, because I understand the section 748 pardons and the free pardon referred to in section 1, and I do understand that should a free pardon be granted, that person then, if she or he were on the registry—their name would be removed from the registry. A free pardon, as I understand it—and I'm going to need some help from the parliamentary assistant, if he can—would occur in an instance where an innocent person was convicted: the Milgaard situation or any other number of notorious situations where people have been tragically wrongfully convicted. Rubin "Hurricane" Carter's conviction, notorious from the States—he's now a resident of Toronto and has taken up the cause of the wrongfully convicted for the last part of his life.

But then I'm confused a little bit by the explanatory note that makes reference to a Criminal Records Act pardon where you're in no way, shape or form deemed not to have committed the offence. Nobody's saying you're innocent, but again these are the pardons—kids who get caught—who knows?—importing hash from

Nepal or the sort of youthful escapades that kids get themselves involved in and they mature out of it. Maybe they were influenced by friends who exhorted them to bring them some hash from Nepal, but five years after the fact when that person's now in his or her 20s, it's not inappropriate at all for a Criminal Records Act pardon to be granted.

Let me tell you—and I've gotten these frantic phone calls from border communities. It's a heck of a surprise when you're 40 years old and you are travelling with your spouse into Windsor and Detroit, or over into Buffalo or Niagara Falls, and you've got the kiddies in the back seat because you're on your spring break drive down to Florida, when some old marijuana conviction from when you were 19 pops up and you're denied entry to the States—very, very embarrassing. As I say, I've received those frantic phone calls on many occasions. Of course, the delays—it's a good nine-to-12-month turnaround time in getting a Criminal Records Act pardon. I know that constituency offices are prevailed upon to assist in that regard, and most of them do at the very least provide the kits for people to submit their applications. I don't urge—as a matter of fact, to the contrary, I urge people not to use these private services that purport to get you a pardon. You don't need them. They're just taking your money, and oftentimes they have the official-looking logos and seals on their advertising, somehow giving the impression that they're authorized by the RCMP or the federal government.

I'm concerned because the explanatory note talks about a reporting requirement ceasing "if the offender receives either a free pardon"—that's fine, I understand that; a free pardon is when you're innocent—"or a pardon or record suspension under the Criminal Records Act (Canada)," which is the criminal record pardon where you're not deemed to be innocent; the record is simply erased. As a matter of fact, it's erased subject to conditions. If you're reconvicted, that record can be revived, although I think a whole lot of experience is that that rarely happens. I'm not sure I've ever seen a case where a record has been revived as a result of a subsequent conviction. I don't even know what the process would be. I don't know how a crown attorney or the court manages or handles that sort of thing.

We should have some clarification around that, because one accepts that if a person gets a pardon—not guilty—that person should not be on the sex offender registry. However, if a person gets a Criminal Records Act pardon, where the criminal record is deleted not because they're innocent of anything, but because the passage of time and the Criminal Records Act pardoning process was applied, then most people would question whether that should immediately, in and of itself, give rise to the cessation of a reporting requirement.

Again, let's understand that at the very least, the existence of a sex offender registry has the scarlet letter principle behind it. It's a way of further denouncing the behaviour of the offender, of making it clear that we don't tolerate that sort of stuff.

Secondly—and I'm going to get to this before we're over—is the extent to which the sex offender registry is a tool that can be used by police. Presumably, the tool that it would be most frequently utilized for would be to locate somebody who is a sex offender, who is the suspect in the disappearance of a child. That's where time is of the urgency. You've got a whole pile of other sex offences, and we shouldn't somehow create the improper impression here that this sex offender registry is only for child molesters and people who prey upon children.

As a matter of fact, I'm sure there's some concern—at least there has been historically. The first sex offender registry in North America was in California—I think it goes back to the 1940s or 1950s—and it was used as a tool for persecuting gay and lesbian men and women, because most of what they did, whether it was at a dance or holding hands in public—stuff that now is quite normal—was actually prosecuted. So people who got themselves placed on the California sex offender registry merely for being gay or lesbian rightly felt that they were being unfairly not just prosecuted, but persecuted, and indeed that was the effect of it.

That's not the case—let's understand that and make that very clear—with this sex offender registry. First of all, those offences don't exist anymore. The Prime Minister in—what was it?—1970 changed the Criminal Code. Again, it's not the most trivial of offences that are going to find themselves on the registry.

One, there's the stigmatization. Some people may say, "Oh no, that's not the point, that's not the purpose, that's not the goal." I say, "Let's be clear about this and let's be candid about it." It's very much a goal. The fact that, once you're released from custody, you have to go down to your local police station and surrender yourself and provide identification and tell the police there that you've just been released from custody—or just out of the courtroom—for a sex offence and you're there to submit to the sex offence registry—that, I think, sends a large and strong and clear message to that offender, and it certainly sends the message that yes, sex offenders will be treated differently in the criminal justice system than other types of offenders.

Then there's the whole issue of access to the registry so that police can use the registry as a tool. That's where the recommendations of the Auditor General beg questioning.

In 2007, when the Auditor General considered the sex offender registry, the Auditor General told us that there were 7,400 offender records in the registry. He went on to say, "Its usefulness"—that is to say, the registry's usefulness—"could be greatly enhanced by providing additional search tools and improving the functionality of existing ones. For example:

"Some offenders have previously assaulted only females, others only males. Likewise, some offenders have assaulted only children, others only adults ...

"Similarly, in a case involving an assault by a stranger, investigators should be able to screen out im-

mediately those offenders who have assaulted only members of their immediate families or other relatives."

That's what the member from Durham was talking about. That's probably one of the most frequent scenarios wherein children are assaulted, and that's when they're assaulted by family members, by parents.

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The Auditor General goes on to say, "When investigating an assault at a particular location, in addition to generating lists of offenders who live closest to that location, investigators would find it useful to create a list of offenders whose past offences have occurred close to that location." This is what I indicated earlier, when we were starting these comments, is what is needed. It's going to be very important to find out if in fact these filtering tools have been added to the registry, because the Auditor General says, "Some of this information is already in the registry, but not in a searchable format.

"In the longer term, it could be useful to add several new fields, including victim characteristics such as hair colour or skin tone. The more detailed and searchable the data, the more effective the registry will be for investigators."

The Auditor General concludes, "A primary purpose of the registry is to assist police when they investigate a possible sexual offence, such as the abduction of a child. Research data indicate that in cases where a child is abducted for sexual purposes and then murdered, rapid response is critical because 44% of victims are killed within an hour of being abducted...." I just can't imagine the pressure the cops are under when a child disappears, and they know this data: 44% of kids who are abducted for sexual purposes are dead within an hour. Man, that's shocking. Even sadder is that 91% are dead within 24 hours—91%. Again, that puts pressure on cops; it puts a whole lot of pressure on them.

What it means is that if the sex offender registry is going to be useful to those cops, we want them to have all the tools available to them to save these kids' lives, because that's what they're talking about: They're talking about saving a kid's life. Some 44% dead within the first hour; 91% dead within the first 24 hours. That means that this toolbox had better be well-stocked and it had better be accurate. That's where I hearken back to one of the points we made at the get-go, and that is, what steps are being taken to ensure that we have 100% compliance? I don't know, and I want to find out—and the parliamentary assistant is going to help us, I'm sure—whether the data flowing from the courtroom at the time of a conviction is transmitted to the sex offender registry, so that the sex offender registry knows that somebody hasn't shown up to register, and then you can start tracking that person down. Is there communication between the Ministry of Correctional Services, our provincial reformatories and jails and the sex offender registry, so that when somebody is released from custody, having served their sentence as a sex offender, the ministry is advising the sex offender registry so that the sex offender registry starts ringing alarm bells if that person doesn't show up upon their release from a provincial institution?

Then what about the federal institutions? We know that one of the problems that was hearkened to by the Auditor General was the lack of communication between the federal institutions and the provincial registry. What is being done to ensure that everybody who's released from a federal institution is identified in a sex offender registry database so that if they don't show up to register, alarm bells start ringing?

I appreciate that's problematic when you're talking about a registry at a national scale, because a person can be released from a federal prison like Warkworth or Millhaven, and then—is Warkworth a federal institution? Warkworth or Millhaven?

Interjection.

Mr. Peter Kormos: I should know; I've been there many times. Jeez, if having the lights go out was traumatic for the member from Ottawa Centre, I can tell him stories that are far more traumatic than the electricity going off, let me tell you.

But if the question is going to be put to the parliamentary assistant in committee about what process, what communication is taking place between these institutions and the various registries, how do we track that? We're told that there is not 100% compliance but we're told that there's the highest compliance in North America. Doesn't the fact that there's even a 1% or a 2% failure in terms of compliance, doesn't that put people at risk? We know that that person is the person most likely to reoffend. Those are the people who you want to be able to finger as quickly as possible if they're not on the registry. What are the chances for a kid who gets abducted by that person? Forty-four per cent dead within the first hour; 91% dead within the first 24 hours—in horrible, horrible deaths.

Again, it's hard not to return to this focus on young people as the people who are to be protected by the registry. It isn't just young people, but as they say, children are taught to respect their elders. That's why people prey on children. Children are taught to respect their elders, especially in a family situation. Most parents, now, street-proof their kid. They tell their kid, "Don't let people pick you up in a car. Don't talk to strangers," all that sort of stuff. What about when the predator is a family member, or your own parent? That's why I said we should have, part of my mind says, basically, two sentences in this country: Very, very short ones—because for most people, that's all you need; hearing that prison door clang shut behind you and you say, "That's it. I'll never be here again."—or very, very long ones, because it's not a matter anymore about mere deterrence. It's a matter of protecting society.

I've got a feeling—because this is one of the things we should be asking the parliamentary assistant. I've got a feeling that—and we don't want to encourage an abuse of the sections of the Criminal Code like the dangerous offender sections, which permit the person being detained indefinitely. We don't want to see them overused, but for Pete's sakes: It's one of the tools now that crown attorneys have, yet we've spoken in this chamber about

instances where crown attorneys have neglected to make those applications. Sure, it's easy enough for us here to say, "What were you possibly thinking that you wouldn't have made that application?" Let the judge decide. Put the evidence in front of him or her and let that judge decide.

Our suspicions are that crown attorneys are burdened with excess numbers of files; that they have to prioritize their own files and cases and determine which ones warrant the extra consideration that those types of applications are going to require from the crown and the police and the courts. I will be expecting the parliamentary assistant to be able to tell the committee about the number of these applications being made here in the province of Ontario, about their success rate—because I suppose if we learn that there's only a 50% success rate, and I have no idea whatsoever what the number is, then the provisions are being overutilized. But if there's a high, high success rate in terms of getting the order that's being sought, it would suggest that the crown attorney was picking the right cases and maybe even suggests that not as many as ought to be submitted to this scrutiny are being put before our court.

Our provincial institutions have been stripped of most of their rehabilitative component. Rehabilitation covers a wide range of things, a huge gamut. There was a time when the OCI, the Ontario Correctional Institute at Brampton, was the place where pedophiles and arsonists, amongst others, went for imprisonment, but also with some pretty healthy—I hope it's not a poor choice of words—treatment therapy programs. Again, pedophilia is a horribly difficult thing to treat. Even when the accused have submitted to, as I said earlier, chemical castration, it's oftentimes not successful because it's not so much about the gonads, it's about, as it is with most sexual offences, rape amongst others, abuse and power and empowering oneself at the expense of somebody else. But if we don't have those programs working in our institutions, then our success rate is going to be absolutely zero. And if these people are going back out into the community, all the registries in the world won't prevent them from reoffending, will they? They'll help the police catch that person sooner rather than later, hopefully, and hopefully within the first hour—if not the first hour, within the first 24—but it doesn't eliminate the offence. So we've got to invest in adequate programs in our institutions: this Parliament, with its responsibility for provincial institutions, and the federal government, with its responsibility for jails.

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And oh, gosh, I know the spin that's coming out of Prime Minister Harper now about the need for more and bigger jails. Imprisonment is not the panacea that that camp would have us believe. The United States jails more people per capita than any other country in the world—the United States of America. Our neighbours to the south jail more people than any other country in the world, including the old Soviet Union, including despotic, totalitarian states, and one would be hard pressed

to argue that jailing people at that rate has done anything to make Americans safer in their homes or in their communities, or to make children safer in their playgrounds, or to in any way curb criminal behaviour. Because if you just warehouse people, if you don't do anything with them while they are serving their sentences, all you've got once that sentence is served is a craftier criminal, an angrier criminal, a more twisted, bent criminal, and a person whose lack of rehabilitation makes them all that much more likely to reoffend, because they have no good reason for not reoffending.

Here's where I raise this question. It's not a question that I designed; it's one that has been put across the continent.

I want to read from the report of the Auditor General. He writes, in 2007, "While the Ontario registry was the first in Canada ... sex offender registries are not new. They exist throughout the world, with the first North American registry having been established by the state of California in 1944. Three more states implemented programs in the 1960s and another seven in the 1980s. Most US jurisdictions now have sex offender registration laws, and registries generally receive considerable public support." Of course.

"Even though sex offender registries have existed for many years and can consume significant public resources, we found surprisingly little evidence that demonstrates their effectiveness in actually reducing sexual crimes or helping investigators solve them, and few attempts to demonstrate such effectiveness. This has not gone unnoticed by critics of sex offender registries, some of whom argue that public funds would be better spent on offender treatment and support programs where there has been some documented proof of effectiveness in reducing recidivism (that is, the committing of another crime by an offender after being released)."

It goes on to indicate—the John Howard Society; it was one of those groups, at least in 2001, that advocated that. I'm not one of those people. I'm not suggesting that the sex offender registry be abandoned, by any stretch of the imagination, and I don't think you'll hear a single member of this chamber say that. But I do think it's important for us to understand exactly the extent to which they are effective at preventing crime or helping the police to identify criminals.

We're told by the Auditor General that the annual cost of the sex offender registry, at least in 2006-07 or thereabouts, was around \$4 million a year. That's an awful lot of money. But, hey, if you're talking about kids as victims, kids who are going to die if their predator has them for longer than an hour, it's chump change.

Surely we need to have a scientific understanding of how effective the registry is, if only for the purpose of understanding what we can do to change or alter or tinker with or readjust or fine-tune the registry to give it that higher level of effectiveness that we might wish for.

Let's put some of this in context with statistics. Statistics are, well, statistics, and to tell a victim of crime that crime is down this year is little comfort to the victim of

that crime; it matters not. But these are the observations made: "Since 1993, the Canadian per capita report of sexual offences has decreased by 35%, and Ontario's rate is lower than the national average."

Now, I find that a peculiar statistic, because without explaining how it happened, the mere assertion that there's been a 35% reduction in sexual offences since 1993 doesn't tell us anything at all. I have no idea what that means. I have no idea if that information, that data, has any value whatsoever. That's a pretty bare and barren factoid.

Another observation made, and this again is the John Howard Society: "The more serious categories of sexual offences involving weapons, threats or serious injury constitute a relatively small proportion (3%) of all sexual offences, and these have also been declining in the last decade. (Statistics Canada data from 2005 indicate that this rate is now 2%)."

Again, I have no idea what that means standing alone, and it's of little comfort to somebody who has been sexually assaulted at knife- or gunpoint.

Now, here's some data that perhaps is a little more useful: "In 77% of sexual crimes, the victim and the offender know each other. This rate rises to 84% for incidents involving children or youths. More than two-thirds of sexual assaults occur in homes, and many involve family members."

If anything, that data might be weaker than one wished, because a sex offence taking place in a home with a family member is, in my submission to you, far less likely to be reported to the authorities and investigated than a sex offence performed or committed by a stranger. So I think we should be leery of underreporting in the instance of intra-family sex assaults.

"A review of 61 studies from 1943 to 1995 dealing with sex offender recidivism found the overall re-offend rate was 13% over a five-year follow-up period, and one California follow-up study on offenders from 1973 through 1988 found that 20% of offenders had been rearrested for a sexual offence over the 15 years of the study. Thus, the majority of offenders do not commit a second sexual crime."

Again, there's the data. I can't refute it, but one of the things we know is this: Most sex offenders don't get arrested and prosecuted the first time they offend in a sexual assault against another party, especially ones who prey on children. By the time a sex offender has been arrested and convicted for sexually assaulting children, that person has probably sexually assaulted a number of children.

Again, children are not believed. That's maybe changing somewhat as our attitude toward this changes, but children aren't believed. Children are fearful of authority. Children can be intimidated. Children could be coerced into remaining silent. I know, as a criminal lawyer acting for a big chunk of young people—this is purely anecdotal—with kids who were getting themselves into trouble with the law one way or another, the number of incidents where those kids have been victimized in their own homes by their own family members was disturbing.

I want to wrap up on this portion of the Auditor General's comments—I think they're important to put into Hansard: "More recently, a 2004 research paper issued by Public Safety and Emergency Preparedness Canada based on a review and analysis of 95 different recidivism studies between 1943 and 2003 found that the sex offenders most likely to re-offend had deviant sexual interests and anti-social orientations."

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It goes on, "We recognize that Ontario's registry is still relatively new and, accordingly, the ministry has yet to establish performance measures for it. However, we believe it would be useful to start collecting data on the degree to which the registry has proven useful in helping the police solve sexual crimes or reduce the risk of such crimes."

This is 2007. It's almost four years ago that that report was published. Surely by now the ministry, the Solicitor General's ministry, can update us on the requests made by the Auditor General about the effectiveness of the sex offender registry.

There's a real danger. You're involved with the concept of SLAPP legislation: in other words, legislation that would eliminate the disincentive for people to litigate in public interest areas. There is a little bit of a chill that attaches to criticizing the sex offender registry in principle or in practice, because if one dares to criticize it, somehow the suggestion is that you don't believe sex offenders should be apprehended or that they shouldn't be prosecuted or that they shouldn't be convicted if they're guilty. I again go back to the reference at the beginning of this short hour that I've had, where this type of debate around this type of legislation has got people from all three caucuses lined up here, again, like old dogs in the snow marking turf, each one trying to out-law-and-order the other. And by God, somehow if you're not in tune 100%, you somehow must have something horribly, horribly wrong with you.

I'm saying that New Democrats support the principle of a sex offender registry, but we also have serious questions to ask about how well it's working—if it's working at all. Again, that data shouldn't be hard to compile. Only police officers can access the registry, so presumably you don't access it without documenting your search. We have to know what's being sought for—what's being sought, not sought for; that's bad grammar; what's being sought—who's doing the seeking and whether they're getting any results that are valuable.

I for one have not read a single newspaper report that has told us—and again, the parliamentary assistant may know better: "As a result of utilizing the sex offender registry, the police were able to do (a), (b), (c) or (d)." Again, that's not scientific stuff; that's anecdotal, but I'd like to be aware of some of the illustrations or some of the examples where the sex offender registry has been a useful tool for the police.

With anything like this, we can be lulled into a false sense of security. Because if a person is on the sex offender registry, we know that they are a sexual offender,

but if they're not on it, it doesn't really tell us anything. It's one of the problems with criminal record searches for volunteers, for Big Brothers, Big Sisters, people who work in positions of trust. The fact that a person has a criminal record is fine and good; that tells us something. But if they don't have a criminal record, that doesn't tell us anything. That doesn't mean that they're an honest person. It means they haven't gotten caught or they haven't been successfully prosecuted, or maybe they're just in politics.

If a person is on the sex offender registry, we know that they've engaged in criminal activity of a sexual nature, and it can range on the continuum from—and I'm not going to get into some of the language that has gotten judges in serious, serious trouble—the sexual assaults for which lower penalties are imposed to sexual assaults which draw the maximum penalties, and you know what I'm talking about when I say judges have gotten into trouble because, of course, every one of them is serious.

So how does the sex offender registry distinguish one from the other? Or, I presume, it doesn't distinguish at all, and then that means that we have a larger pool to pick from rather than a smaller pool. But it also means that the police have to screen more people in a relatively short period of time. One of the most important observations was that made by the Auditor General when he talked about how people doing these searches have to be able to input these various filters so they can narrow it down to a certain group of people based on what type of victim they prefer, what areas of the world they commit their crimes in and so on.

Now, as for the parliamentary assistant, the acting parliamentary assistant—he's the parliamentary assistant to the Attorney General, and he's the acting parliamentary assistant in the instance of this bill. The minister really spoke optimistically about the likelihood of co-operation between the opposition critics and the parliamentary assistant. I don't want to put words into his mouth, but he painted a rather rosy picture. He said, "Mr. Zimmer will be involved very much in the carriage of this bill. Mr. Zimmer has worked with opposition critics exceedingly well as a member of the legal profession and as a person who—again, as with all of us, the member for Willowdale has an interest in matters that relate to legal situations which confront this House. I know that he has worked well with his colleagues on the other side of the House in dealing with various pieces of legislation."

There was nothing unparliamentary about that at all. Indeed, Mr. Zimmer, who appears to be the parliamentary assistant for everything when his skills are needed, has a good working relationship with his counterpart critics here in the chamber. I've had occasion over the last few weeks to chide the parliamentary assistant in the context of the polls being what they are and what a delight it will be to have him as a counterpart critic in the opposition. That's assuming, of course, that I get re-elected down in Welland or that I get the nomination. I haven't got the nomination yet.

Interjections.

Hon. Kathleen O. Wynne: You're at risk.

Mr. Peter Kormos: I don't know. You never can tell. But I wish that, for just one time—or maybe a couple of times—the member for Willowdale could get the experience from the other side of the chamber.

One of the things I really believe: Nobody should be elected directly to government. I really, really, really believe that. If somehow you could work it out so that your first election results in you being in the opposition, that would be—it's incredible. It really changes your approach to things once you are on the other side of the House. Mind you, I remained in opposition even when I was on the other side of the House. There's something genetic about it; some DNA encryption.

But as I say, the member for Willowdale—I'll say this: The member for Willowdale deserves to be re-elected. He's a very effective, capable member of the assembly and should have been in cabinet. I don't know what he did or said to either the Premier or to the people who surround the Premier to get himself excluded from cabinet. But having said that, he's probably better off.

Interjection: Better chance of re-election.

Mr. Peter Kormos: As my colleague points out, why should Mr. Zimmer let the Premier ride his coattails? I say to the parliamentary assistant: No, you tell your leader he's on his own. You have every intention of coming back to this chamber, because you're not finished yet.

The minister was quite right when he said we have a good working relationship, and he was quite wise to put Mr. Zimmer in charge of the carriage of this bill. You notice that the ministers are always around for the klieg lights and when the TV cameras are whirring, but when it comes time for the heavy lifting, no, no, no, they're nowhere to be seen. They're relying upon the talent, skill and experience of the Mr. Zimmers of the world.

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Now, the government House leader is in this House, and she's scowling. She's scowling.

Hon. Monique M. Smith: For the record, I'm shaking my head.

Mr. Peter Kormos: I'm responding to her now.

Interjection.

Mr. Peter Kormos: I'm responding to the government House leader again, if Hansard, in fact, was able to hear her. I take that as a compliment, government House leader.

Hon. Monique M. Smith: A lot of affection.

Mr. Peter Kormos: And I tell you, your affection for me is returned.

Interjections.

Mr. Peter Kormos: Look, I would have wished you well as well. If you hadn't gone and walked the plank and said farewell to your colleagues, you would have been one of the people I would have encouraged to campaign hard, perhaps harder than you've ever had to before, to get yourself into this chamber come the next provincial Parliament. As I say, I'm not sure I'm going to be here. It's up to the people of Welland whether or not

they return me to Queen's Park. I'm eager to come back, and I'm eager to see some of my colleagues upon my return, should I be blessed with that by the electorate.

As I indicated to the government House leader, to the parliamentary assistant and, indeed, to Minister Bradley, New Democrats won't be belabouring this bill here on second reading. We may have one or two members who want to speak to it in addition to the extent to which it's been addressed. We do want to get it into committee. I don't expect the committee to sit other than in Toronto. I think we want to get the briefings that I've suggested we need from the ministry, the parliamentary assistant and the huge staff component that he can access in the ministry. I look forward to the discussion of the bill in committee.

Two other things: I would dearly like to know from the parliamentary assistant, when it comes time for committee, what the province of Ontario has done with our federal government in terms of amending legislation that has to be amended so that young offenders who are convicted of sexual offences can be listed on the sex offender registry. I believe that's a serious, serious omission, because a 17-and-a-half-year-old who rapes a victim is going to soon be 18 and is as much a danger to similar victims as an 18-and-a-half-year-old.

For the life of me, if the argument's being made that, first of all, you're not publishing names because it isn't a public registry—nobody's telling the police that they have to somehow white out all documents that they have in their possession that deal with a young offender; of course not. Police keep those records. Why are young offenders not included in the sex offender registry? I think that's a horrible omission and a horrible oversight.

Time is curing the second point, but the parliamentary assistant will know that when the original bill first came before the chamber in 2000, I was concerned about the fact that it wasn't retroactive. Now 10 years have passed, but there's still surely a big chunk of sexual offenders out there who committed their offences prior to the enactment of the legislation who aren't on the database. If the validity or value of that database is dependent on it being as complete as possible, as full as possible, then surely people who have historic records for sexual offences should be on the registry.

That was something that I recall prevailing upon the then parliamentary assistant when the bill was before committee back in the year 2000. Now, in 20 or 30 years' time, that will be cured by time itself, but we've still got 20 or 30 years to go before that's rectified. I'm going to be putting that to the parliamentary assistant again to find out why this legislation doesn't have an element of retroactivity so that we can truly make best efforts to protect potential victims.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. David Zimmer: Speaker, just let me address the point that was raised by the member from Welland: questions about the distinction between a pardon granted under the Criminal Records Act and a free pardon grant-

ed under the Criminal Code. The answer to that question is that administrative pardons granted under the Criminal Records Act allow persons convicted of a criminal offence, if they have completed their sentence and they have demonstrated that they're law-abiding citizens for a number of years and so on, to have their criminal record—and here are the magic words, or the relevant words—kept separate and apart from other criminal records, and no one has access to the records that are kept apart.

But in the case of sexual offenders, although the record will be kept apart, their name will be flagged in the Canadian Police Information Centre computer system to assist police officers in the investigation of an offence.

Now, free pardons are granted under the Criminal Code, and a free pardon is granted when someone, for instance, has been found wrongfully convicted. When they're found wrongfully convicted, it's as if they had never committed the offence in the first place, and hence they're pardoned. Because they're deemed never to have committed the offence, there cannot be any record at all, so there's a technical distinction between an administrative pardon under the Criminal Records Act and a free pardon.

I know sometimes that's difficult to understand, but I'm sure that we'll explore that in more detail in committee.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Jerry J. Ouellette: I much appreciate the opportunity to speak on Bill 163 and comment on some of the comments from the member from Welland. There are a number of issues that I'd like to bring up, and hopefully I'll get a chance to debate this at another time.

First of all, in regard to the member's statement regarding young offenders being on the registry, I would agree completely. When the information—it's a vulnerable persons check, and I'm debating my own private member's bill on this very issue on Thursday. It's a vulnerable persons check that's transferred to the police. There is nothing under the young offender's information that is passed on at that particular time, so when that information is passed to the organization that is doing the checks and the reviews, no information is passed on to them. So, yes, there isn't anything. I'm not sure how valid the information would be if it can't be utilized in any way, shape or form.

Some of the other things: The member mentioned California in 1944; the sex offenders registry at that time mostly dealt with homosexual issues.

I hope the PA will be able to address this issue somewhat: the International Transfer of Offenders Act and how that is applicable in some jurisdictions, throughout many nations, predominantly African nations, where homosexuality is still an offence. Would those individuals be put on the registry there and then be required to be registered here for something that is not viewed, in any way, shape or form, as an offence here in the province of Ontario?

As well, one of the strong concerns was—I sat on the Auditor General's committee, and it was specifically brought out at that time that the Ontario registry was far stronger than the federal one. I hope what we're seeing here is not a weakening of the Ontario registry to comply with the federal one.

One of the other areas that needs to be addressed is the cross-jurisdictional requirement between provinces. When an individual transfers from one province to another, there was basically no requirement to be listed in Ontario, which I'm hoping will take place.

The last one would be—well, there are a number of aspects, but what about multiple convictions and the ability for notification of those individuals?

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Michael Prue: I listened intently, as always, to the member from Welland. Sometimes he entertains me; sometimes he informs me. Today, it was the latter. He spoke very well, he was reasoned, he was passionate in his debate and he brought out facts that I think many of us in this chamber have not considered.

He talked about the retroactivity—going back some 10 years and what happened in 2000 and how he had hoped at that point that the list would have been retroactive so that police would have known of past offences—and perhaps how we missed that target but how he still hopes that it will happen. He talked about people who are juveniles under the law—a 17½-year-old who commits particularly heinous crimes; rape or those kinds of crimes—and their likelihood to re-offend.

1750

It took me back to the time when I worked in the immigration department and the many years that I spent before the immigration refugee board. The overwhelming majority of people who are brought before that board for criminal offences and were subject to deportation were under 25 years of age. It just seemed to me that that's when the crimes were happening, in people's youth, and that as people got older you were less and less likely to see them, either because the incarcerations worked and they didn't want to go back there anymore, as the member from Welland spoke about, but also because it's just a thing that happens. I think we need to know that those 17½-year-olds are out there every bit as much as we need to know the 18-plus are out there.

He also talked about pardons, and my friend from Willowdale there spoke about that, and I think that's a good point.

I look forward to this going to committee and I look forward to speedy passage. I think all members on all sides of the House hope this happens.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Lorenzo Berardinetti: I'm pleased to have an opportunity to briefly comment on the remarks from the member from Welland.

I think he made a very thorough presentation on the bill in front of us today. I was not around in this chamber in 1988, when some of the unfortunate events took place

in the early stages. The fact that Ontario became the one province—and remains the only province—with its own registry, I think, is an important point to keep in mind.

One of the points that is important—and I don't know if the member from Welland brought this up—is that having a registry here in Ontario allows the police forces here in Ontario, including the Toronto police and other police forces, to have access to our registry. The national registry allows only the Ontario Provincial Police to access that registry. So I think it's an important point to keep in mind. I think that the national registry is a good thing. It doesn't go far enough. Having our bill here, the act in front of us today, allows additional safeguards to be put into place.

The two minutes—well, the last 45 seconds that I have—don't allow me to get into any detail on this. It's better dealt with at committee. I don't know if this will go to the justice policy committee, but if it does, I'd be pleased to listen to the debate there and take part in it if I'm allowed to.

Basically, this is an additional safeguard to the national registry that's in place. I think we need this additional safeguard. These seem to be technical amendments, but I'm quite sure, from what I've read in the bill so far, that they will strengthen our system to prevent sex offenders from re-offending.

The Acting Speaker (Ms. Cheri DiNovo): The member from Welland has up to two minutes to respond.

Mr. Peter Kormos: I appreciate the patience of those who bore with me for 60 minutes while I was making the NDP's contribution to the debate on this bill. I'm looking forward to committee. You've heard my colleague from Beaches-East York indicate that the bill should move forward at a reasonable pace: not so speedily that it isn't given the appropriate attention and due attention, not so speedily that we avoid our responsibility to do due diligence, but so that it can in fact become law.

As I understand from listening to the Solicitor General during his introductory remarks, the ones in which he praised the parliamentary assistant, Mr. Zimmer, so much, this is effectively making sure that our sex offender registry here in the province of Ontario complies or is in sync with the federal sex offender registry.

As I say, I've raised a number of questions here and, having put them to the parliamentary assistant, I trust that his staff will start accumulating some of the responses to those questions promptly. He's not one of these people who shows up at committee with a whole long row of bag-carriers behind him; the parliamentary assistant, Mr. Zimmer, carries his own briefcase and pours his own water, and that's to his credit. But I do expect him to ask the legions of staff available to him to start preparing some of the briefing papers around these issues as promptly as possible, sooner rather than later. It'll simply make committee all that much more effective.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Jerry J. Ouellette: I am going to use the little bit of time that's remaining in order to get some issues on the record regarding this.

There's quite a bit of aspects that I mentioned earlier on. I'm just hoping that the Auditor General's remarks regarding Ontario being stronger and that the federal government's legislation is far weaker is something that we're not moving towards here, because there would be a strong concern from myself that we need to protect vulnerable individuals in any way, shape or form that we can.

Some of the aspects that, upon reading the bill, need to be talked about eventually; there are certain things. Registered sex offenders, a lot of times, have parameters put on them. What takes place in the case—and this was something that was brought forward to myself by a number of police officers—of voting requirements, with the federal election on now? These individuals are not allowed to go into schools to vote. What takes place for situations like that, and how are they going to be taken care of? Is there any consideration being looked at regarding that?

I briefly mentioned earlier, on the cross-jurisdictional aspect, whereby individuals transferring from province to province—there's no notification coming forward. Hopefully, working with the feds on their registry will address that key issue.

Something else as well: There's a lot of concern coming forward regarding the background checks for individuals who are volunteering. What's taking place is there's a fingerprint requirement that's happening now. The way they're determining that—and I didn't hear it come forward in the debate here this afternoon—is that individuals with the same birth date as a convicted offender are now required to provide fingerprints so they can be assured they're not the sex offender, because of the ability for sex offenders to change their name. That was the only way that they were able to check. So I had a number of, quite frankly, longtime police officers who were the first ones who had to submit fingerprints in order to coach kids' hockey. As many here know, I coach kids' hockey as well. They had to submit their own fingerprints, even though they're police officers, because of what's taking place.

On page 2, it talks specifically about, "within the prescribed period after he or she changes his or her name." I'm wondering how that's going to play out to those individuals in the vulnerable persons check and how it's going to be applicable later on. Is that going to solve the problem? Or is it going to get much larger now, because there's going to be more of a requirement for individuals to submit their fingerprints on that basis?

I heard individuals talk about the same name. Quite frankly, on some of these checks, the first time or the second time—actually, it was the second time. We had to have an annual reporting for a background check. I opened up my background check and, lo and behold, it was somebody else in there—it wasn't myself at all—with the same name. So I went back to the station and I said, "Hey, wait a sec. This is not me." Quickly, they apologized and went back in. So there are mistakes being made with this information.

Not only that, but it also shows the number of charges that have been put upon an individual. The reason for that is that when they do a vulnerable persons check, it specifically says, “Do you want somebody who has been charged, say, five times with drug trafficking going to coach minor bantam kids’ hockey with kids at 14 years old?” How are you going to want those individuals around that? Or somebody’s had a drunk driving charge. It’s not a sex offender check, but a vulnerable persons check, so there’s a lot more in it, there. Someone could be driving kids to hockey who has had a number of offences. You just want to make sure that due diligence is done in a particular number of cases regarding this.

Some of the other aspects: We talked about the International Transfer of Offenders Act, but look what’s happened with Roman Polanski particularly, going to Switzerland to avoid what took place with a 13-year-old in the United States. Not only that, but then look at Jerry Lee Lewis; take it even further than that, where he married his 13-year-old cousin, for that matter. These are the sorts of things that, when we’re talking about inter-

national offenders and what’s taking place, we need to make sure of how it’s going to be applied in the province of Ontario. We all have to do whatever we can in the best interests and to protect as many people as possible.

Not only that, but the one big concern I have is that I had one individual who had 10 convictions and who was released into the public, into the city of Oshawa, and there was no ability, other than myself standing in the Legislature, of identifying the individual as being released into the community; there was no ability for anyone else around the schools or notification to the schools that the individual was there. These are the sorts of things that I hope we can address through committee and through further debate.

I know the time is ending. Thank you, Madam Speaker.

Second reading debate deemed adjourned.

The Acting Speaker (Ms. Cheri DiNovo): It being 6 o’clock, I declare that this House stands adjourned until tomorrow morning at 9 o’clock.

The House adjourned at 1800.

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Moridi, Reza (LIB)	Richmond Hill	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Munro, Julia (PC)	York-Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	
Murray, Hon. / L'hon. Glen R. (LIB)	Toronto Centre / Toronto-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Orazietti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener-Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin-Middlesex-London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough-Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Prue, Michael (NDP)	Beaches-East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London-Fanshawe	
Ramsay, David (LIB)	Timiskaming-Cochrane	
Rinaldi, Lou (LIB)	Northumberland-Quinte West	
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Government House Leader / Leader parlementaire du gouvernement
Sorbara, Greg (LIB)	Vaughan	
Sousa, Hon. / L'hon. Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Labour / Ministre du Travail
Sterling, Norman W. (PC)	Carleton-Mississippi Mills	
Tabuns, Peter (NDP)	Toronto-Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga-Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton-Kent-Middlesex	
Wilkinson, Hon. / L'hon. John (LIB)	Perth-Wellington	Minister of the Environment / Ministre de l'Environnement
Wilson, Jim (PC)	Simcoe-Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener-Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Transportation / Ministre des Transports
Yakabuski, John (PC)	Renfrew-Nipissing-Pembroke	Opposition House Leader / Leader parlementaire de l'opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	Mississauga East-Cooksville / Mississauga-Est-Cooksville	

STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Garfield Dunlop
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 Przedziecki

Standing Committee on Finance and Economic Affairs / Comité permanent des finances et des affaires économiques

Chair / Président: Pat Hoy
Vice-Chair / Vice-présidente: Laura Albanese
Laura Albanese, Toby Barrett
Bob Delaney, Kevin Daniel Flynn
Pat Hoy, Helena Jaczek
Norm Miller, Leeanna Pendergast
Peter Tabuns
Committee Clerk / Greffière: Sylwia Przedziecki

Standing Committee on General Government / Comité permanent des affaires gouvernementales

Chair / Président: David Orazietti
Vice-Chair / Vice-président: Jim Brownell
Jim Brownell, Steve Clark
Kuldip Kular, Dave Levac
Amrit Mangat, Rosario Marchese
Bill Mauro, David Orazietti
Joyce Savoline
Committee Clerk / Greffier: William Short

Standing Committee on Government Agencies / Comité permanent des organismes gouvernementaux

Chair / Président: Ernie Hardeman
Vice-Chair / Vice-présidente: Lisa MacLeod
Laura Albanese, Michael A. Brown
Donna H. Cansfield, Aileen Carroll, P.C.
Howard Hampton, Ernie Hardeman
Lisa MacLeod, Leeanna Pendergast
Jim Wilson
Committee Clerk / Greffier: Katch Koch

Standing Committee on Justice Policy / Comité permanent de la justice

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Reza Moridi
Bas Balkissoon, Lorenzo Berardinetti
Ted Chudleigh, Mike Colle
Christine Elliott, Peter Kormos
Reza Moridi, Lou Rinaldi
David Zimmer
Committee Clerk / Greffier: Trevor Day

Standing Committee on the Legislative Assembly / Comité permanent de l'Assemblée législative

Chair / Président: Bas Balkissoon
Vice-Chair / Vice-président: Yasir Naqvi
Bas Balkissoon, Steve Clark
Joe Dickson, Sylvia Jones
Amrit Mangat, Yasir Naqvi
Michael Prue, Mario Sergio
Maria Van Bommel
Committee Clerk / Greffière: Tonia Grannum

Standing Committee on Public Accounts / Comité permanent des comptes publics

Chair / Président: Norman W. Sterling
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

Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé

Chair / Président: Michael Prue
Vice-Chair / Vice-président: Paul Miller
David Caplan, Kim Craitor
Jeff Leal, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Lou Rinaldi
Tony Ruprecht
Committee Clerk / Greffier: Katch Koch

Standing Committee on Social Policy / Comité permanent de la politique sociale

Chair / Président: Shafiq Qaadri
Vice-Chair / Vice-président: Vic Dhillon
Vic Dhillon, Cheri DiNovo
Rick Johnson, Sylvia Jones
Jean-Marc Lalonde, Ted McMeekin
Shafiq Qaadri, Khalil Ramal
Elizabeth Witmer
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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