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**Journal
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(Hansard)**

Thursday 14 April 2011

Jeudi 14 avril 2011

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 14 April 2011

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 14 avril 2011

The House met at 0900.

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

Prayers.

ORDERS OF THE DAY

BETTER TOMORROW FOR ONTARIO ACT (BUDGET MEASURES), 2011 LOI DE 2011 SUR DES LENDEMAINS MEILLEURS POUR L'ONTARIO (MESURES BUDGÉTAIRES)

Resuming the debate adjourned on April 11, 2011, on the motion for second reading of Bill 173, An Act respecting 2011 Budget measures, interim appropriations and other matters / Projet de loi 173, Loi concernant les mesures budgétaires de 2011, l'affectation anticipée de crédits et d'autres questions.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated April 13, 2011, I am now required to put the question.

On April 6, 2011, Mr. Phillips moved second reading of Bill 173, An Act respecting 2011 Budget measures, interim appropriations and other matters. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

This vote will be deferred to following question period.

Second reading vote deferred.

STRONG COMMUNITIES THROUGH AFFORDABLE HOUSING ACT, 2011 LOI DE 2011 FAVORISANT DES COLLECTIVITÉS FORTES GRÂCE AU LOGEMENT ABORDABLE

Resuming the debate adjourned on April 13, 2011, on the motion for third reading of Bill 140, An Act to enact the Housing Services Act, 2011, repeal the Social Housing Reform Act, 2000 and make complementary and other amendments to other Acts / Projet de loi 140, Loi édictant la Loi de 2011 sur les services de logement,

abrogeant la Loi de 2000 sur la réforme du logement social et apportant des modifications corrélatives et autres à d'autres lois.

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

Mrs. Elizabeth Witmer: It's a pleasure for me to rise today and participate in the debate, which has been so capably handled by our critic. So we start today on Bill 140, the Housing Services Act of 2010.

I think as all of us in this Legislature know, affordable housing is a critical component of any compassionate society's social safety net, and it is certainly imperative that we provide those who are disenfranchised and those who are poor and vulnerable with the means to access housing that is both affordable and, obviously, of the highest-possible quality.

Ontario is a society that is both compassionate and responsible. However, the housing needs of those in this province who are disadvantaged have been ignored for far too long. The difficulties that people encounter when simply trying to find a home for their family that is both safe and also provides them with a dignified accommodation have been unacceptable.

So it is certainly incumbent upon all of us in this House, as elected representatives of the people in the province of Ontario, to ensure that we take the steps that are necessary to provide all people with the means to access affordable housing. Certainly, in my community, I meet with many groups who impress upon me the fact that there is not appropriate affordable housing available. And we know that appropriate affordable housing is one of the determinants of good health, so it needs to be a priority for all governments and all parties.

We, as a caucus, are going to be supporting this bill, but having said this, I think our critic yesterday pointed out that there is still certainly disappointment with many aspects of the bill. I understand there were about 100 amendments to the bill, but there was only 24 hours for the three parties and our critic, in particular, to review the 100 amendments. Again, we had a case of this Liberal government trying to rush through the bill, as has been happening a lot recently.

I certainly know from my own experience as a member that you cannot do justice to 100 amendments—even just to read them—in a 24-hour period. To review the context in which they were presented to this House, it's simply impossible to do justice and to look at how that amendment is going to impact individuals in this province or organizations, or to look at the merits of the amendment. So this was an enormous amount of work which simply wasn't possible for any of the three parties

to do. I guess maybe it was a little easier for the government; they have additional staff. But certainly, for the opposition it just wasn't possible to do justice, and it's unacceptable.

I don't know why we go through the—almost a farce of having committee hearings and inviting people to come in. Having been on the other side of one of those presentations when I was chair of a school board in Kitchener–Waterloo and Cambridge, I can remember the tremendous effort that we took to make sure that we made a presentation that contained all of the concerns that we had and how we constructed recommendations for amendments. When I think of the work that people put into this behind the scenes before they get here, and then they come in and we have 100 amendments from different groups and organizations and individuals, and then we only have 24 hours—I mean, that's one day. It's just not possible, and we don't do it justice.

I think that in the future, we need to seriously consider this farce that we're perpetrating: pretending we're going to allow people input into legislation and then not providing all of the members in this House with a decent period of time, as I say, to review the amendments, determine the merits of the amendments and also decide whether or not they can support them. So I think that is something that we're seeing far too often and, as I say, it doesn't do justice to the amount of work that the deputants have put into preparing the amendments.

Having said that, I would go back to say that we have been looking for this bill for a long time in this Legislature. It has been promised, and certainly we did support the government's initiatives to consult with Ontarians. I think it is important that we go out and we listen firsthand to the people throughout this great province about the concerns and the hardships that they are facing, and also to learn from them what is broken in the housing system.

0910

I come back to the fact that I think we haven't done justice to the representations that were made. The consultations were almost for naught, because we don't see a lot reflected in this bill, as we now are at the third reading stage. Despite the fact that the government did say they wanted to get it right, I would say to you that what we're seeing here doesn't necessarily represent all the good input we did receive from our people throughout the province of Ontario.

One of the concerns our critic raised was that many of the amendments were submitted by the municipalities. Now, as you know, the municipalities are a very important partner with the provincial government when it comes to affordable housing. Unfortunately the amendments—and there were many that were submitted by the municipalities—were voted against by the government. My colleague the member for Burlington, our critic, said yesterday, "It would behoove the government to ensure respectful partnerships with municipalities." She went on to indicate that, unfortunately, the rejection of the amendments indicated that municipalities, a key partner, were not respected as they should have been in the process.

In many respects this bill leaves our municipalities to do the heavy lifting without getting any real help or assistance from the provincial government. As you know, the municipalities asked for more time to devise their 10-year housing plan, which seems very reasonable. In fact, my colleague the member for Burlington did introduce an amendment that would have provided this, but the government refused, instead mandating that the 10-year plans be developed by municipal service managers and submitted to the ministry by January 2012.

According to the Association of Municipalities of Ontario, "We think the government should consider a phased approach. Some municipalities have the planning capacity that can get under way and meet the bill's timeline. Others will need to build or find that capacity, which will take a bit of time." They go on to say, "Municipalities want to get this right. We are accountable to our taxpayers and the residents of affordable housing in our communities. Appropriate time is needed to transition" to what is going to be a "new way of doing business."

The other concern, of course, is that the burden on the municipalities has now been exacerbated by the government's refusal to provide them with a clear picture of what the funding for the plan will be. Again I quote: "The government must understand that municipal councils cannot plan or budget in the absence of knowing what envelope they have to spend from these consolidated programs."

You know, we see this often with this government. They make decisions, but there's no indication of the amount of money that is going to be available. We saw that, for example, when they rolled out plans for full-day kindergarten, but we don't see anything in the budget related to the amount that's going to be necessary for capital construction. They need to be transparent and honest with the public, and in this case, they need to be honest with municipalities, who are finding it difficult to plan or budget in the absence of knowing what kind of envelope is going to be available.

This bill now downloads enormous amounts of responsibility on to our municipal service managers. It tasks them with developing and implementing their own affordable housing plans. AMO has made it clear as to what they need. They were very clear throughout the consultation process, as you know, yet the government has really not seriously considered all the concerns and issues they brought to the table which they felt deserved an answer. They don't have it.

So here we are. We waited seven years for a plan. For seven years, the anticipation in the province has grown as people have patiently waited for the government to fulfill its promises and live up to its responsibilities, but we now have a bill coming forward for third reading that is a disappointment to many of the people in our communities who feel they've been let down.

This bill is a half measure. It is, one could say, a band-aid solution put forward by this Liberal government. It's really quite disappointing to think that it took seven years to get this far, and this is all it is accomplishing.

Although the bill does make minor revisions to the way municipal service managers can spend provincial funding and amends the Planning Act to allow for secondary units, it really doesn't do much of anything else. It doesn't, most importantly, address the many systemic problems that serve, as all of us know, as significant obstacles to affordable housing.

The bill is a number of things, but people were looking for a thorough, complete strategy to address affordable housing issues, and this bill does not provide that complete, thorough strategy. In that respect, it was disappointing.

Perhaps what was also most worrying to people about this bill is its complete lack of ambition. Now, you might ask, what does that mean? Well, if you take a look at it, it doesn't contain any clear goals or objectives. There is nothing special in it and nothing that is going to effect real change. If we're going to correct Ontario's affordable housing situation, we're going to require some creative thinking and innovative solutions. This bill doesn't offer any of that.

There were 485 housing stakeholders, by the way, who were consulted for over six months on this bill. They offered thousands of submissions, but all of them asked for only four distinct actions: new units, new money, rent supplements and inclusionary zoning provisions. Remember that these people are the front-line workers. They know this issue better than any of us in this House, they are the experts who work in this field every day and they are the ones who have a full and complete understanding of the challenges and difficulties. Do you know that those four things were asked for, but the government gave them nothing in the way of new units, new money, rent supplements or inclusionary zoning provisions?

So, we are left with a bill that is a disappointment. It does absolutely nothing to end generational housing issues that have been with us for a long time and which this government had an opportunity to address.

I'd like to touch upon the need for a youth-specific program, because this is an issue I have heard a lot about in my own community. I know it's an issue that was very important to our critic, the member for Burlington. I know that she is very disappointed, as am I, that the government chose to ignore her repeated requests to include provisions related specifically to providing housing for youth. For some reason, the government chose to refuse amendments related to providing housing for crown wards. They did this in spite of the fact that the committee heard many deputations from stakeholders identifying this as a primary concern. Yet, this government chose not to act in response to those very legitimate concerns.

0920

I would say to you that we are baffled as to why this government chose not to protect homeless youth and youth in need of better housing. We all know that a lack of housing for youth puts them at a very severe disadvantage in life. Providing affordable housing for youth in need and at risk is a very necessary, important investment. These young people already face tremendous bar-

riers. Sometimes they come from families which are dysfunctional and they have absolutely no parental support. Surely, the least we can do is to ensure that they have a decent roof over their head.

Another aspect of the bill I'd like to touch on is the McGuinty government's persistent excuse that it is the federal government that is to blame for Ontario's dismal record on housing. Stand up, folks. Take some responsibility. This government's reliance on federal dollars to fund a housing strategy must stop. The federal government has made it clear: They're not in the housing business. We, in the province, are. It's time for us to ensure that our residents in the province of Ontario have access to affordable housing. We need to deliberately make sure that we devise strategies and plans that can address these needs. So I would say, stop the blame game. We need to make sure that we don't abdicate our responsibilities to our people in this province.

As we know, the 2011 provincial budget made no funding commitments to housing. Instead, it talks about the need that the federal government remain a partner: What an abdication of responsibility. It isn't good enough. Ontarians deserve much more from this government. You need to stand up and you need to act.

Finally, I'd like to speak to the government's constant reliance on regulations. Regulations are created by bureaucrats, far from the front lines and without any ability for the public and municipalities to offer any insight, experiences or input. Specifics ought to be included directly in the bill where the public can have some input; now, they can't.

Having said all this, we are still going to support this bill because at least it moves forward in a minor way. We will support it. But as I've pointed out, we are disappointed in the bill's scope. We are disappointed in the fact that the input from the stakeholders throughout the province of Ontario has been largely ignored. We are concerned about its overly prescriptive nature. We are concerned about its lack of a housing benefit. We are concerned about its lack of youth housing, which is a real deficiency as far as we are concerned. And of course, as I pointed out, we are very concerned about its overall lack of ambition. It contains no clear goals and no clear objectives.

As a government, we should all be held accountable for providing affordable housing.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Ms. Cheri DiNovo: I'm going to be doing my lead soon, but suffice it to say, here is a housing bill with not one new unit of housing, not one new dollar for housing and, in fact, a 10% reduction in housing, which makes Ontario the worst in Canada for investing in per capita housing—the very worst. Worse than Alberta, worse than everywhere. And not one new rent supplement. There's nothing of housing in the housing bill.

Not only that, but this puts the McGuinty government in breach of United Nations laws. We have a letter from the rapporteur's representative here, who says that unless

the amendments that were put forward, that were asked for by the housing advocates who came and made their submissions, were made—they were “critical to ensuring compliance with Ontario’s obligations under international human rights law to fully ensure the right to adequate housing.”

You can’t get worse than that. It’s not us; it’s not the New Democratic Party. It’s the United Nations who’s calling the McGuinty government out and saying they are in non-compliance with international human rights law. That’s number one.

Number two, please remember this: the worst government in Canada—it has nothing to do with the federal government; it has to do with the McGuinty government—in terms of investment per capita in affordable housing.

This bill satisfies no one, absolutely no one. It’s a slap in the faces of over 450 housing groups that made submissions to the representatives here. It’s a disgrace. There are two small little iota items that make it impossible not to vote for it, but this is not a housing bill. As I say, it’s an insult to all of those who’ve been fighting for affordable housing across this province and around the world.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Mr. Dave Levac: I need about 60 minutes to rebut some of the things that the honourable member has been talking about. I respect the member from Kitchener–Waterloo, and she knows I do, but when she puts her partisan hat on I think we need to find the other side of the story. So let’s hear it.

The process had the amendments on the table, same as everyone else. The NDP, to their credit, gave us 49 amendments. You know how many you guys gave us? Five. And you’ve got twice the staff. So let me tell you, over the seven years of your party, how many questions did you guys ask on affordable housing? Seven. Seven questions—no, sorry. Correct the record: four. Four questions.

When you were in power, you cancelled 17,000 units. Your leader Mr. Harris said he wanted to get out of the affordable housing business. Oh, my gosh. The rooster is crowing here.

And what did the critic say? The critic said that she wanted to have a respectful partnership for municipalities. Let me read her quotes from when she was the regional chair. I can’t say this one word, Speaker, because it’s unparliamentary, but it’s not quite telling the truth to the public. “I don’t know what rationale the province is using.” “We’ve endured a huge loss of revenue in spite of the fact...” “We’ll come out of this okay...” “Without this confirmation, the question of whether the province’s promises have been”—

Mr. Ted Chudleigh: On a point of order, Mr. Speaker—

Mr. Dave Levac: Could I have the clock stopped?

The Acting Speaker (Mr. Jim Wilson): No.

Mr. Ted Chudleigh: No, you can’t.

There’s a point in our standing orders that says you can’t say indirectly what you can’t say directly, and I

think this man said something along the lines that couldn’t—

The Acting Speaker (Mr. Jim Wilson): Thank you. I would agree that the honourable member perhaps came close to saying something unparliamentary, but I’ll allow the honourable member to carry on, please.

Mr. Dave Levac: Nice trick. You just don’t like to hear what you guys did. You didn’t have history before 2003. I’d like the member to stand up and tell us about their record on affordable housing.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Mr. Ted Chudleigh: As our member from Kitchener–Waterloo pointed out, this bill could be summarized in perhaps one word: timid. Very, very timid.

You can put a lot of adjectives in front of that “timid,” because this bill, as pointed out by the member from—

Mrs. Elizabeth Witmer: Kitchener–Waterloo.

Mr. Ted Chudleigh: —Kitchener–Waterloo, just doesn’t do very much. Two little tiny points that you could vote for, but other than that this bill falls far, far short.

After seven years of preparation, it’s a little embarrassing that you’ve struggled mightily and brought forth this excuse for a bill. It’s unfortunate that the government didn’t have a little more chutzpah to bring forth something that is perhaps needed in this province as much as any other issue in this province’s needs. As was pointed out earlier, we are standing last in Canada.

Of course, that’s becoming a place where Ontario is getting used to standing. We’re the lowest producer of new jobs; we’re the lowest producer of recovery items. We stand lowest in economic activity in many different areas. It is a shame that this government, after eight years, has brought Ontario to this very sad position.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

0930

Mr. Howard Hampton: I think that anyone who works at the municipal level virtually anywhere across the province will tell you that we have a real crisis in affordable housing. We have a real crisis in affordable housing for seniors. We have a real crisis in affordable housing for people who struggle on low and modest incomes. We have a real crisis in affordable housing for people who need assisted living or supportive housing and simply do not have the income.

The travesty of this bill is that for over seven years this government has talked a good game about affordable housing, this government has talked a good game about social housing, it has talked a good game on all of these fronts, and it has continued to say, “Oh, wait. We’re studying it. We’re looking at it. We’re surveying it. We’re detailing it. Just wait; we’re really going to do something. We’re really going to address this problem.” And then out comes this bill.

What does this bill do? Just about nothing—just about nothing. After all of the rhetoric, after all of the happy talk, after all of the “Oh, we’re going to study it. We’re

going to detail it. We're going to address it," what does this bill do? Just about nothing.

You talk about a game of flim-flam perpetrated on some of the most vulnerable people in Ontario—this is it.

The Acting Speaker (Mr. Jim Wilson): The honourable member for Kitchener–Waterloo has two minutes for her response.

Mrs. Elizabeth Witmer: Thank you very much for the contributions by the members for Parkdale–High Park, Brant, Halton and Kenora–Rainy River.

I just would like to say that affordable housing is an issue that this government has talked about since they were elected in 2003. They have made promises and commitments to the people throughout the province of Ontario, and I know that, because I've had so many people make visits to my constituency office in Kitchener–Waterloo who were hanging on to hope—hope that the government actually would address the issues and provide some additional housing for the 142,000 people who were looking for accommodation. Regrettably, these 142,000 people are still going to continue to wait. They are left hoping and waiting for more housing.

You know what? This government, despite the fact that they were making so many promises, didn't respond to the front-line people, the people who know what's going on every day; the people who asked for new units, new money, rent supplements and inclusionary zoning provisions. They totally neglected the advice and the input from those individuals, and those individuals, more than anybody else, are the people that they should have listened to. They're the people in my community who know what is needed, because they interact every day with those in need. They understand the challenges and the difficulty that the people without proper housing are affected by.

Of course, personally, it's the youth housing—no addressing the issue.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Ms. Cheri DiNovo: It's certainly an honour to stand on behalf of my constituents and all of those who have been fighting for affordable housing for as long as I can remember in the province of Ontario.

I could start off, as I did in my two-minute hit, by saying that this is a government in breach of the United Nations human rights law, according to their rapporteur—that they personally intervened, that they had an observer here for the amendments and the discussion because of how bad things are in Ontario.

I could start off by talking about how this so-called housing bill doesn't have one new dollar, one new unit, one new rent supplement, any changes to the Planning Act to allow municipalities to bring in things like inclusionary zoning—none of that.

Instead, I'm going to work around to that. What I'd like to start off by doing is telling a story. It's a story of a young teenage girl who used to sleep in the park just to the north of this House, a young girl who left home, like many teenagers do, not necessarily for economic reasons

or because they've been orphaned, but because of violence in the home, because their home situation became unbearable and, in fact, the streets were somewhat safer than their home situation. We find this story over and over again amongst homeless youth, and this was certainly the case for this young girl. She slept in the park because she'd run out of couches to surf; she'd run out of families to stay with. Of course, she didn't sleep very soundly, because if you're a teenage girl sleeping in a public park, you don't sleep very soundly.

Times were different back then—this was a while back. She made her way to her family doctor, who filled out a form and managed to get her on student welfare. Student welfare, back in the day, was enough to live on, pay your rent and go to school with, and that's what she did. Student welfare allowed her to rent a basement apartment. It was enough to send her back to high school, and from high school she redirected her life and went on to university.

That's not the case anymore. Now, welfare for a single person is just over \$500 a month. You're going to hear me speak about the plight of our youth, particularly crown wards, who are released on to the streets at the age of 18 with nowhere to go, and who fight, along with the other 142,000 families waiting 10 to 12 years, for affordable housing in this province. So you can't do that anymore. You can't do that. I'm hearkening back not to some halcyon days, according to social progressives in Ontario; I'm hearkening back to the days when this province was blue generation in, almost generation out. The girl that I'm speaking about was me. I tell the story often, because it's not very far, in terms of physical distance, from that park on the north side of this building to this green leather seat in this chamber.

I'm glad I was alive and born when I was, because who knows how that story would have ended now, if that same girl had slept in the park in this generation? I can tell you the story, because we heard it from many of the submitters to the housing panel that was called to look at Bill 140. We heard from many of them, particularly from the provincial advocates for youth and children, who said that now, the vast majority of girls in the situation I was in back then are doomed to a far, far different fate than one day being elected to be a member of provincial Parliament, and all the background that one needs to get oneself here.

That's what we're talking about here; we're talking about lives. We're talking about lives resurrected—a good word to remember in this month of Easter—and lives that are defeated, and the single greatest difference is a safe place to live. That's why the United Nations takes such interest in affordable housing, not only here but around the world. That's why the United Nations took part in a provincial housing consultation. That's why the United Nations ruled this government—and will be sending a letter shortly to that effect—to be in breach of international human rights law. That's why. We have the worst record in Canada for housing. It's not about the feds for this issue. It's not about the feds. It's about what

we do here. We can't pass the buck. In this province, we actually spent less than half of the national average per capita. You know, in Saskatchewan they spent four times as much per person as they did in Ontario. This is McGuinty's actual record on housing.

I'm going to tell you that in 2003, when people elected this government, they elected them in part on a promise to build 20,000 new units. You know, eight years later, they've still only funded 15,000—eight years later—and built only half that number, barely 11,000 new units. In fact, they've built only, and provided only, about one fifth of what every housing advocate across the province has called for. And now that federal funding is probably going to be reduced, we don't have any plan in place to replace it—none.

0940

In fact, not only do we not have a plan in place—because this isn't a plan, Bill 140; this is an excuse made instead of a plan—but we are facilitating the privatization of Toronto Community Housing stock. The very few units that we have, this government is walking in lock-step with Rob Ford and the city of Toronto and other mayors who want to privatize, to facilitate the privatization of existing affordable housing stock.

What we have is an upcoming disaster, as if we don't already live in one. Remember the national disaster? We still live in that. We have the highest housing costs in Canada. Against the backdrop of inaction, we also have the worst possible situation. Do you know that over 50% of our renters pay over 50% of their income on rent? Where is that going to lead to?

Let's hearken back to that young girl in the park. Let's hearken back to her days, when she grew up in the province of Ontario. In those days—I know there are some here watching who are at least my age, if not a few years older—on one salary, you could afford to buy a house and a car and, if you were one of the lucky few, a cottage as well. Now let's compare that reality to our children's reality, and you know I'm speaking the truth, those who are listening and watching at home. On two salaries you're lucky, in the city of Toronto, to be able to afford—not a house—maybe a condo, and maybe make payments on a car. Only the very wealthy can afford a second home. That's the reality. That's how far we've actually fallen in terms of home ownership over two generations.

In fact, for the first time, all of those immigrants who came here to see their children do better than they do will watch their children do worse than they do. In fact, we're beginning to see a kind of reverse migration, partly because of housing. I'm not the only mother of a son who went to China to teach English. Often our children are going to other countries now to get jobs because they can't find them here. That's the backdrop of this. It's grim.

Again, don't buy my word for it; buy the word of the 450-plus groups that work in the housing field that sent their representatives here, almost all of whom called for a few basic items to be in this bill.

What's one of those basic items? First of all, that you have targets and timelines. How can you have a housing bill, how can you have any kind of bill that talks for action in any area, without targets and timelines? "We will have so many units. We will have so many rent supplements." Targets—none. Timelines—none. This isn't, I would argue, a housing bill; this is an excuse for one.

Interjections.

Ms. Cheri DiNovo: To my friends opposite who are saying, "Well then, don't vote for it," this is a classic McGuinty Liberal ploy, quite frankly.

This is what you do: You name a bill. You could just have one page. You don't need the rest of the bill; just say, "We like affordable housing." There's a bill: "We like affordable housing. Vote for it or against it." And guess what's going to happen? You vote against it, and on their campaign literature it will say, "The Progressive Conservatives and the New Democrats don't like affordable housing." Come on.

Do you really think you can live in that? Do you think the 142,000 families can live in a bill that says, "We like affordable housing"? Maybe if you got all the bills that this government has put together in the last eight years, you could actually build one unit, because there's a lot of paper that flies around this place, but you can't live in that. You can't live in it. That wouldn't provide housing for that girl in the park. It wouldn't provide housing for anybody. This bill will not provide housing for anyone. That's the simple reality of this bill.

Let's go through what some of those who made presentations had to say. You are going to hear, Mr. Speaker and those listening at home, a litany of every advocate who works with the impoverished and the marginalized. You will hear from every organization who puts some hope in the 25-in-5 so-called plan. Again, that was a bill that said, "We don't like poverty." That was that bill, and you can't feed yourself on that.

So now, as we're on our way to increasing the level of child poverty 25% in five years, we have these who came to submit on this so-called housing bill. We had Campaign 2000. Everybody knows Campaign 2000. I certainly know Jacquie Maund. She lives in my riding. She's an incredible woman who has worked really hard, as has her organization. What were the demands they made? Five, and you will hear these five demands made over and over and over again.

First of all, prevent the privatization and the sell-off of social housing. As our committee was meeting, 47 properties of affordable housing were on the chopping block in the city of Toronto. And by the way, if you think that this has to do with the recession, let me point out that there have been other recessions. This isn't the first, and it probably will not be the last. Yet this is the worst performance of any provincial government in Canada: half of the investment per capita of the average; a quarter of what Saskatchewan put into per capita affordable housing.

But let's compare us with, let's say, a progressive administration; for example, the country of Sweden, nine

million people. We have 13 million in Ontario. In Sweden, they had what they called a “million-home plan.” For every year, they built—built—100,000 new units. That’s where they preferred to put their stimulus money: into building homes. Guess what? Building homes produces jobs right across the sector. It stimulated their economy during a recession. That’s when they started building.

What has this government done in response to recession? They’ve given billions to corporations, which no lesser authority than StatsCan has shown is the worst possible way to produce jobs, the worst possible way to stimulate an economy. In fact, StatsCan shows that—where does that money end up? You give tax breaks to corporations—and by the way, we should be ashamed of this—and we now have the lowest corporate tax rate in North America and one of the worst homelessness issues. Hey, maybe the two are related.

That’s the worst possible way of producing jobs, and in fact, it does not stimulate the economy. StatsCan has shown that. What has happened is that these companies simply invest the money again. They basically put the money in their pocket. Cash reserves have gone through the roof. Banks and insurance companies are making huge profits, and more and more people are waiting on housing lists.

So, prevent the privatization and the sell-off of social housing, says Campaign 2000.

Two: Restrict punitive rent-geared-to-income rules. Remember Al Gosling? Remember the death of that poor old man? This bill is not going to prevent any more deaths like Al Gosling’s. In fact, there’ll be fewer units, so you can bet, with the privatization that’s under way in cities like Toronto, there will be more death—no doubt.

Three: Improve fairness for tenants. Well, boy, nothing much in this bill for tenants, I’ll tell you. Second units—you know, what we used to call “granny flats.” That’s in here. That is a minor, minor step forward when we need a major step forward.

I was out travelling with Mary Wiens, the CBC host in my riding, looking at some of the privately held so-called affordable housing stock. I can tell you we went into one apartment where a lady was celebrating I think it was her 92nd birthday. She had been living in the apartment for 30 years, and for 15 of those 30 years she had complained of a leaky roof. She lived on the top floor of an eight-storey building. The roof was leaking, and she was putting a bucket there—a 90-year-old woman—to collect the water.

Well, what did her landlord do? We took pictures, because Mary Wiens couldn’t believe it. They built an indoor eavestrough. They didn’t repair the roof; they built an eavestrough, indoors, going into a bucket. That was their answer, and she has lived that way for 15 years.

0950

What do we need to protect tenants? Well, I can tell you we need some legislation—we in the New Democratic Party put forward landlord licensing—where landlords like that would have to comply with building codes.

There’s nothing like that now. Bad landlords ignore building codes; I see it all the time.

If any member here would like to go and visit this lady, I’m happy to accommodate. You will see that this particular landlord has been doing this for 15 years—and still collecting rent, I must say. And, by the way, their capital investment, the building, has gone up hugely in value in that 15 years. Unlike most small business that invests in capital and the capital goes down, housing tends not to in the province of Ontario. So there we have it.

By the way, finally, introduce inclusionary housing. Inclusionary housing, if we recall, was my bill. I put it before this House. Everybody voted for it. It was passed. And guess what? There it died. I hoped that the very least that would come out in Bill 140 would be an amendment to the Planning Act; that’s all that our bill called for. It didn’t even ask municipalities to bring in inclusionary zoning. It wasn’t prescriptive; it simply allowed them the possibility of bringing in inclusionary zoning, if they so chose. Hazel McCallion liked it. People liked it.

Across the province of Ontario, municipalities would like more control over their housing stock. Whether it’s density bonusing or inclusionary zoning, they know that right now, under the rules in Ontario, a developer could appeal that, go to the OMB and get it thrown out. That’s why we don’t have inclusionary zoning in Ontario. It’s all through the States, it’s in Vancouver, but it’s not here.

What is inclusionary zoning? It doesn’t cost a tax dime; all it is is allowing the municipalities to say, “From now on”—here’s an example of inclusionary zoning legislation—“every development over 50 units needs to set aside 10% to be affordable.” Do you know that, at that most conservative number, we calculated that if the city of Toronto and all municipalities had inclusionary zoning laws in place at the 10% rate, we would have 13,000 new units of affordable housing every single year?

Now, that isn’t the whole solution, but it goes a long way to those 142,000 families waiting. It certainly would speed up the process, and it’s good for developers and tenants alike. Why? Because in the down market, it allows developers to unload their less-desirable units or, if the city allows them to build another floor, it doesn’t cost them anything and we get affordable housing out of it, and it doesn’t cost us anything.

This is such a simple step, and even this step this government was unwilling to take. You ask for a mile, you get—I’m used to pushing the elephant uphill in this place, but here, my goodness, most of the housing advocates settled for asking for maybe a few yards, and instead they got a centimetre—a centimetre—in this bill.

Let’s move on; let’s hear from some of the others who made submissions. This is kind of a classic. From ACTO, we got email after email stating again and again the five key demands that you just heard me outline:

“(1) Prevent the privatization and sell-off of social housing.” That’s not asking a lot. That’s not asking for the 10,000 new builds that some of them ask for; that’s just saying “let’s not get rid of what we have.

“(2) Restrict punitive rent-geared-to-income rules.” Again, let’s prevent some deaths here; that’s not happening here.

“(3) Improve fairness for tenants.” Nothing in the bill for that.

“(4) Introduce inclusionary” zoning or “housing.” Didn’t happen—or, as I said, all my bill would do is allow municipalities to have that option. It’s not even prescriptive. They wouldn’t even do that.

“(5) Social housing providers need a fair appeals process.” With the disaster that has become not-for-profit housing and the response from the Ford government to it, that’s the least one could ask for. That’s not what Ontarians got.

The Wellesley Institute, which is perhaps the foremost authority on housing, again reiterates, as did everyone, what they asked for.

Recommendation 1: Amend the Planning Act to ensure municipalities have the power “to enact locally appropriate inclusionary housing plans.” For a government that’s frightened of spending a dime, inclusionary zoning, inclusionary housing or allowing municipalities the ability to do that is a no-tax, no-cost alternative. No, couldn’t do that in this bill.

Recommendation 2: Amend Bill 140 to require the provincial government to create a comprehensive, made-in-Ontario affordable housing plan. In other words, what the Wellesley Institute and what they all asked for, quite frankly, and were all ignored on, was, let’s have a housing plan. After all those thousands of hours of deputations—by the way, I should correct myself on that; according to the member from Welland, it’s not “deputations”—the thousands of hours of submissions that were made by housing groups, a plan was one of the first priorities. A housing bill, you would think, would have a plan for housing in it. No, didn’t get it; they said no to that and no to all the amendments. As you heard, some 49 amendments were voted down.

Housing as a human right: Again, I come back to the United Nations and the fact that this government is in breach of international human rights law and has caught the eye of the United Nations special rapporteur, who actually is going to be writing a letter to this government, actually had a representative here claiming—not claiming; pointing out quite clearly—that without these amendments, this government is in breach of international human rights law.

One would think that would be a shameful thing. One would think that a government would be ashamed to have caught the eye of the United Nations. A provincial government, my goodness: The United Nations have lots of other things on their plate other than focusing in on the government of Ontario and housing, but they did. They did, because it’s so egregious. That should be shameful.

Again, these are very simple demands. Targets and timelines—any plan. I don’t care in what field, in what endeavour: Targets and timelines are necessary.

Oh, here we have the submission from the Registered Nurses’ Association of Ontario. You already know what

they’re going to ask for, don’t you, Mr. Speaker? You already know because it’s the same thing that every other group asked for.

Here we have health care professionals asking for the same things:

“(1) Immediately enshrine the human right to adequate housing in federal and provincial legislation.” Do you know why this government is not going to do that? Do you know why it will not pass such a law, even though it doesn’t cost a dime? It’s that they know that the next thing—I mean, they’re already going to get class action lawsuits; there’s no doubt about that—people will do, those 142,000 families who are waiting, is say, “Hey, it’s my United Nations-given right to housing. Where is it?” And this government is going to say, “Sorry, too bad. We don’t have it, and we’re not planning on providing it.”

Interjections.

Ms. Cheri DiNovo: Don’t argue with me. The members across are—the member from London—Fanshawe should be very concerned about affordable housing in his riding, by the way. He’s arguing with the nurses’ association of Ontario and their recommendations. I would say, take it up with Doris, give her a call, because these are their recommendations—not hers; the entire nursing organization.

You remember that each of these folks who came to submit represents hundreds, if not thousands, of members. Do you know how many people were actually sitting at that table making these amendments? Thousands and thousands of Ontarians, all saying the same things, all being repulsed by this government.

“(2) Immediately implement the recommendation of the Ontario Human Rights Commission to address discrimination in rental housing,” said the RNAO. There’s none of that. In fact, we had two submitters, who I’ll raise right now, who particularly moved me. One was a provincial advocate for youth who talked about the plight of crown wards. Crown wards are literally sent from their foster homes at the age of 18. Where are they? The door is opened, they are sent out. Where do they go? On to the affordable housing waiting list. There is no priority given to an 18-year-old. That girl in the park wouldn’t have had any priority under this government. She would have waited 10 to 12 years—that’s the average—for an affordable housing unit. An 18-year-old needs schooling, needs direction, needs supervision; they’re out of luck. So the provincial advocate didn’t get what they wanted for crown wards.

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At the other end of life, seniors’ groups came here and made their submissions—seniors’ groups. Can you imagine being a senior and living in poverty—and many of them are—using food banks? Imagine being told to wait 10 to 12 years for affordable housing. Give me a break. They don’t have 10 to 12 years. So an African seniors’ organization came—it was very moving—and said to the committee, “Our members don’t have 10 to 12 years left, and they need affordable housing yesterday.”

Where are we giving seniors affordable housing now? I was just at a hospital to visit a friend of mine, and, boy,

I saw a number of seniors there, waiting in beds in hospital wards, waiting to be transferred somewhere. How much does it cost? This is absurd.

Talking about the costs, by the way, before I go into all the other RAO recommendations, do you know that it costs more to keep somebody homeless than to house them? This is the worst kind of false economy. My goodness, Americans have done studies. In New York City, it costs about \$55,000 a year to keep someone homeless. Why? They visit emergency wards; they take up beds in hospital; they take up beds in jails; they interact with the justice system; they use shelters, which are expensive housing. Shelters are expensive housing. This is the ridiculous move of this government: paying more money to keep people homeless. In fact, Mr. Gerretsen, when he was the housing minister, admitted as much—it's in Hansard—because when he came forward to government agencies and we brought forward this statistic, he said, "I know." It costs more to keep somebody homeless. It's ridiculous. They know this is the case. In Vancouver, it was \$45,000 a year in the study there to keep somebody homeless. This is absurd, but this is this government's plan of attack.

"(3) Introduce"—of course—"inclusionary housing by amending the Planning Act..." Guess what? Yet again, inclusionary housing.

"(4) Introduce and fund in the upcoming budget a universal housing benefit for all low-income Ontarians..." It's on the order paper; I put it there. That's what was asked for. That's been asked for by every housing advocate. Just think: If you're on Ontario disabilities and you're earning around \$1,000 a month—and remember, the reason you're on Ontario disabilities is because you cannot work. You cannot work. You have a disability. You get only about \$1,000 a month. Imagine trying to live in the city of Toronto on that and paying rent. I would challenge any of my Liberal friends across the aisle to try to live in the province of Ontario, while disabled, on \$1,000 a month and pay market rent. Good luck. So Daily Bread and every anti-poverty activist across the province has called for a housing benefit. Is there a housing benefit? Absolutely not. There is no housing benefit. So, to Daily Bread and to all those anti-poverty activists across Ontario, this government has said, "No." It said no to you. Eight years later—it's had eight years—they've said no. So you know that this government is not the friend of the anti-poverty activists and it's not the friend of the housing activists.

Again, with the nurses' recommendations: "Invest, in the upcoming budget, in a minimum of 10,000 affordable housing units each and every year for the next 10 years. To ensure that housing is accessible"—I'm lucky in my riding. We have some supportive housing that went in. Boy, it took about 10 years to get it—Edmond Yu housing. Here's a shout-out to all of the incredible social workers and others—to Victor Willis and all the people at PARC—who finally got some units of affordable housing done.

It took about 10 years. That's how much time it usually takes. Don't tell me that can't be streamlined. Don't

tell me there isn't a better way of providing affordable housing in burnt-out buildings, in appropriated buildings, on provincial land that's sitting idle. It shouldn't take 10 years, but it did.

A minimum of 10,000 affordable units: You've heard me say that it's a great way of jump-starting the economy too, for all the building trades and for everybody else. Put money into infrastructure development. Put it into housing. It will create jobs.

My example of the Swedish government, with their 100,000 units a year, which they did build: There is virtually no homelessness in Sweden. Guess what? Their economy is doing better than ours. Guess what? That's the land of IKEA, Sony Ericsson. It's the land of Volvo. It's the land of all of these multinational companies. They're not hurting; they're doing okay, and their people are housed. Guess what? It's free to go to university there too. Why? Because they didn't choose to put billions into corporate tax giveaways. They preferred to put the billions into infrastructure development, because they know it creates jobs.

Hey, this is history. This is New Deal stuff. This isn't new. StatsCan just said what every other economist or historian will tell you: that giving money away to corporations, the trickle-down economic theory, doesn't trickle down. It doesn't work. But putting money in at the bottom and hoping it generates jobs like housing works time and time again.

"Fund in the upcoming budget a program for regular maintenance and repair of new and existing affordable housing." Not only was this not there—remember, not one new dollar—but in fact what's going to happen because of this bill is that you're going to see increasing privatization. As I said, 47 properties are now on the auction block—affordable housing. These are units we will never get back; once they go private, we're never going to see them again. That's it. That's happening as we speak, and this bill does nothing to stop that. In fact, this bill paves the way for more of it.

Another example of an ask here: "Introduce a fair, transparent and independent appeals process for housing providers. Under the existing legislation, non-profit organizations and co-ops have not had the ability to seek an independent review" of municipal service managers' actions. Again, an ask here with, you know, a kind of measly reply in Bill 140. But truly, service managers and municipalities have far more of a say than they should about existing housing stock. That has also come across in a great many recommendations.

The Centre for Equality Rights in Accommodation: It becomes redundant, but they asked for something for rights of persons with disabilities; so did the UN, by the way. There's nothing here, no housing credit for those on disability and no recognition that those on disability might actually need housing, particular kinds of housing, so good luck to them. I really wish good luck to them.

It's frightening that the use of food banks has gone up. For all the crowing that the McGuinty Liberals do about the Harris-Eves government, the actual reality is that

there are more poor people now than there were then. There are more homeless now than there were then. There are more on the housing lists now than there were then, under so-called Liberal rule—majority Liberal rule. That's the reality.

That girl who slept in a park—that was under a Tory government. Saskatchewan and Alberta are doing better than we are. For all the fearmongering that happens from across the aisle, one would have to ask, where's the actual policy? Where is a step to making anything better? It's not here. It's not in Bill 140.

Where else? Ontario health centres: Again, we know that safe, affordable housing is a key determinant of health. That is why health professionals, including the RNAO, stepped forward, made their submissions, called on the government to act, and sadly, the government did not act. It said no. It did act, really, I should say: It said no. It said, "No, we don't care what you say." The Association of Ontario Health Centres: What have they asked for? Let's see. Any surprises here? No. Hey, annual funding to build 10,000 affordable homes per year and on-going maintenance; prevent the privatization and sell-off of social housing; restrict punitive rent-geared-to-income rules, the ones that resulted in the death of Al Gosling; improve fairness for tenants; introduce inclusionary housing. Again, the same five asks over and over and over again.

Golden Horseshoe Co-operative Housing Federation: same asks.

Advocacy Centre for Tenants Ontario and Housing Network of Ontario, representing thousands and thousands of people across the province: What do you think they asked for? Inclusionary housing, improved fairness for tenants, restrict punitive rent-geared-to-income, prevent the privatization and sell-off.

You know, again, the government's answer to all those thousands of tenants across Ontario: The answer is no. The answer is, "No, we do not accept your demands. We won't do what you ask."

Here is an interesting paragraph. This particularly sad submission is from the Office of the Provincial Advocate for Children and Youth for Ontario—because there were youth there. As I described that girl sleeping in the park, well, guess what? We have youth sleeping in our parks now, a lot more of them, a whole lot more of them; in fact, thousands more of them than in my day.

1010

Here's what they wrote in their submission:

"At 18, a youth is no longer considered a child in need of care and the youth is expected to live independently. Typically, youth who are living in foster homes, group homes, and transitional housing program (through CAS) must leave the home they are living in when they turn 18 because the funding agreements that pay the cost of their care are completely withdrawn. Several youth in the care of CAS describe this experience as 'difficult.'" No kidding. What an understatement. Imagine being thrust out on to the street at 18 after having a history of trauma.

"Young people who have experienced this sudden withdrawal of support are adamant that 'no child should

be forced to live on their own until they are ready; no one cares whether we are ready.' For many children and youth leaving care, this is a continuation of a loss of control that began with the circumstances that caused them to enter care."

I only have a few minutes left, and I want to take some of them to tell the story of another youth. After being ordained and being in the United Church, we had a truck in our parking lot that we woke up to one morning, and in the truck were a man and his daughter, and that's where they lived. They said they could not afford to live anywhere else. This little girl went to school every day, and every night she went home to the truck.

We, as church members, stepped up and we helped in any way we could. We tried to find housing. We did not succeed; there wasn't any. One day, we woke up and the truck moved away from the parking lot of the church. We don't know what happened to that little girl and her father, and interestingly enough, not one of her teachers knew what her living circumstances were, either. On the face of it, a normal dad who got up in the morning, put on a suit, went out and looked for work; on the face of it, a perfectly normal little girl, dressed like every other kid, who took a lunch, went to school and came back. They lived in a truck.

How many children right now are living in poverty? Well, I know the answer; it's a rhetorical question: one in six in the province of Ontario. How many of those one in six are actually living in circumstances like that? We don't know, but we know there are many.

This is who we're talking about, because behind the outrageous statistics, behind the startling, galling apathy of this government across the aisle, behind all of the submissions for all of the housing advocates and anti-poverty advocates are these stories. They're the stories of real children and real people. It's my story; it's a story of someone you know or a story of someone they knew. These are real people. You can give them a hand up or you can turn your back on them.

Quite frankly, not just me, but every submitter to this committee was told no and the United Nations was told no. This government, the McGuinty Liberals, has turned their back on them. There's not a way out under Bill 140 and under this administration. In fact, the hole gets deeper. In fact, the crisis is worse and worse every year that this government has been sitting in those seats. The situation grows worse, and that's the reality.

Again, it's not me. It's the United Nations special rapporteur who says this government's in breach.

Interjection.

Ms. Cheri DiNovo: The member from Brant thinks this is funny. He's laughing. The member from Brant thinks this is funny. I'm outraged. He thinks it's funny that one in six children live in poverty; that homelessness is going up in his riding, too.

Mr. Dave Levac: No, I think you are.

Ms. Cheri DiNovo: The member from Brant thinks I'm funny. Well, I'll leave that up to the voters at home and to the people who are watching, if they think this is a

funny story. The member from Brant thinks this is a funny story, talking about a little girl who lives in a truck, talking about a kid who slept in a park, talking about the provincial advocate, who talks about the situation of crown wards or seniors, or the special rapporteur from the United Nations, who wrote a letter saying if you do not pass these amendments you will be in breach of international human rights law.

Mr. Dave Levac: Get off the pulpit. You are.

Ms. Cheri DiNovo: He can insult me all he wants. I'm used to it; I've taken it. And women do, all the time, especially in this place. That's another issue. But you know, certainly the cat—

Interjections.

The Acting Speaker (Mr. Jim Wilson): Stop the clock, please. Order. I'd just ask the honourable members to settle down, please, and stop the personal insults.

The honourable member for Parkdale–High Park has the floor.

Ms. Cheri DiNovo: Homeless youth are used to being ignored. We see them on the streets all the time now in the city of Toronto. Certainly, those who are on the waiting list are being ignored, because there's no housing for them.

All that I ask of this government is that they step up to the plate and, for the first time since they've taken office, not be in breach of the United Nations human rights laws. That would be a start. I'll continue.

Third reading debate deemed adjourned.

The Acting Speaker (Mr. Jim Wilson): It being 10:15 of the clock, this House stands in recess until 10:30, at which time we will have question period.

The House recessed from 1015 to 1030.

INTRODUCTION OF VISITORS

Mr. Monte Kwinter: I'd like to introduce Rabbi Yermi Cohen and his son Mendy, who are here today.

Mr. Bruce Crozier: It's my privilege today to introduce a constituent, Barbara Dupont, who is here today in the gallery to receive a Victim Services Award. Welcome, Barb.

Hon. Leona Dombrowsky: I am delighted to introduce my guests today. They are the parents of page Grace Conroy: Kathleen Sabyan; her husband, Rick Conroy; and their children John, Ah-mei and Lily. The Conroys also operate the Wellington Times, a wonderful media outlet franchise in Prince Edward County.

Mr. Ted Chudleigh: As you know, we have an exceptional number of pages here today. I'm pleased to introduce Sydney's parents: her father, Pat O'Brien, who is in the members' gallery; her mother, Christine; her brother Andrew; her sister Emily; and her brother Tucker. Welcome to the Ontario Legislature.

Mr. Peter Tabuns: It's my pleasure to introduce students from the journalism course at Centennial College. I have Andrew Phillips, Connie Kennedy, Scott Reid, Nicholas Pescod, Braydon Keddie, Nicole Pulsin-

elli, Sanja Gavranovic, Alisa Randall, Jilan Nasher, Kris Ali-Trotman, Octavian Lacatusu, Kyle Koivisto, Jesse Mirsky, Matilda Miranda, and Melanie Schawill. I hope you enjoy it. That's all I can say.

Hon. Christopher Bentley: Today at 12 o'clock, we're giving out the Attorney General's Victim Services Awards of Distinction. A number of the recipients are in the gallery or are getting there. If I could just read out their names: Jim Vince from Chatham; Jacquie Carr; Catherine Kedziora; Barbara Dupont; Timea Nagy; Kim Gibson; Sparky J.; Julie Bechard-Fischer; Yevonne Culligan; the Sexual Assault and Violence Intervention Services of Halton, represented by Jacqueline Benn-John; the Sexual Assault Survivors' Centre of Sarnia-Lambton, represented by Michelle Batty; and the Hearing Healing Hope centre, represented by Steve Irwin. We invite all members to attend the awards.

Mrs. Julia Munro: I'd ask all members to help me welcome Sally Smith and Elaine Iannuzziello, who are here today to witness question period.

Mr. Dave Levac: As very special guests of our page Madelaine Brown, what we have is mum and dad here, Carol Lyn Brown and Dan Brown—up in the special space with a friend of mine—and grandmother and grandfather Nancy and Deane Falle, the grandparents of Madelaine. They're here to observe question period and they're excited about it.

Mr. David Caplan: I want to welcome Rabbi Yermi Cohen—he delivered shmurah matzah to members of the Legislature—and his son Mendy, who are here to watch proceedings during Queen's Park. Welcome.

Mr. Randy Hillier: I'd like to introduce a man who has spent considerable time travelling through the province, speaking of the word of government largesse and waste. He's a man with vast experience in government and really needs no introduction, since we've all seen him in the local papers: Jim Wilson, the member from Simcoe–Grey.

The Speaker (Hon. Steve Peters): I just remind the honourable members that this is an opportunity to introduce guests to the Legislature. Introducing a member is not an introduction.

Hon. James J. Bradley: Norm wouldn't do that.

Interjection: He's been away for a while.

The Speaker (Hon. Steve Peters): And as honourable members know, we don't make references to the attendance of members as well.

The member from Chatham–Kent–Essex.

Mr. Pat Hoy: From Chatham–Kent, Michelle Schryer. She works with the women's assault crisis centre.

USE OF QUESTION PERIOD

The Speaker (Hon. Steve Peters): On Thursday, April 7, 2011, the member for Welland, Mr. Kormos, raised a point of order with respect to the practice of referring questions asked of one minister to another. The member for Renfrew–Nipissing–Pembroke, Mr. Yaka-buski, also spoke to this point of order, and I have re-

ceived a written submission from the government House leader, Ms. Smith, which I note was copied to the other two House leaders.

The member for Welland made reference to standing order 37(e), which states, “A minister to whom an oral question is directed may refer the question to another minister who is responsible for the subject matter to which the question relates.” The member expressed some concern over the referral of a question on the subject of wood allocations from the Premier to the Minister of Intergovernmental Affairs and the government House leader.

The member will know that the Speaker is not in a position to determine, except in general terms, which particular program or policy falls within the sphere of responsibility for each minister. It’s the prerogative of the government to decide which minister should answer which question. The Speaker cannot compel any particular minister to answer a question or, indeed, decide for the executive council who among them is the most appropriate responder. This position has been taken on numerous occasions by successive Speakers, here and in other jurisdictions. It is further substantiated by a variety of procedural authorities.

I thank the member for Welland for bringing these concerns to the attention of the House, but I cannot find that he has raised a valid point of order.

ORAL QUESTIONS

FREEDOM OF INFORMATION

Ms. Lisa MacLeod: To the Minister of Community Safety and Correctional Services. Did you or any member of your staff direct and advise staff in your ministry to withhold the release of freedom-of-information records that the Ontario Progressive Conservative caucus requested on cable television packages in jails?

Hon. James J. Bradley: I can’t believe that we would ever contemplate doing any such thing. Freedom-of-information requests are made from various sources, including, in your case, your caucus; the NDP caucus; members of the public; and members of the media. They are processed in the normal manner, without my knowledge that you’re asking a specific question. Eventually, the answer comes from the ministry. To my knowledge, that most assuredly would not be the case.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Lisa MacLeod: Minister, this is very serious. The Ontario PC caucus submitted a freedom-of-information request on August 19 of last year. By September 27, the ministry had gathered all the records. The first sign something was up came a month later, when the ministry said it had photocopied everything, but some parts of the copies were unreadable. Our records show that ministry staff were of the opinion that records would be in our

hands no later than the end of November. They were off by five months.

Something is fishy, so I ask again: Did you or anyone in your office direct ministry officials to withhold those freedom-of-information requests?

Hon. James J. Bradley: I have a note from, I believe, the Information and Privacy Commissioner: an acknowledgment of contentious issues process from the 2004 report. It says, “It is our understanding that the Ontario government still has a process in place to give ministers” information “about the disclosure of potentially controversial records under FOI, which, on its own, is not a problem. We are pleased that, over the past year, we have not seen any evidence to show that this process is having an adverse effect on the 30-day statutory time frame for responding to FOI requests.”

There is a process that is in place. The ministry, and I think virtually all ministries in the government—as they would have had to do when you were in power—follow exactly the same process. That is why, when it was established originally under legislation, there was a process that was set in place. This process is followed by ministries of the government, as it should be.

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

1040

Ms. Lisa MacLeod: The seriousness of this nature is appalling. When November passed without the Ontario PC caucus being given the records, we called the deputy FOI coordinator in your ministry. She reconfirmed that all materials were gathered and she saw no reason why we shouldn’t receive the records by the end of January. When the deadline passed, we called her again and she said she will have the records by the end of February. At the beginning of March, she emailed to say the records were going to be “sent in a week or two,” but they never were.

It smells fishy, Minister. How can we believe that neither you nor any of your staff—political communications or otherwise—did not direct the ministry officials to withhold the FOI? Please answer that question.

Hon. James J. Bradley: There are wild allegations that keep coming from the opposition. I know you’re on a fishing trip in this particular case.

I want to say to the member that we follow the appropriate process in any of the ministries of the government, including the ministry for which I am responsible. The information is gathered in as much detail as possible.

There are rules that are set out by the Information and Privacy Commissioner. I can say that, in comparing your previous government with our government in terms of the responses, our rate of response has been 88%, which is the best ever. When your government happened to be in power and your fellow colleagues were in power, the response rate at that time was only 50%. So there’s a substantial improvement that has taken place over this period of time that must—

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

FREEDOM OF INFORMATION

Ms. Lisa MacLeod: Back to the Minister of Correctional Services. By April 1, the freedom-of-information records we requested on cable TV packages of provincial jails were 125 days overdue. The Ontario PC caucus had to call the deputy FOI coordinator of your ministry and told her that the delay constituted a “deemed refusal.” It was only when we threatened to haul you in front of the privacy commissioner that you were finally forced to release those records. Even then it took two more weeks for the ministry to send them.

Why should anyone believe that you and your staff had nothing to do with withholding these records?

Hon. James J. Bradley: First of all, I want to correct something I said before, because I think it’s important to be able to correct these. I know my friend Norm Sterling would want me to correct this. The response rate for our government is not 88%, as I said it was; in fact it’s 91.5%, compared to the 50% for the previous government, and we’re striving to move it up. Yours was 50%; ours is over 91%. I know he’d want to compare that.

I can say to the member that we make every effort to provide the information. I know that when her leader was asked in the hallway whether he would change the policy of his own government in regard to cable television, I believe his answer out there was no—

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

Ms. Lisa MacLeod: Look, even the timing of when the records were finally delivered is fishy. The records were dropped off at the PC caucus on Tuesday afternoon. Before we could even open the envelope, a member of the Queen’s Park press gallery already reported that you were claiming credit for cancelling premium cable television packages at jails. Then, you were caught scrambling, running from office to office to office with the press gallery to try to spin your yarn.

Who can believe that no one in your office, whether it was you, your political communications team or others, did not interfere with the release of those FOI records while you scrambled to cook up your latest PR stunt?

Hon. James J. Bradley: First of all, can any member of this House envision me running down the halls? You usually don’t get compliments from the opposition. I want to thank the member from Nepean for the compliment that I could run down the halls. Some of your members might be in the same category, but I assure you, I could not do that.

The information was provided in the normal fashion that it is provided. I know that your members have had some fun with it. Our members have responded to the fun that you have provoked, but I want to tell the member that we follow the normal practice that has taken place. We’re 91.5%, and you were 50%—big improvement.

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

Ms. Lisa MacLeod: Minister, I can assure you it was so memorable yesterday—that’s why we’re raising it in

the House—that you were running down the halls on the third floor of this Legislature. Listen, Minister, we would really like to believe you, but something is really fishy. We would like to see for ourselves.

Will you commit, here and now, that if we file an FOI request today, we will receive all correspondence between you or your political staff and the ministry with respect to our freedom-of-information requests for records on premium cable packages of provincial jails within 30 days, as prescribed by law?

Hon. James J. Bradley: Well, I want to say to the member that we will follow the normal practice which is followed.

But I know the member would want to compare, because she would say, “What was the record?” Before you got here, to be fair, before she got here, the PC record in FOI in 2003—and some will remember; Jim, you will remember—was: energy, 28%; citizenship and immigration, 49%; tourism, 8%; natural resources, 57%; culture, 60%; and finance, 68%. I can assure the member that we have moved overall to 91.5%.

We’re always striving to improve, and the member will know that we will follow the normal procedure, as established by the freedom-of-information commissioner.

TAXATION

Mr. Michael Prue: My question is to the Premier. In study after study after study, the evidence could not be clearer: Corporate tax cuts don’t create jobs. In just one week, three different studies of Statistics Canada data have proven conclusively that as corporate tax rates have fallen over the past decade, business investment in jobs and machinery have fallen right along with it.

My question to the Premier: When will this Premier finally admit that his tagalong with Stephen Harper’s policy of corporate tax giveaways simply does not create jobs here in Ontario?

Hon. Dalton McGuinty: To the Minister of Finance.

Hon. Dwight Duncan: I want to thank the member for the question. I was pleased to release Ontario’s economic accounts this morning that show real growth for last year: 3.8%, which is higher than Canada, higher than the United States. I also want to point out that real net exports rose 11.2% in 2010, in spite of a rising dollar. That means good news for economies all across the province. Most importantly, I want to report that we saw increased business investment in this province over the last year.

Our policies are designed to help families, designed to improve education and health care, and they’re working. It’s about a better future for our children. We’re turning the corner and working with all Ontarians. We have a brighter future for all of our children.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: The minister never said a word about jobs.

One of the studies says that as corporate tax rates fell 30% over a decade, business investment in plant and

machinery went from 7.7% of GDP to 5.5%. Another study said that the 200 largest corporations that benefited the most from tax cuts created fewer jobs than the companies with smaller tax cuts. Study number three shows that the combined federal-provincial corporate tax rate went from 50% to 29% over 25 years. Business capital spending declined notably.

When will this Premier and this finance minister admit that the corporate tax giveaway policies that he follows along with Stephen Harper simply do not create jobs?

Hon. Dwight Duncan: Net new jobs—96% of the jobs lost in the recession have been regained. Now, compare that to the United States, which I think is at 14%. Compare it to the UK and a variety of other jurisdictions. Ontario leads.

1050

The other interesting information that we put out today is that the average weekly earnings of an Ontario worker have risen by 4.4%. Over the same period, the average hourly wage of an Ontario worker has risen by 4%. These numbers are solid. They compare well to other jurisdictions.

The final point I would make: With respect to real business spending on machinery and equipment in 2010, the most recent numbers—your numbers are years out of date—11%, leading Canada—

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

Mr. Michael Prue: Given an opportunity to believe Statistics Canada or this minister, I know I would choose Statistics Canada.

Statistics Canada data proves that corporate tax cuts don't create jobs. Three out of the four federal leaders running—

Interjection.

Mr. Michael Prue: Excuse me. Four out of the five federal leaders running in this election, including Mr. Ignatieff, don't believe that corporate tax cuts create jobs. The majority of the public doesn't believe that corporate tax giveaways create jobs.

With so much evidence against this government and the waste of public money, why don't the Premier and this finance minister finally admit that his policy of corporate tax giveaways does not create jobs and is just bad economics that is spun here every day?

Hon. Dwight Duncan: Our tax plan for jobs and growth is increasing jobs. You can check Stats Canada, you can check every legitimate source that says the same thing: 96% of jobs lost in the recession are back. Real wages are up. Average hourly wages are up.

There's still more to go, because Ontarians are still looking for work, and that's why we've put in place the policies we've put in place.

I am proud that business investment has gone up some 11% in the last year.

I would remind the member of what he said just a couple of weeks ago. This is what the member for Beaches–East York said: "I mean, the tax burden has gone down on everyone, in spite of what people think.

You know, taxes have gone down, literally on all income groups."

He's right. Our plan is working. We're lowering taxes for people, for businesses, making this a better, more—

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

HYDRO RATES

Mr. Paul Miller: My question is to the Premier. Last month, Bonnie McLaughlin, a Hamilton senior who lives with her husband and who recently retired after 40 years, wrote to us saying, "I'm tired of eating cold food in the dark and not having clean clothes to wear because I can't afford to use the hydro to perform these simple daily functions."

Why won't this government help Ontarians like Bonnie and her husband and take the HST off hydro?

Hon. Dalton McGuinty: I'm not sure of the basis for this question, but I'll respond nonetheless.

The fact of the matter is that the NDP, on countless occasions, stood in this House and asked that we lower the cost of electricity by 8%. We've done it by 10%, and at some point, I would ask that they acknowledge that and accept that as good public policy.

I would also ask that they accept that the work we are doing to rebuild 80% of our electricity system over the course of the next 20 years is absolutely essential to ensure that we have all the power we need to power our schools, to light our homes, our factories and our hospitals, and power our economy.

We're doing important work on behalf of our economy, on behalf of our families. We know that there's a cost associated with this. There's no getting around that, and that's why we reduced electricity costs by 10%.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Paul Miller: More and more Ontarians are struggling to pay their hydro bills. Marlene van Droogenbroeck, also from Hamilton, writes, "Electricity far outweighs all [my] other bills. My bill has gone up at least 25% since smart meters have been around and [the] HST introduced."

Hydro rates are rising because the government is spending billions on smart meters, which don't reduce electricity use, and on expensive new nuclear plants—instead of cheaper conservation and energy efficiency.

Why does the McGuinty government care more about supporting its friends in the power industry than making hydro affordable for people like Bonnie and Marlene?

Hon. Dalton McGuinty: I say to my honourable colleague, it may be that he believes that we can actually do all this work to repair and restore vitality to our electricity system, but that's magic, and we don't have magic on this side of the House; we just have reality and a sense of responsibility.

We're going to continue investing in the system. We're trying to do it in a very smart way. In addition to expanding the capacity at Niagara Falls, for example, we're investing in renewables. We have the fastest-

growing renewables sector in all of North America. It's enabling us to shut down dirty coal-fired generation. We've shut down eight plants so far; that's like taking 2.5 million cars off our roads. We think that's important to our families. Doctors and nurses have been telling us for years now that coal-fired generation is making our people sick, so we're actually acting on that. We're introducing new clean energy, and we're creating thousands of new jobs as we build an exciting, new clean energy industry in Ontario.

The Speaker (Hon. Steve Peters): final supplementary?

Mr. Paul Miller: The McGuinty government keeps bungling the hydro policy. Today, the Toronto Star reports that a high-efficiency co-generation plant at the Toronto airport, which uses natural gas for heating and producing electricity, only runs sporadically because the OPA refuses to buy cost-effective electricity from co-generation plants. According to the article, that's because the OPA has been focused on nuclear.

When will the McGuinty government start focusing on making electricity affordable for families instead of pursuing expensive and unnecessary new nuclear plants?

Hon. Dalton McGuinty: I know that the NDP have always stood in opposition to nuclear energy, even though 50% of our electricity in Ontario comes from nuclear energy.

What surprises me is that they stand against our policy to build here in Ontario an exciting, new, renewable energy industry. We want to position ourselves so that we're not only meeting our demand here in Ontario for wind turbines and solar panels, but we want to ensure that we can meet growing American demand so that our people will be getting good jobs in a new sector.

Again, I'm confused why it is that the NDP don't stand in favour of harnessing the power of the wind and the power of the sun to create good clean energy and thousands of new jobs for our children and grandchildren at the same time. I thought they were in favour of standing up for a safe, clean, strong environment. That's exactly what our policy does: shutting down coal, building up renewables.

FREEDOM OF INFORMATION

Mr. Garfield Dunlop: To the Minister of Correctional Services: I listened to your responses to my colleague's questions earlier and, despite six chances to do so, not once did you categorically rule out interference in our FOI request by anyone in your office. You just talked about process, not your conduct in this case.

Will you agree to have a committee of the Legislature review ministerial interference in our freedom-of-information requests for records of high-definition TV premium cable packages in our provincial jails? Will you agree to that?

Hon. James J. Bradley: I know that the member would not want to go back into the history of this because I can tell you that the compliance rate of this government

is substantially higher than the previous government's. I saw a figure just a moment ago that said that even in the Ministry of Community Safety and Correctional Services, the compliance rate is far greater today than it was when—here it is; the House leader has given it to me.

In 2010, the 30-day compliance rate was 89%, and 95% overall. So you're probably asking yourself the question, what was it when the Conservative government was in power? The answer is, in 2002, it was only 78%. I know—

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

Mr. Garfield Dunlop: Well, Minister, there's something fishy about it taking over 125 days and the threat to haul you before the privacy commissioner to force you to release the records. It's simply not credible to believe ministry staff needed five extra months to figure out how to work the photocopying machine and fix the problem with the copies they initially made. You look pretty suspicious after scrambling through the halls—and we understand you did have a pair of new Reebok Pumps on when you did that—and you were being embarrassed by what the records showed you were up to.

I'd like to hear your side of the story and ask a few questions in committee. Why won't you agree to a committee review of interference in the release of the FOI records that we requested on this side of the House?

Hon. James J. Bradley: I'll tell you, the interference I was worried about was the interference in Carleton-Mississippi Mills, where the member for Lanark was trying to unseat my good friend Norm Sterling—

The Speaker (Hon. Steve Peters): I remind the honourable member, as I've reminded members within this House, that we use riding names or titles and not individuals' names.

1100

Hon. James J. Bradley: The riding was Carleton-Mississippi Mills. There is a member who has served for some 34 years in the riding of Mississippi Mills. Your colleague the member for Lanark and a cabal of extreme right-wingers deposed my good friend the member for Carleton-Mississippi Mills. So I would be very concerned about—

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

COMMITTEE SITTINGS

Mr. Gilles Bisson: My question is to the Minister of Northern Development, Mines and Forestry. Minister, you refused the request of many people in northern Ontario to allow Bill 151 to go for committee hearings in northern Ontario. Then you sent Mr. Brown, the member from Algoma, into the committee in order to make sure that we didn't travel into those northern communities. I just quote:

"So I think we need to proceed," said Mr. Brown in committee. "People have had adequate time to make their

presentations, and we're providing another opportunity on the dates we've described. So that's where we're at....

"I've said what I needed to say. We need to move on. Northerners have had ample opportunity to comment on this."

But then he goes home and he speaks to the media, in this case *Mid-North Monitor*, and he's quoted as saying, "I don't want to see consultations in the cities"—I suppose he means Toronto—"that is what I said, because that is not where the people directly affected by this legislation live," explained Brown. "I want to see the hearings go to the communities directly affected by this legislation, places like Espanola."

How do you square off those two comments?

Hon. Michael Gravelle: I think we all understand, including the member, how important this legislation is, which is why we had such an extensive consultation period—in two sections, in fact—before we introduced the legislation. Indeed, may I say, in a perfect world, we would love to travel all across the province in terms of the forestry communities.

What I want to be able to say is that we've worked very hard to bring this legislation forward. We've worked very hard with industry, with municipalities and with many other stakeholders to bring forward this legislation. We believe that this will help reinvigorate the forestry sector, and we do want to move it forward.

I am very pleased with the representation that we have had from northerners at our hearings this past week: from municipal leaders, from First Nation organizations and aboriginal leaders, and also from other organizations from the forestry sector. We've heard loud and clear. We look forward to finding a way to improve the legislation, because that's—

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

Mr. Gilles Bisson: Minister, the issue is this: The people want us to say the same thing when we're in this Legislature that we say to our people back home. In this particular case, the person in charge of the committee, Mr. Brown, is saying one thing completely different on the record in committee, opposing hearings, and on the other hand, is going back home and saying to people, "No, we need to have hearings up in Manitoulin."

My question to you is, is that what being a Liberal is, being able to walk on the fence without falling off on both sides?

Hon. Michael Gravelle: We have worked extremely hard on this legislation and brought in all members of the Legislature in terms of this process. We've also done significant consultations in northern Ontario—two different sections. The first time was before we brought forward the proposal, and then when we brought forward our modernization proposal, we went and consulted all across the north and other parts of the province as well.

The fact is, this is legislation that we feel strongly is going to help reinvigorate the forest industry to deal with situations where, in the past, there was a hoarding of wood. We want to see our forestry sector revived. We

want to see our Ontario wood put back to work. We want to see our people put back to work. That's why we moved forward on our wood supply competition.

What I can say to you is, this is an extraordinarily important piece of legislation. We're extremely grateful for the presentations that have been made by a series of northerners here in Toronto. I look forward to continuing to carry on this process of consultation in a very significant way.

ENERGY POLICIES

Mr. Bob Delaney: This question is for the Minister of the Environment. Ontarians know they have a role to play in protecting the air that we breathe by taking transit, carpooling or simply walking to where we're going. My friends and neighbours from the western Mississauga neighbourhoods of Streetsville, Meadowvale and Lisgar also want to know that their government is doing its part as well, developing policies to conserve energy and to reduce emissions.

Minister, here's what some people are asking me at meetings and on the train. With the recent announcement of the clean energy benefit and much of the focus on rebuilding Ontario's electricity system, the talk is often about electricity generation and transmission. In what way is conservation still a government priority to protect the air that we breathe?

Hon. John Wilkinson: I want to share with my friend, and I want him to tell his constituents in Streetsville, Meadowvale and Lisgar, that the air is cleaner today because of conservation. Conservation is absolutely key, because we don't have to produce the electricity in the first place. In fact, the McGuinty government's conservation efforts have saved over 1,700 megawatts of electricity. That's like taking some 500,000 homes right off the grid.

Now, we on this side of the House refuse to go back to the dark and dirty days when the previous government was burning dirty coal to make electricity, where they saw that rise by 127% and air quality go down. Today the air is cleaner in your community and right across this province because we are phasing out dirty coal-fired generation. When we get to that wonderful day, that will be the equivalent of taking some seven million cars off the roads. That is why conservation is so absolutely crucial to all that we are doing to—

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

Mr. Bob Delaney: Our province's commitment to conservation and renewable energy is to have clean air to breathe and jobs for our children.

Young people are particularly aware that Ontario is doing something bold and innovative. They don't want to go back to failed energy policies of the past. People who remember the bad old days of the 1990s do not want to see coal emissions increase, or Ontario backslide into being a net importer of energy, or to see diesel generators placed in our cities in case the power grid fails.

Wind and solar are now a small but growing part of Ontario's electricity supply mix. With some critics affirming the Conservative Party's commitment to go backwards to burning dirty coal, will Ontario really eliminate coal from our province's energy mix?

Hon. John Wilkinson: I want to assure the member that we will, and I'll tell you why: because our children are counting on us to do that. Their lungs are more important than some company's dirty profit. I say to the members opposite that we stand with the Canadian Association of Physicians for the Environment, with the Canadian Lung Association; we stand with the Ontario Medical Association, the Registered Nurses' Association of Ontario, the lung association, the asthma society, who tell us that dirty coal-fired generation results in the pollution that leads to the number one reason that our children are being admitted to emergency rooms. On this side of the House, we believe that the values that are important are that we must protect our children, and I would invite yet again the members of the opposition to join us in putting our children's health first. That is the most—

Interjection.

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

Mr. John Yakabuski: Withdraw.

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

HEALTH CARE

Mr. Steve Clark: My question is to the Premier. Ron Sapsford was paid three quarters of a million dollars out of a hospital budget last year, but you won't say for what. Ontario PCs believe the money you handed the former Deputy Minister of Health to go away after the billion-dollar eHealth boondoggle would have been better spent on front-line health care. The same amount of money you gave Sapsford would pay for over 32,500 hours of home respite in my riding of Leeds–Grenville.

How did your priorities become so out of touch that you used health care dollars for a sweetheart deal for Sapsford instead of front-line health care?

Hon. Dalton McGuinty: I appreciate the question from my honourable colleague.

I draw to his attention a statement recently made by a newly nominated candidate in their party, Mr. Gaudet. He said that the HST should be lowered from 13% to 10%. That's \$9 billion. I expect that Mr. Gaudet will be very influential in lending shape to the thinking of that party on economic matters. Nine billion dollars: I want you to just try to imagine the devastation that would cause to important public services like health care and education.

Speaker, I just don't think they have any moral authority when it comes to standing up for public health care in Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

1110

Mr. Steve Clark: It's not about your greedy HST tax grab; it's about front-line health care.

It isn't only the mystery payout to Ron Sapsford that cheats Ontario families of front-line health care. Earlier this week, we brought to your attention the fact that your local health integration networks are now all part of the million-dollar club. In my own riding, LHIN executive salaries have ballooned from half a million dollars to \$1.4 million last year. LHIN bureaucrats don't spend a minute with patients or do a single surgery. Just one year of what you paid them would have been supporting the operating budget of the Beth Donovan Hospice in North Grenville for 10 years.

What has happened to you that has caused you to become so out of touch with Ontario families who want their money for front-line health care, not—

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

Hon. Dalton McGuinty: I attended the announcement of a new MRI at the Ottawa Hospital with Dr. Keon a few days ago—that's Conservative senator Dr. Keon. This is what he said on the subject of LHINs: "As a Canadian senator, I conducted research on health systems across the globe and one thing was absolutely clear: to best serve the needs of a population, health care decisions must be made at the local level."

I am in perfect agreement with Senator Keon, and I can't understand for the life of me why the party opposite is in favour of big government—

Interjections.

The Speaker (Hon. Steve Peters): The member from Simcoe North. Member from Simcoe–Grey.

New question?

NUCLEAR SAFETY

Mr. Peter Tabuns: To the Minister of Energy: In light of the contamination of Bruce Nuclear workers last year, nuclear safety is more important than ever. Given this, can the minister explain why the Ontario Energy Board has urged Ontario Power Generation to cut radiation protection staff levels at the Pickering and Darlington nuclear plants by 28%?

Hon. Brad Duguid: In this province, we will never, ever contemplate any diminishment of safety at any time. Ontario Power Generation would never, ever contemplate doing anything that would ever jeopardize safety in our nuclear plants. There are issues that they are engaged in with the Ontario Energy Board as they do the very best they can to maintain as small of increases as they possibly can with regard to their budget. But let me assure you, never, ever would Ontario Power Generation contemplate jeopardizing safety under any circumstances.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: So I guess that's why the workers are going to court to try to get these nuclear safety people reinstated.

Ontarians expect every effort to ensure that our nuclear plants are safe. However, this government is prepared to stand by and do nothing while radiation protection staffing levels are cut at Ontario nuclear plants. The

Society of Energy Professionals who run those plants says that this cut in staffing could “undermine nuclear safety” in Ontario. Does the minister really believe that now is the time to cut nuclear safety protection in Ontario?

Hon. Brad Duguid: The issue with regard to OPG is a case of seeking clarification in terms of law. It won't impact the rate increase of 1% that they were awarded. It would remain below that. It's an issue that's in keeping with our process.

I'll quote from the OEB, because the member doesn't appear to want to believe me on this. The OEB said, in their recent report: “An important part of fairness and transparency is the ability of a party to appeal decisions of the board. The board may, upon receiving a request, review a decision or order. Decisions of the board may also be appealed to the Divisional Court on questions of law or jurisdiction.”

That is what this is, and I can once again assure the member—he's yakking right now and doesn't want to hear it—that the OPG will never, ever jeopardize safety.

STUDENT ASSISTANCE

Mr. Khalil Ramal: My question is for the Minister of Training, Colleges and Universities. While we are seeing the Ontario economy turn the corner, I'm still concerned for students in the province who need to find work during their summer break, which helps them to pay for their schooling and living expenses during the academic year.

However, there is good news for the youth in the province of Ontario. According to Statistics Canada, the unemployment rate of full-time Canadian students between the age of 15 and 24 has declined since last year to 14.4%. I know there are numerous employers in my riding of London-Fanshawe that employed a number of students last summer, including East Park Kartland/Watercoasters, the Greater London International Airport Authority, East Park Golf Gardens and the Upper Thames River Conservation Authority, to name a few.

Minister, can you tell us and tell the House what you're doing to support students this upcoming summer to support their—

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

Hon. John Milloy: I want to thank the member for the question.

I'm pleased to say that yesterday, we formally launched the Ontario summer jobs strategy for the coming summer. I was able to outline for the public the fact that, in the most recent budget, we are contributing an additional \$22.5 million towards summer jobs in the province, bringing the Ontario total to \$90 million, with the target that we want to help well over 100,000 students this summer as they gain valuable experience and earn money for their studies this fall.

Among the programs that are offered, we have the summer jobs service—it's the largest component of our strategy—which offers employers \$2 an hour to help

them employ students and bring them on to their team for the summer months—

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

Mr. Khalil Ramal: Minister, employment agency experts note that the transition between students graduating and landing a full-time job in their field is getting longer. I'm pleased to know that Ontario has recovered 91% of the jobs lost during the last recession, and nearly 84% of those jobs are full-time jobs.

But in the meantime, so many different students are finding it a difficult time to find a job in their profession, which they studied a long time for. Minister, can you tell us and tell the House what you are doing to help students to find a job in their profession and pay for their expenses, fees and tuition?

Hon. John Milloy: It's very important that we work with graduating students to help them find jobs in their chosen area, but it's also important that we work with students already in school to give them the opportunity to broaden their horizons, to be exposed to different sectors, to hone their skills and get an idea of the many opportunities that are available in the working world. That's why the summer jobs program is so important. It allows students to get a wide range of experiences and opportunities.

As I mentioned, we offer incentives to employers. We also have a very robust program within the broader public service to hire students and, through the Ministry of Economic Development and Trade, we offer opportunities for young entrepreneurs to start their own business and to receive the support they want, as well as a grant of up to \$3,000 to help them put together their summer job program and really hone their entrepreneurial skills.

SCHOOL TRANSPORTATION

Mrs. Elizabeth Witmer: My question is for the Minister of Education. The minister has ordered a change in school bus transportation procurement, and it is destroying our rural economy, as independent, family-owned businesses are being forced out of business and losing everything, including millions invested in school buses. According to the Independent School Bus Operators Association, your policy is giving multinational corporations a complete monopoly on school transportation. Minister, why are you punishing these independent bus operators for your government scandals?

Hon. Leona Dombrowsky: I want to thank the honourable member for again bringing this to the attention of myself and to the floor of this Legislature.

What I can say to the honourable member, first of all, is that she would appreciate that the Provincial Auditor has made some recommendations around how we engage services. The Provincial Auditor has indicated that the way that boards have been engaging school bus services has not been through a competitive process. So we have been working with representatives from the bussing

industry to put together a plan on how we might achieve this.

We weren't sure if we had it right, so we put together a pilot. It was piloted in southern Ontario. We are very carefully reviewing those results. There is a pilot under way in northern Ontario as well. But I want to assure the members of this assembly and the members in the province of Ontario—

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

1120

Mrs. Elizabeth Witmer: To the minister: Unfortunately, these pilots have demonstrated the devastating impact on the small, independent operator at the behest and enhancement of the multinationals. I'll give you an example: Your pilot process in Wellington county resulted in 103 of the 105 bus routes being awarded to two multinational companies at the expense of Ontario's small businesses. People like Roland Montgomery, Vaughn Richmond and Lesa McDougall have been successful for years with their family business. They're now being squeezed out by these monopolies—multinational companies.

Time is running out. I ask the minister: Will you engage, now that you have the facts, in a new round of discussions with ISBOA—

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

Hon. Leona Dombrowsky: First of all, I think that it's important that I would state that if you look at the results of the pilots, there's no question that there are some larger companies that have been successful and there have been some smaller mom-and-pop companies that have been successful. Having said that, I have already made it clear—actually, with the Premier—that we will be working with the Independent School Bus Operators and the school bus operators of Ontario to very carefully go over the results of the pilots.

We do want to ensure that the school bus systems in the province of Ontario will be able to continue the safe and quality service that families and students have enjoyed. We want to be sure that it happens in a way that the Auditor General will appreciate this is the best way to spend the almost \$1 billion that we spend in transportation services. So we have been engaged with school bus operators—

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

AFFORDABLE HOUSING

Ms. Cheri DiNovo: My question is to the Minister of Municipal Affairs and Housing. It's a very simple one: Why won't the McGuinty government recognize access to affordable housing—an international law, as declared by the UN—as a basic human right?

Hon. Rick Bartolucci: We're very, very proud of the new legislation that has been debated before the House. We're very proud that our long-term affordable housing

strategy finally puts people first. We're very, very proud that with this strategy we are giving municipalities, the service managers, the local service managers, more decision-making in order to meet the local needs of people in their communities. We think that it's not only human; we think that it's right that that decision-making be done at the local level so that we can best meet the needs of those people requiring long-term affordable housing.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Cheri DiNovo: As a former UN special rapporteur on housing, Miloon Kothari, said in his letter dated April 6, 2011, to the Minister of Municipal Affairs and Housing, under the International Covenant on Economic, Social and Cultural Rights, amendments to include targets and timelines for eliminating homelessness are, "in my view, critical to ensuring compliance with Ontario's obligations under international human rights law...." The NDP suggested these amendments and the government voted them down. Why is this government ignoring the United Nations and violating international law?

Hon. Rick Bartolucci: The reality is that this legislation has received first and second reading. There has been broad public consultation. We debated, clause by clause, the amendments that were put forward by all three parties in this House. We've come back with legislation that we are sure is very, very strong legislation, that will meet the needs of those requiring long-term affordable housing. We hope that the official opposition and the third party will support the legislation. We hope, in the future, they will not vote against funding for long-term affordable housing as they've done in the past. We believe that it's not only human to do; we believe that it's right for them to support long-term affordable housing money.

SPORTS FUNDING

Mr. Rick Johnson: My question is for the Minister of Health Promotion and Sport. Amateur athletes at the arenas, gyms and fields in my riding know that good equipment and top-notch facilities can help them score that winning goal or make the basket. Coaches are another key to athletic success but they rarely get enough credit. Ontario is currently celebrating both Coaches Week and National Volunteer Week. Athletes and parents in my riding are doing their part by reaching out to coaches to say thanks for the invaluable community service they provide.

Recognition is a simple but great way to support these selfless volunteers. Will this government also do its part to recognize coaches?

Hon. Margaret R. Best: I want to take this opportunity to thank the member from Haliburton-Kawartha Lakes-Brock for his interest in athletes and coaches. Our government is indeed pleased to be celebrating coaches this week and, in fact, all year round.

Those who ask for no recognition are often those who deserve it most. Coaches embody this selfless volunteer

spirit. Athletes receive much glory; however, coaches are the wind beneath their sails at every practice and every competition. It is our coaches to whom our athletes owe much of their success.

In late February, I attended the Ontario Coaches Conference to deliver my appreciation through awards to outstanding individuals who are nurturing our young athletes. This evening, I will honour coaches and athletes at the Ontario Sport Awards and will announce Ontario's male and female amateur coaches of the year.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Rick Johnson: I'm pleased to hear that we are recognizing our volunteer coaches—a wealth of knowledge and encouragement for our young people in Ontario. However, recognition and thanks only go so far. At some point, the government needs to say, "Not only do we value you, but here's how we are going to support your work." The minister knows that the quality of the athletes that Ontario sends to sporting events such as the Olympics is largely dependent on the quality of their coaches. Gold medals cannot be won with words of encouragement alone. Will the minister commit to financially supporting coaching in Ontario?

Hon. Margaret R. Best: I commend Ontario coaches for their dedication and commitment and for their great contribution to our province. My ministry has a long-standing funding relationship with the Coaches Association of Ontario. This support helps to deliver over 4,000 coaching workshops per year across the province.

We established the landmark Quest for Gold program in 2006, which not only supports athletes but also provides almost \$800,000 per year to support and enhance coaching programs. Our dedication to the Quest for Gold program was reaffirmed in our 2011 budget.

Our government supports our athletes and coaches, and I urge the opposition to reconsider its intention to reject this continued support for athletes and coaches. An active Ontario is a healthy and prosperous Ontario.

I want to thank the coaches for helping our government to further this very important—

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

RED TAPE REDUCTION

Mrs. Julia Munro: My question is for the Minister of Economic Development and Trade. Small businesses in Ontario are crying out for relief from the burden of regulation and taxation your government puts on them. You claim to be open for business, yet your actions contradict your words.

First you broke your promise to cut regulations by 25% over two years. Then you said in a statement that it's not the number but the quality of deregulation that matters, even as you claim that you have cut the regulatory burden by 15%.

Minister, businesses want to see the proof of fewer burdens. When will you release the full list of all the burdens you've identified and the full list of burdens you

claim you have cut, so we can know if these cuts are real?

Hon. Sandra Pupatello: Thanks so much for the question. I actually appreciate this because it gives us an opportunity to talk about all the great things we've done, in particular in our Open for Business initiative.

As I said in the House last week, we have already eliminated 700,000 burdens for small business across all of our industries—70,000. This member opposite will remember when we brought representatives in this very House from the CFIB, the Canadian Federation of Independent Business, and from the CME, Canadian manufacturers—these industry associations that represent the lion's share of small business in the House with us celebrating the elimination of 70,000 burdens across a number of ministries of our government.

We acknowledge that we have more work to do, and I look forward to your next question because I'm happy to report, time and time again—

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

Mrs. Julia Munro: A local hotel owner has told me of the burdens he faces from government red tape every day just from government inspections, most of them unannounced: building inspectors, bylaw inspectors, fire inspectors, liquor inspectors, twice-yearly food inspections, smoking bylaw inspections, occupational health and safety inspections and Electrical Safety Authority inspections.

Minister, when will my constituent see a reduction in burdens? Or will your list remain a secret?

1130

Hon. Sandra Pupatello: I have to tell the member opposite that just last week, we began our Open for Business initiative with the hotelier sector of the economy, and we brought small, medium-sized, and even large businesses that run hotels into our government to meet with us. I can guarantee the public that we will not eliminate fire inspections, we will not eliminate health and safety inspections. What we are doing is working together to find a way to do it well so that it isn't inconvenient, but rather, it makes it easier for businesses to comply with what the general public expects, and that is a safe place to go to as a consumer, a safe place for workers to be in to work.

The people who are in business also appreciate this, and that's why they're delighted to be working with us. They were here with us in the House just last week as we launched this very sector for—

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

POLITICAL CONTRIBUTIONS

Mr. Paul Miller: To the Premier: The Premier's number two, the finance minister, likes to promote Research in Motion products. He wanted to deliver the budget using a RIM PlayBook. It turns out his one-man advertising campaign cost \$150,000, paid for by RIM and the

Balsillie family to the Liberal Party. Does the Premier consider this corporate shilling appropriate?

Hon. Dalton McGuinty: To the Minister of Finance.

Hon. Dwight Duncan: I am very proud of RIM and their remarkable achievements for Ontarians. They have been creating jobs in Kitchener–Waterloo, Ottawa, Toronto and right across the province. I am very proud that they participate in our democracy and contribute to political parties, and they do so according to the law that was established by this Legislature.

The member opposite probably doesn't know this: Finance ministers traditionally get new shoes at budget time, but we don't make shoes in Canada anymore. We do, however, make BlackBerry's. We are going to make PlayBooks, and I think that member ought to be proud of the achievements of RIM and proud of the achievements of the tens of thousands of people who work in that important industry, year in and year out.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Paul Miller: Thank you, Speaker.

Interjections.

Mr. Paul Miller: Speaker, I can't—

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

Please continue.

Mr. Paul Miller: It appears the Premier and the finance minister have found post-political gigs in advertising. What other products are they prepared to hawk, and how much will the Liberal Party make in return?

The Speaker (Hon. Steve Peters): I'd just ask—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Members will please come to order. They have done so well through this question period.

Interjections.

The Speaker (Hon. Steve Peters): Order.

I just remind the honourable member that he, in both his question and in his supplementary, was coming very close to a line and crossing a line of imputing a motive. I think on the second one you did cross the line, in my opinion, and I would just ask that you withdraw your comment.

Mr. Paul Miller: I'll withdraw the comment.

The Speaker (Hon. Steve Peters): Minister?

Hon. Dwight Duncan: I am proud to promote RIM and their products, and I will continue to promote them. I am proud to promote the cars that are built in St. Catharines, in Oshawa and in Brampton, and I am proud that the member opposite and every member of his caucus owns a RIM and uses it day in and day out to promote their product. And you know what? When large public sector unions donate to their party and they advocate on behalf of them, that's quite acceptable and quite understandable.

So I say to the Balsillies, to the Mike Lazaridis of the world, keep up the good work. Keep investing in Ontario. Keep innovating. Keep paying taxes. Keep helping us build schools and jobs and education. It's about a bright future for all Ontarians, and I welcome—

Interjections.

The Speaker (Hon. Steve Peters): Order.

Interjections.

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

NOTICE OF REASONED AMENDMENT

The Speaker (Hon. Steve Peters): I beg to inform the House that pursuant to standing order 71(b), the member from Renfrew–Nipissing–Pembroke has notified the Clerk of his intention to file notice of a reasoned amendment to the motion for second reading of Bill 179, An Act to amend the Child and Family Services Act respecting adoption and the provision of care and maintenance. The order for second reading of Bill 179 may therefore not be called today.

DEFERRED VOTES

BETTER TOMORROW FOR ONTARIO ACT (BUDGET MEASURES), 2011 LOI DE 2011 SUR DES LENDEMAINS MEILLEURS POUR L'ONTARIO (MESURES BUDGÉTAIRES)

Deferred vote on the motion for second reading of Bill 173, An Act respecting 2011 Budget measures, interim appropriations and other matters / Projet de loi 173, Loi concernant les mesures budgétaires de 2011, l'affectation anticipée de crédits et d'autres questions.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1139 to 1144.

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

Ayes

Aggelonitis, Sophia	Dickson, Joe	Mitchell, Carol
Albanese, Laura	Dombrowsky, Leona	Moridi, Reza
Arthurs, Wayne	Duguid, Brad	Murray, Glen R.
Balkissoon, Bas	Duncan, Dwight	Oraziotti, David
Bartolucci, Rick	Flynn, Kevin Daniel	Phillips, Gerry
Bentley, Christopher	Gerretsen, John	Pupatello, Sandra
Berardinetti, Lorenzo	Gravelle, Michael	Ramal, Khalil
Best, Margaret	Hoskins, Eric	Rinaldi, Lou
Broten, Laurel C.	Hoy, Pat	Ruprecht, Tony
Brownell, Jim	Jaczek, Helena	Sandals, Liz
Cansfield, Donna H.	Johnson, Rick	Sergio, Mario
Caplan, David	Kular, Kuldip	Smith, Monique
Chan, Michael	Kwinter, Monte	Sousa, Charles
Chiarelli, Bob	Levac, Dave	Wilkinson, John
Colle, Mike	Mangat, Amrit	Wynne, Kathleen O.
Crozier, Bruce	McGuinty, Dalton	Zimmer, David
Delaney, Bob	Meilleur, Madeleine	
Dhillon, Vic	Milloy, John	

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

Nays

Arnott, Ted
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
Clark, Steve
DiNovo, Cheri
Dunlop, Garfield
Elliott, Christine
Gélinas, France

Hampton, Howard
Hardeman, Ernie
Hillier, Randy
Jones, Sylvia
Klees, Frank
Kormos, Peter
MacLeod, Lisa
Marchese, Rosario
Miller, Norm

Miller, Paul
Munro, Julia
Murdoch, Bill
Prue, Michael
Savoline, Joyce
Tabuns, Peter
Wilson, Jim
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller):

The ayes are 52; the nays are 27.

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

Second reading agreed to.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated April 13, 2011, the bill is ordered referred to the Standing Committee on Finance and Economic Affairs.

Interjections.

The Speaker (Hon. Steve Peters): The members will come to order. I've never heard such emotion out of a vote before.

This House stands recessed until 1 p.m.

The House recessed from 1147 to 1300.

INTRODUCTION OF VISITORS

Mr. Tony Ruprecht: I am absolutely delighted to introduce to the Legislature the consul general of the Republic of Cuba, the Honourable Jorge Soberón. He is here today to strengthen the ties between Cuba and Ontario, in terms of our economy, our culture and our commerce. Welcome to the Legislature.

The Speaker (Hon. Steve Peters): Welcome back to the Legislature, Consul General.

MEMBERS' STATEMENTS**PROGRESSIVE CONSERVATIVE PARTY**

Mr. Garfield Dunlop: Last night, Ontario PC leader Tim Hudak and the Ontario PC Party celebrated a major milestone at the Metro Toronto Convention Centre, as we hosted the largest Toronto Leader's Dinner in the party's history, raising unbelievable amounts of money—record amounts of money.

In his keynote speech, Tim Hudak spoke about the consequences to Ontario families of staying on the path that we are on today. Ontario families are struggling to make ends meet because of the HST, eco tax and skyrocketing hydro bills, and if given the chance, Dalton McGuinty will raise taxes once again. Hudak said that only an Ontario PC government will deliver a focused government, lower taxes and provide much-needed relief for Ontario families.

As of last night, the Ontario PC Party team now includes 72 hard-working candidates from across Ontario

who are running for the October 6, 2011, election. In the next election, Ontario families will have a clear choice for change between the out-of-touch McGuinty Liberals who will raise taxes again and a Tim Hudak Ontario PC government that plans to cut taxes across the board and give families and seniors the relief they need.

The size of this year's event shows there is a momentum and there is a strong desire for change in Ontario, and only Tim Hudak and the Ontario PC Party will deliver that change.

The Speaker (Hon. Steve Peters): I just remind the honourable member—I let it go, but he used a couple of names a number of times in that, and I would remind all members of the practice within this House of using riding names or titles.

ONTARIO BUDGET

Mr. Tony Ruprecht: Before I talk about the excitement of the new book tax credit that our government is going to be introducing, I'd like to speak for a few moments about the 2011 budget, which has proved that Ontario is turning the corner to a better tomorrow.

Our plan is working: The economy is improving and jobs are coming back. The 2011 budget is the next step. It contains strategic investments to help farmers, and for students we will add more than 60,000 new post-secondary spaces. It will expand breast cancer screening and improve children's mental health services.

The budget also contains—and this is very exciting for me—the Ontario book publishing tax credit. This credit is available to companies that publish and promote literary works by Canadian authors and also relates to publishing an electronic or digital version of a literary work.

Qualifying businesses will receive 30% of pre-press, printing and marketing expenses, up to a maximum of \$30,000. This credit, finally, will help to promote great Canadian authors while also encouraging Ontario businesses.

We have made these investments while also protecting education, health care and economic growth, and that's why I'm delighted to say something about this very exciting book tax credit in Ontario.

HYDRO RATES

Mr. Ernie Hardeman: I rise today because Oxford and Ontario families are frustrated. They're doing everything they can to conserve energy, and still their hydro bills continue to spiral out of control.

I have an email from one family who are looking at an increase of \$3,000 to \$5,000 a year—this from a family that has an outdoor clothesline in the summer and an indoor one in the winter. The adults are already showering before 7 a.m. to take advantage of the off-peak times. They use the fireplace to heat when they can. Premier, they want to know, "Should we wake our children at 5:30 a.m. to save money? Should we have them stay up past healthy bedtimes? Should we not heat our home? Not

clean our dishes? We are quite frustrated and at a loss as to what to do.”

I have another email from a constituent who is frustrated with the time-of-use pricing. She says, “I must vacuum during the day because my husband (who starts work before 6 a.m.) goes to bed around 9 p.m. Why should I have to pay 27% to 55% more to clean my house just because we live on a different schedule?”

Premier, it is because of people and families like these that our leader, Tim Hudak, has committed that a PC government would make—

The Speaker (Hon. Steve Peters): I’d just remind the honourable member again about the use of names.

Mr. Ernie Hardeman: —has committed that a PC government would make smart meters optional. If they work for families, they can use them. If they do not, they go back to the flat rate.

Premier, won’t you admit that is the right thing to do and stop punishing these families?

TAIBU COMMUNITY HEALTH CENTRE

Mr. Bas Balkissoon: I was pleased to attend the official opening celebration in true African style of TAIBU Community Health Centre yesterday. TAIBU CHC is a new multidisciplinary, not-for-profit, community-led health centre serving the Malvern neighbourhood in Scarborough–Rouge River.

TAIBU is a Kiswahili word used as a greeting by well-wishers that means “Be in good health.” The name captures the vision of TAIBU, which promotes healthy, vibrant and sustainable communities who create their own solutions.

TAIBU provides comprehensive primary health care, mental health support, and social services combined with health promotion programs and activities to all the residents of Malvern, with a special focus on meeting the specific needs of members of our black community. TAIBU’s vision is to become the model health centre for the greater Toronto area for the black community.

I’d like to thank the sponsor group, the Black Health Alliance, led by Dr. Chris Morgan, for their vision, commitment and dedication to this project that led to the great opening ceremony yesterday in Scarborough–Malvern.

AMBULANCE SERVICES

Mrs. Elizabeth Witmer: I rise today to share with the House a very concerning development in my riding of Kitchener–Waterloo and indeed the entire Waterloo region. For the first time ever, our residents repeatedly face critical shortages of ambulances—up to 17 times a month.

According to the Waterloo Record, “Since July, no local ambulances have been available for emergencies between six and 17 times a month, and the duration of these ‘code reds’ has been between 14 and 26 minutes.”

This problem is not caused by a lack of ambulances or a shortage in paramedics, but by this government’s complete failure in addressing Ontario’s need for more long-term-care beds and community support for patients. As a result, paramedics are now spending their entire shifts waiting with patients in hospital parking lots because there are no beds available inside, where sometimes about 15% of the beds are occupied by patients who have no community support or long-term-care bed to go to.

This government claims to have made progress in health care, but I ask the government: How, then, is it possible that the residents of Waterloo region are spending up to eight hours in the back of an ambulance because there are no beds available? According to John Prno, Waterloo region’s emergency services director, the problem stems directly from a stressed health care—

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

STUDENT ASSISTANCE

Mr. Wayne Arthurs: After the worst recession since the Great Depression, Ontario is turning the corner and our province is emerging as a global economic leader. But the McGuinty government recognizes that in an ever more competitive world market, it’s the quality of our workforce that will really make the difference.

In the past seven years, we’ve made many important investments in training and education, and sometimes the best education comes with on-the-job experience. That’s why I was so pleased yesterday to see our government announce that we will help more than 100,000 Ontario students get summer jobs. We’ve committed an additional \$22.5 million, which will provide students with job search and self-marketing services, provide eligible employers with a \$2-per-hour incentive to hire summer students, and provide opportunities for young people to work in the Ontario public service.

The Ontario Rangers program places 17-year-olds in this province’s magnificent wilderness to improve our parks and monitor at-risk species.

We have programs to help students start their own summer business, to provide First Nations and law students with work placements, and to provide employment to disadvantaged young Ontarians.

This government’s investments will help students explore the workplace and their talents, improving their skills and earning money to continue their studies.

By helping young people find summer work, the McGuinty government is helping Ontario families today and, more importantly, building a better future and a better Ontario.

1310

POST-SECONDARY EDUCATION

Mr. Monte Kwinter: I’m proud to rise and talk about the McGuinty government’s strong commitment to post-secondary education in the province. This year’s budget

will create tens of thousands of new spaces in colleges and universities across Ontario, so that there will be room for every qualified Ontario student to attend a post-secondary institution. With the new commitment, the McGuinty government will raise the number of Ontario students attending post-secondary institutions to 70%. Since we took office in 2003, 200,000 more students are learning in Ontario's colleges and universities. Our province's post-secondary attainment rate rose from 56% to 64%, higher than in any other OECD country.

Our government recognizes that education will be the key factor that determines which economies thrive in the highly-competitive post-recession world, and that to build a skilled workforce we have to ensure post-secondary education is available to all Ontarians. As Ontario's economy turns the corner, this kind of strategic investment is necessary to position Ontario as a global economic leader.

Together, we're building a stronger future for a stronger Ontario as our province turns the corner in its economic recovery. Together, we're helping families build a better future for their children.

HORIZON PLASTICS

Mr. Lou Rinaldi: Ontario's economy is turning the corner. The strong economic leadership of the McGuinty government has delivered real results to real Ontario families. Some 93% of the jobs lost during the recession have been recovered and Ontario businesses are growing.

Our government is helping companies like Horizon Plastics International, which produces advanced plastic products and transforms their good ideas into great jobs. This means up to 350 new jobs in Cobourg. Horizon Plastics, which develops and manufactures custom plastic products for industrial, environmental and consumer sectors around the world, is on the cutting edge in manufacturing. We are helping them commercialize new technologies to produce plastic using half the amount of raw material. This procedure uses less energy, less oil, gas, and water, while also creating less waste. The plastic produced is strong enough to be used in boats and RVs in place of plywood.

Cutting-edge companies like this attract jobs and investment in Ontario, allowing our province to move forward and compete in an increasingly competitive global economy. Supporting made-in-Ontario technologies like Horizon Plastics is part of our government's plan to create and support 10,000 new and exciting jobs for families and strengthen local economies. With investments like these, our government is committing to build a stronger future for a stronger Ontario.

HAMID GHASSEMI-SHALL

Mr. Michael Prue: On the evening of the 12th of April, a couple of days ago, I attended a meeting of Amnesty International at St. John's Norway Church. The community had gathered there to support Hamid

Ghassemi-Shall. He's a Canadian citizen and a resident of Beaches-East York. He has been detained in the notorious Evin prison in Tehran since May 2008. Prior to going to Iran to visit his elderly mother, he lived, as I said, in Beaches-East York with his wife Antonella. He is a Canadian citizen who is being held in solitary confinement for the past 18 months. He was seized by the Iranian authorities, along with his brother, who has died in prison in mysterious circumstances. He had a mock trial. He was convicted of espionage and has been sentenced to death. The evidence against him was an email which has now been proven to be false and fabricated.

Antonella, his wife, spoke with great courage and sadness. She and Amnesty International are asking for support. There is a website: freehamid.org. They're asking people to go to it, to get the information on what to do, and to contact federal MPs and others who may be able to put pressure on the Iranian government to free an innocent man.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Bas Balkissoon: I beg leave to present a Report on Statutes that Provide for Future Assembly Reviews from the Standing Committee on the Legislative Assembly and move the adoption of its recommendations.

The Speaker (Hon. Steve Peters): Does the member wish to make a brief statement?

Mr. Bas Balkissoon: I just have to say that the committee has done a complete review of other jurisdictions, and the report speaks for itself, so I move adoption of the report.

The Speaker (Hon. Steve Peters): Mr. Balkissoon has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

Debate adjourned.

PETITIONS

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have this petition from the people of Sudbury:

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

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

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury

Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

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

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

ONTARIO SOCIETY
FOR THE PREVENTION
OF CRUELTY TO ANIMALS

Mr. Frank Klees: “Petition to the Parliament of Ontario:

“Whereas the Ontario Society for the Prevention of Cruelty to Animals recently and unilaterally announced that it would euthanize all animals in its care at its Newmarket shelter, citing a ringworm outbreak as justification;

“Whereas the euthanasia plan was stopped in the face of repeated calls for a stay in the Legislature and by the public, but not until 99 animals had been killed;

“Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA;

“Therefore we, the undersigned, petition the Parliament of Ontario to immediately implement the resolution tabled at Queen’s Park ... on June 1, 2010, which reads as follows:

““That, in the opinion of this House, the Ontario Legislature call on the government of Ontario to review the powers and authority granted to the OSPCA under the OSPCA Act and to make the necessary legislative changes to bring those powers under the authority of the Minister of Community Safety and Correctional Services to ensure that there is a clearly defined and effective provincial oversight of all animal shelter services in the province, and to separate the inspection and enforcement powers of the OSPCA from its functions as a charity providing animal shelter services.””

As that particular private member’s bill was put forward by me, I’m pleased to endorse this and add my signature. I present it to Riley.

1320

SERVICES EN FRANÇAIS

M^{me} France Gélinas: « 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;

Ils demandent à l’Assemblée 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 vais demander à Logan de l’amener à la table des greffiers.

MATTHEWS HOUSE HOSPICE

Mr. Jim Wilson: A petition to address funding inequity for Matthews House Hospice:

“To the Legislative Assembly of Ontario:

“Whereas the number of clients served by Matthews House has doubled in less than three years, while funding provided by the Ministry of Health and Long-Term Care through the Central LHIN remains substantially unchanged; and

“Whereas Matthews House is the lowest-funded hospice in the Central LHIN and among the lowest-funded in the province, serving as many clients or more than others receiving substantially more money; and

“Whereas in February 2010, Matthews House was promised a short-term and a long-term solution to its underfunding by the Central LHIN and that the long-term solution has not materialized; and

“Whereas, in January, Matthews House was told by the Central LHIN that any adjustment would have to come from the ministry, while two months later the ministry informed Matthews House that it would have to work with the Central LHIN to solve its funding issues;

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

“That Premier McGuinty instruct the Minister of Health and Long-Term Care to appoint someone with authority to meet with the board representatives of Matthews House Hospice to sort out how they can get a just resolution for the people of south Simcoe needing hospice care, a resolution that ensures that their promise of a long-term solution is kept, giving them base funding equal to that of other hospices in Central LHIN.”

I agree with this petition and I will sign it.

CHILD CUSTODY

Mr. Bob Delaney: It’s a pleasure to stand and read this petition that has been given to me by my seatmate, the hard-working member for Niagara Falls. It’s addressed to the Legislative Assembly of Ontario and reads as follows:

“We, the people of Ontario, deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents, as requested in Bill 33, put forward by MPP Kim Craitor.

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents”—and there are a number of other, very technical amendments.

It concludes:

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents.”

It contains the signatures of a number of individuals from Tilbury, Chatham, Blenheim and Stoney Point. I’m pleased to affix my signature and give this to page Cherechi to carry.

RURAL SCHOOLS

Mr. Jim Wilson: A petition to save Duntroon Central Public School and all of the rural schools in Clearview township:

“Whereas Duntroon Central Public School is an important part of Clearview township and the surrounding area; and

“Whereas Duntroon Central Public School is widely recognized for its high educational standards and intimate learning experience; and

“Whereas the frameworks of rural schools are different from urban schools and therefore deserve to be governed by a separate rural school policy; and

“Whereas Dalton McGuinty promised during the 2007 election that he would keep rural schools open when he declared that, ‘Rural schools help keep communities strong, which is why we’re not only committed to keeping them open—but strengthening them’; and

“Whereas Dalton McGuinty found \$12 million to keep school swimming pools open in Toronto but hasn’t found any money to keep rural schools open in Simcoe–Grey;

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

“That Premier Dalton McGuinty and the Minister of Education support the citizens of Clearview township and suspend the Simcoe County District School Board ARC 2010:01 until the province develops a rural school policy that recognizes the value of schools in the rural communities of Ontario.”

I agree with this petition and I will sign it.

CEMETERIES

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

“To the Legislative Assembly of Ontario:

“Whereas Ontario’s cemeteries are an important part of our cultural heritage, and Ontario’s inactive cemeteries are constantly at risk of closure and removal; and

“Ontario’s cemeteries are an irreplaceable part of the province’s cultural heritage;

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

“The government must pass Bill 126, the Inactive Cemeteries Protection Act, 2010, to prohibit the desecration of inactive cemeteries in the province of Ontario.”

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

PRIVATE MEMBERS’ PUBLIC BUSINESS

WIRELESS PHONE, SMART PHONE AND DATA SERVICE TRANSPARENCY ACT, 2011

LOI DE 2011 SUR LA TRANSPARENCE DES SERVICES DE TÉLÉPHONE MOBILE, DE TÉLÉPHONE INTELLIGENT ET DE DONNÉES

Mr. Oraziotti moved second reading of the following bill:

Bill 133, An Act to provide transparency and protection for consumers of wireless telephone services, smart phone services and data services in Ontario / Projet de loi 133, Loi prévoyant la transparence des services de téléphone mobile, de téléphone intelligent et de données et la protection des consommateurs de tels services en Ontario.

The Speaker (Hon. Steve Peters): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. David Oraziotti: I’m certainly pleased to be here today, and I’m excited to talk about this particular proposed piece of legislation. As members of the House are aware, back on November 16, 2010, this bill carried on first reading, and I certainly appreciate the support of the House on that.

A number of my colleagues will be speaking to this bill. The member from Brampton West, the member from Eglinton–Lawrence and the member from Oak Ridges–Markham will all be speaking in support of Bill 133 today.

I want to take a little bit of time to talk about some of the aspects in this legislation: why I believe it’s important that we move forward with Bill 133 and the benefits to Ontarians.

Quite frankly, there is a vacuum when it comes to protection for consumers around the use of cellphones, smart phones and data devices in the province of Ontario. This bill will provide relief for consumers from unfair practices. The bill will address issues around optional and mandatory services in service agreement contracts and deal with the disclosure of fees, the issue around automatic renewal and the excessive cancellation fees that are charged to consumers who use these devices in the province of Ontario.

I think it’s important to remember that 77% of people in Ontario use cellphones, smart phones or these data

service devices. For many people in this province it has become a necessity, an essential part of life; a device and a piece of equipment that they can't do without. The reality, as well, is that there's a real lack of competition. There's a lack of competition in this sector, and it is a sector that is, quite frankly, calling out for government regulation and protection for consumers.

The big three companies—Bell, Telus and Rogers—still dominate the market: 97% of the market share. There are not the opportunities that exist in other jurisdictions for consumers to selectively choose plans that are more fair and more transparent for consumers. That's really the purpose for this particular piece of legislation.

We've been contacted, and I've been contacted, by hundreds of individuals around the province on this issue. I know other members of the Legislature have as well. Bill 133 is at second reading today, and I want to encourage all members of the Legislature to support this bill, because this is an important piece of legislation.

Let's talk a little bit about some of the aspects of the bill. First of all, we want to see that the contracts clearly disclose all optional and mandatory services in these agreements. I'm not sure if you've read your contract and you know exactly what's in it, but surveys out there in this country say that 40% to 50% of people who sign these contracts have no idea what's in their contract. Now, we can blame the consumer and we can say, "It's your obligation. You should know what you're signing, of course." That's perhaps more easy and convenient. The reality is that when 40% to 50% of people in Ontario don't understand their contract, we've got a problem, and the problem is that the contracts are not as transparent as they need to be. They're not written in plain language for the average consumer to understand and to be aware of. That's really presenting problems in the sector.

1330

The transparency aspect is important because it helps to reduce bill shock, and it helps to ensure that the consumer understands what it is they're signing up for and how much that service will actually cost. Given the subsidized upgrades and subsidized equipment and some of the free and promotional initiatives that the corporations are putting forward to get consumers to purchase their particular package, consumers aren't really sure when the true bill comes in what it's going to be.

The companies, I think, in fairness to consumers, need to find a way in the contract—the legislation today proposes that the greater transparency and greater disclosure of optional and mandatory fees will do that, so the consumer will have a true picture of what those costs will really be once all of the gimmicks and promotional services have elapsed, to reduce that bill shock. I think that's really important.

Another aspect of the legislation is to ensure that the cancellation fees to consumers are reflective of the cost of the service and the cost of the equipment. This bill is similar to legislation that was passed in Quebec in July 2010. Quebec, as you know, is the only jurisdiction in this country that has any type of consumer protection

legislation for cellphones and smart phone devices. The Quebec bill, in similarity, does address automatic renewal, cancellation fees and some greater transparency issues. It's a bit more narrow in focus. This bill would make Ontario have the most comprehensive protection for consumers in the country, and that's why we think it's a good bill.

The cancellation issue around service contracts—let's face it; we all know that there is a subsidy that's taking place around the access to equipment. If you walk into a store, one of the retail or carrier stores, and you purchase a BlackBerry or smart phone and it's at a cost of \$99, let's say, and it's really a \$500 piece of equipment, no one would suggest that two months into the three-year contract you can cancel the contract and walk away with the equipment and that's it. The reality is that, as a consumer, you have a piece of equipment now and you need to pay for the full cost of that equipment. But beyond that, the excessive penalties to consumers, month after month after month, to cancel that contract or get out of that contract are absolutely ridiculous. This is the gouging that's going on in the sector of consumers. Quite frankly, it's just unreasonable.

In your own home, if you want to cancel your cable television, you call up and 30 days later it's cancelled. If you want to cancel any other service in your residence, there is not a perpetual cancellation fee that goes on for months and months and months. This is an important issue, and there's a formula we're proposing in the bill that would cap the cancellation fees. The consumer would pay for the cost of the equipment—30 days' notice—and they're out of the contract.

Issues around automatic renewal: This is a problem as well. You sign up for a three-year contract, you make a slight change to your plan, you're two months away from ending your contract, and guess what? You're renewed for three more years. Right? We have heard the stories on and on and on. Someone's in a family plan, they add one of their children, they're three months away from the end of their three-year deal and they're now into another three-year deal. We need to have the express consent of the consumer for the plan to be renewed for a like term.

Now, if a consumer comes in and obviously wants to take advantage of some kind of reduced or subsidized upgrade on a piece of equipment, that's a very different matter. They have the ability to do that, and they acknowledge that they're signing on for a like term to be able to access that equipment, and they do that with full knowledge.

At the end of the three-year deal or the two-year deal that they've signed, we're proposing that all of the contracts revert to a month-to-month pay, which will allow the consumers, obviously, to remove themselves from the plan should they see fit. So we think that's very important.

Another aspect of the bill: notification of usage limits when an individual is heading over their limit. They've done this in the States. The FCC has indicated that they want to see carriers notify individuals when they're

bumping up against their limit—80% or 90% of their usage—so that they know they may incur additional charges.

I'm aware that some of the carriers will tell you that you're in another jurisdiction and you get a message that says your roaming charges are this or that, and that's great. So there is a little bit of progress being made; not a lot; we've got a long way to go.

Elimination of the activation dates and expiry dates on prepaid cards: This is really important. This is just like gift cards. We've done it here in Ontario. You pay money for a particular service, to purchase something, and that card doesn't simply expire. In the phone industry, it does. You get so many days to activate it and you have to use it within so many days or it's gone. You've paid for the service; you should have the right to use the service. We've proposed some changes there as well.

There's also greater transparency in advertising: It's not a \$19.99 phone and it's not a \$29.99 phone. Is it a \$600 phone? Is it a \$400 phone? The largest all-in price should be the most prominent price when we're talking about advertising. It just creates greater transparency for the consumer, it avoids the bill shock, and it avoids things like Tom Harrington having a show on CBC Marketplace: Canada's Worst Cellphone Bill. The show took off, and he did a sequel to Canada's Worst Cellphone Bill. The horror stories in this sector go on and on.

Unlocking the device: This is also very important. Consumers who pay for the equipment and complete their contract should have use of the equipment. Some companies are now saying, "Well, we'll unlock it, but it's another \$50 charge." It seems a bit unreasonable, given that they've already paid for that equipment.

Today in the National Post there was an article around Bill 133. Bernard Lord, the chief of the Canadian Wireless Telecommunications Association, says, "We don't think legislation like this is needed to satisfy customers and meet their demands." Well, you know what? I think he's dead wrong. We need legislation in this sector. There is a vacuum at the federal level, and, so we're all clear, contracts signed in the province of Ontario are under the purview of the Ontario government and the jurisdiction of this province. Members of this Legislature have the ability to support consumers by protecting them from unfair practices.

Michael Janigan, general counsel for the Public Interest Advocacy Centre in Ottawa, says, "The question is whether there should be measures put in place across the board for wireless.... I think the legislation is still necessary." He said that today in the National Post.

This is an important issue for consumers. We all know consumers are being affected by many challenges out there: gas prices, food prices, you name it. There is a vacuum in this sector that is calling out for government support and regulation for consumers to level the playing field. There's not the competition out there right now so that consumers can get a fair price, and we need changes.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mrs. Julia Munro: I'm pleased to join the debate on Bill 133, the Wireless Phone, Smart Phone and Data Service Transparency Act.

The member for Sault Ste. Marie has introduced an interesting bill in this House which deals with a very important yet complicated—and, I might add, disputed—subject. If this bill passes second reading today, we will need committee hearings to hear from consumer groups on the benefits of this bill. As well, we need to hear from the industry whether this bill would help or hinder the growth of a strong telecommunications industry in Ontario. Therefore, I will be supporting this bill at second reading, because I want to find out more about what it means for consumers and for the industry.

When we look at this issue, there are two clear principles we need to start with. First, we must strongly support consumer protection with clear and transparent rules dealing with wireless phone contracts. Second, we should strongly support a completely free and open market for wireless services, allowing individuals to make their own choices in a competitive marketplace that keeps prices low.

1340

As I see it, the key issues surrounding this bill fall into three areas: The first is cost, for which the evidence is in dispute; the second is contract provisions; and the third is a dispute between large wireless companies and new entrants to the market. The newer companies believe they are disadvantaged due to the contract provisions that exclude them from the market; for example, high cancellation fees.

When considering cost, the proposer of this bill said in a media release, "Ontarians pay one of the highest rates in the world for cellphone services, and this is a pocket book issue consumers want addressed. This bill is about fairness for consumers and is aimed at reducing costs, as well as making fees, billing rates and advertising more transparent."

The Globe and Mail, in its November 19 edition of last year, said, "Among 11 countries, Canadians are paying the highest minimum rates for postpaid cellphone service—\$67.50 per month, according to a recent survey by the New America Foundation. That compares to \$59.99 per month in the US and \$32.40 in the United Kingdom."

In a letter to MPPs on March 7, Telus quoted a study saying that, "Canada's wireless rates of 11 cents per minute were the fourth lowest in the G8. In Australia, which faces similar challenges to Canada in terms of an enormous country with a small population base, consumers pay 12 cents a minute, more than in Canada."

So cost is an issue that is in dispute. I think we need to hear more in public hearings on this bill. We need evidence to know any effects of cost.

With regard to contract provision, I have similar concerns. We need to ensure that contracts are fair to consumers without damaging the industry's ability to succeed. Another good reason for public hearings: to gather evidence.

I would like to read into the record the position of a couple of the stakeholders on this bill. The first one that I will quote from is the Consumers Council of Canada.

“The Consumers Council of Canada previously welcomed the introduction of Bill 133, ‘Wireless Phone, Smart Phone and Data Service Transparency Act, 2010,’ a private member’s bill, in the Ontario Legislature. At last report, that bill was expected to receive second reading later this month, likely with all-party support. The bill would then head to committee, where consumers concerned about wireless service contracts in Ontario may wish to direct their concerns and attention.

“The bill proposes greater protections for consumers of wireless phone, smart phone and data services. The legislation would require clear disclosure of all optional and mandatory services, including the disclosure of ‘hidden fees’ and contract cancellation penalties. The legislation would also limit contract termination fees, among other provisions.

“‘Contracts for cellular voice and data services and equipment rate as top-10 sources of consumer complaints in Ontario,’ said Consumers Council of Canada president Don Mercer.” And he goes on: “‘Many consumers feel their rights are unfairly limited and find it hard to understand their responsibilities under these agreements. Quebec has exercised its authority for contracts in this area. Now this bill in Ontario proposes action as well. Provinces across Canada should take responsibility and prompt action, and ultimately work toward a nationally harmonized approach that recognizes today’s consumers are highly mobile. The Consumers Council of Canada encourages members of the Ontario Legislature to seriously engage this bill as a practical measure.’

“The council has made input, as well, to the process in Manitoba considering contract reform relevant to wireless service.”

The second group that we heard from was the Canadian Wireless Telecommunications Association. They provide a different slant and insight. They write: “It appears that many items in the bill are redundant. Much of what is contained in Bill 133 is already common practice by wireless carriers. For example, many wireless service providers already provide tools for customers to monitor their usage (i.e. online, through text alerts, etc.).

“The carrier members of the” Canadian Wireless Telecommunications Association “are already bound to a code of conduct that addresses many of the issues outlined in the bill (i.e. full disclosure of all prices and terms and conditions of service, including any early termination fees; provide documents, including service agreements, contracts and invoices that are clear and readable; ensuring that advertising is clear; provisions for any changes to contract terms, and how carriers will respond).

“Wireless service providers do not automatically renew contracts without the customer’s consent, so we are unsure why this is even mentioned in the bill.

“Canada already has a national agency to deal with telecommunications complaints (CCTS), and in addition, the CCTS uses the code of conduct to ensure that wireless carriers are in compliance.

“As well, the industry is already subject to strong federal oversight by the CRTC, Industry Canada and the Competition Bureau. We would not want to see Ontario wireless customers disadvantaged compared to residents of other provinces through the addition of extensive government bureaucracy that could possibly interfere with the price, choice and level of services in Ontario.”

On the issue of prepaid cards: “Prepaid wireless service cards are not gift cards, like people buy for Starbucks or Chapters. They do not have ‘expiry dates.’ Once purchased, they can be activated at any time in the future.

“Consumers are not purchasing the card, per se; they are purchasing access to a wireless network. The card simply contains a PIN to access the network—the PIN could be written on a Post-it note and it would amount to the same thing.

“When signing up for a prepaid plan, the consumer is purchasing access to wireless service for a certain period of time or a certain number of minutes, whichever comes first. The consumer is being charged for both time and usage.... Even if a customer does not use all the minutes, they have had access to the network for the period of time they agreed to....

“Unlocking handsets: It is not illegal to unlock a cellphone in Canada. Some carriers already offer unlocking services; some carriers will activate unlocked phones on their networks, but in most cases, they cannot guarantee quality of service or honour device warranties that were not optimized for their network. Carriers cannot guarantee that handsets they have not tested will work on their networks.”

Finally, on the issue of jurisdiction: The Canadian Wireless Telecommunications Association “maintains that the wireless industry in Canada is under sole federal jurisdiction.

“Some provinces have claimed they can regulate federally licensed wireless companies, because they are regulating contracts signed in that province....

“The business model for prepaid services is based on both time and usage. Requiring carriers to sell prepaid access on the basis of usage alone would be a fundamental change to the prepaid business model in Ontario.

“Moreover, there aren’t any actual contracts to sign for prepaid wireless service, so provincial jurisdiction over contracts would likely not apply anyhow.”

From this description, it is very clear, I think, for all of us to see that stakeholders are divided in their opinions on this bill. If the government allows it to move forward to committee hearings, we can find out the views of all interested parties and gather evidence to make any necessary amendments.

We all want to do what is best for consumers, but we must make sure that this bill is the best option. We cannot damage the ability of our wireless industry to compete. If we harm the industry, it will only harm consumers in the end.

The Acting Speaker (Mr. Jim Wilson): Further debate?

1350

Mr. Peter Kormos: I'm pleased to participate in this debate on behalf of New Democrats. I suspect I'll be joined by my colleague from Beaches–East York in a few minutes.

We're going to support the legislation. It's important for this bill to go to committee, if only for the delightful prospect of having executives from Telus, BCE and Rogers at the receiving end of some very pointed questioning that I'm sure will come from all three caucuses.

Look, this industry is amongst the foulest of industries in North America. They've made their bed—I shouldn't use that metaphor or analogy; I'll use the biblical one. If you sleep with dogs, you get fleas. They have been so abusive and disdainful of their customers.

You see, they would argue that they have competition, and of course they would argue, like so many people in this chamber would, that the market will control itself. Even the sponsor of the bill, who I trust doesn't self-identify as some sort of flaming socialist, acknowledges that the market fails when it comes to these operators. And our federal regulatory body fails too. Talk about gutless wonders. Talk about thoroughly ineffective at protecting consumers. But it has been, like most regulatory bodies, thoroughly co-opted by the industry that it purports to regulate. That's a trend. It's a historical trend.

I listened to the sponsor of the bill, and he made reference—I suspect offhand—that if you want to cancel your cable, you just call in and it's cancelled. Well, he obviously hasn't called a cable provider lately. It's nowhere near as simple as that. You try calling Bell, and it's not as simple as dialling them up—ring, ring, ring—and somebody answers, “Yes, sir. Can I help you?” And you say, “Cancel the ...”—oh, no. First, you've got to wait and wait and wait, and then you've got to jump through hoops. You've got to give them your great-grandmother's middle name, and then you get hung up on—right?—because some dough head is bored or their break time has come. I don't begrudge the hard work that call centre people do, because most call centres are now very high-tech and computerized, and these people don't get very many breaks.

Mr. Mike Colle: They're all in India.

Mr. Peter Kormos: I'm getting there, Mike, I'm getting there, let me tell you.

These people are inundated with calls. They aren't given any respite whatsoever.

But I want to give you two tips. If you call Bell and you get Emily—that's one person who is thoroughly distasteful and unlikeable—all you start doing is cursing like a teamster and the application, the computer, is programmed to switch you to a live person.

So you can vent your anger. You can experiment with new words that you may have heard somewhere or read but never had the courage to use, because you're doing it privately; you're only talking to a computer. If you curse out Emily, you will get transferred to a live person. Try it tonight; it works. I won't begin to list the types of curses, foul language and obscenities that will do it, but you can

be as extreme as you want. Don't be too subtle, because I think Emily has become a little seasoned.

The other trick is, if you're calling Bell Canada and you want the call centre in Canada, ask for the French option. Do you want English or French? Pick French, because that's based in Montreal. All the call centre employees of course can speak very good English. They're Québécois. They're bilingual. They also speak very good French. But that way, you get a call centre in Canada that's far more likely—they have a closer association with the Canadian operation. That's one of the things that rots my socks. I mean, Bell Canada; you assume it's Canadian, BCE.

How many times have you called Bell, and you're having a conversation—it's the middle of winter here—and you say, “By the way, what's the weather like there?” “Oh, it's 94 degrees.” Look, let's be fair. I don't begrudge people in other parts of the world having call centre jobs. But I come from a community that has, as its last big employer, a call centre, Canadian Tire Acceptance, and it is shutting down parts of its operation. We've seen call centre jobs flee Ontario and go to Halifax—Nova Scotia was going to be the new destination for call centre jobs—and now of course they're largely offshore.

The other thing: You say to this person who says it's 95 degrees, “Where are you?” He will identify a place somewhere on the opposite side of the globe. Fair enough. I'll say, “What's your name?” He'll say, “Lance” or “Justin”—some television celebrity. And I'll say, “Oh, don't. Stop that. Your name's not Lance.” “Yes, it is.” “Your name's not Lance.” “Yes, it is.” I'll say, “What's your real name? You're not”—and then he'll tell me his real name. I'll say, “Good, that's better. My name's Peter. Now we can do business.”

Because of course, part of the fraud about these call centres by Canadian companies is that they train their call centre staff to give the impression that they're in Canada to avoid that tension that would normally be felt because we've lost so many call centre jobs. Now, I suspect that's part of the deal. When the minister today talked about Ontario's exports, one of our exports has been jobs. The Minister of Economic Development has got air miles coming out of her ears, based on the touring that she's done exporting our jobs.

We've got the Emily solution: Curse her out, and you'll get a live person. We've got the made-in-Canada solution: Go for the French option, and you'll get connected with Montreal.

Let's get back to the bill for a minute. I support the proposition in the bill.

The Acting Speaker (Mr. Jim Wilson): That's a good idea.

Mr. Peter Kormos: Please, Speaker: It's one thing to be heckled by colleagues; it's another to be heckled by the Speaker. I know it's Thursday afternoon, but come on now.

What the bill speaks to in many respects, however sadly and regrettably, is an absolute absence of consumer protection in this province. It's no discredit to the minis-

ter or his predecessor or her predecessor. That ministry has been gutted, the Ministry of Consumer Services, for a good chunk of time. Talk about call centres: Most of that ministry consists of call centres where you have to press particular numbers, and you have a heck of a time getting live bodies answering the phone to respond to your concerns.

This bill, like the Consumer Protection Act, has no real enforcement. There are no enforcement provisions. The Consumer Protection Act: What it does is it requires you to sue, to litigate, just as this bill does. There is nothing in the consumer protection regime here in the province of Ontario that gives you access to an investigator who will investigate a matter; who will perhaps try to mediate a resolution between the aggrieved party and the company—what a novel idea—in an ombudsman sort of style, or at the end of the day, prosecute on behalf of the ripped-off citizen.

Regrettably, because the sponsor's bill here today has to fit into that current regime, this bill still doesn't provide any investigative authority, nor does it provide any advocacy on behalf of the aggrieved party. It simply gives you, or you, or you law to take to a court: the Superior Court of Justice under the Consumer Protection Act, and reference is made to part IX. That's regrettable, but that's the nature of what's happened to consumer protection here in the province of Ontario.

These companies, BCE and Rogers, as I say, insist that they have market competition. But in effect, they have quite a monopoly because one's pricing is very similar to the other's. If you leave one and go to the other, it's six of one and half a dozen of the other. If you get roughed up and punched out by supplier A, you're going to get roughed up and kicked around by supplier B. They know there's a limited number of them; there's not a huge number of them. It's not a big marketplace. It's not a shopping plaza; it's a little boutique store. So I appreciate the effort here, but the real goal should be for the federal regulator to clean this whole operation up.

One final comment, because I have to go to committee, is that the bill, thankfully, requires what is said to be plain language that is clear and concise in the contracts, in the information and agreement. We agree wholeheartedly with that. One only wishes that plain language would be used in the drafting of bills. Think about it: What's good for the goose should be good for the gander. Because you read this bill, and it's far from plain language—and that's not the fault of the sponsor, because he doesn't sit down. He gives directions and relies upon others.

Just a little editing commentary: In section 3 of the bill, "A future performance agreement to which this act applies shall be expressed in plain language that is clear and concise," "plain" means "clear." See what I mean? You've got excess verbiage here.

If you would, at some time, when this bill gets to committee: put "in plain language that is concise." You don't have to say "clear," because "plain" means "clear," and "concise" means "more pithy," as compared to "clear." "Concise" is good but delete "clear," please.

I'll yield the floor. I know my colleague will want to take up the brief seconds remaining.

1400

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Mike Colle: We could go on, each one of us, for about an hour on this bill. The bill—

Mr. Peter Kormos: On Rogers alone.

Mr. Mike Colle: On Rogers alone? On my cable bill alone.

I want to thank the member for Sault Ste. Marie for bringing forward this bill, which affects so many Ontarians: 77% of Ontarians have some kind of digital device, a cellphone, so it's crucial.

I think that what he's trying to say here is that we need to have some transparency in these contracts, we need to have some fairness for the consumer and we need to have some recourse to dealing with issues that arise in these contracts.

I see that all of the young people are leaving, and I wonder how many of them have cellphones. I wonder if they've read the contract and if we've read the contract. It's just amazing: You need a Bay Street lawyer to explain the contract. If you go home tonight, look at that contract. It is impossible for a layperson to understand, never mind the intent of the contract, but the fine print in the contract.

He's trying to put some very important protective initiatives in this legislation which I think will benefit the consumer. I want to commend him for doing that because, as you know, this is an area that it is essential now to have a cellphone. It's essential; it's no longer an add-on. If you look at the amount of money that is spent, it is a multi-billion-dollar industry. And the industry will thrive, and it is thriving, but as the industry thrives, there have to be some safeguards for the consumer. I totally support that initiative.

There are just so many potential areas. Again, the loss leaders—you see them all the time. They say, "For \$99 for three years"—there are so many inducements for these contracts to be signed with these providers that people are hooked by the inducement. Then when you get into it, you find out that there are all of these hidden charges that come as a huge surprise.

The usage of the phones is another mystery area. The roaming charge issue is another incredible hit on the pocketbook. You've got a lot of teenagers whose parents buy the phones for them, and then the teenagers are using them. The bill comes in—wow, talk about a surprise. There are many surprises that need to be contained, and I think this bill does that.

The member from Welland talked about one of the things you can do. If you ever have trouble with your phone company, your cable company, you just tell them you want to talk to the customer retention branch. They have a branch for that. If you ask for a reduced rate or say that you want to cancel, they don't talk to you, but if, all of a sudden, you say, "Listen, can I talk to the customer retention person?", all of a sudden you get a significant discount, because there's that one branch just to

basically keep you with that company. That's one little trick that some of the consumer groups have talked about: the customer retention branch. One day, we should take on the cable monopolies.

I hope the other new thing that's coming about is the thing about coupons. This is another amazing area. It's all over the Internet now. You buy these coupons to get something, and the coupons say \$100 off. Then you go to the store, and you find, "Well, we're out of the product that you got the coupons for." "When will the product be in?" "Well, maybe next month, or six months from now. We don't know." But you've already paid them up front for that coupon. That's another area we should look at. I don't know if the phone companies do that. The coupon is another interesting area of the marketing.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Frank Klees: I'll just add my comments. Certainly, I'll be supporting this bill, and for the main reason that I would like nothing better than for representatives from Rogers, from Bell and from Telus to come before the standing committee so that we, as members, can ask them some very pointed questions.

I will add just simply my comments that whether it's myself or members of my family or constituents, we are frustrated to no end at the ironclad contracts and the disregard for customer service by these companies.

It was mentioned before that while we have so-called competition, we really have a monopoly of three companies that are holding customers, I would say, hostage, because we have no alternatives. So I commend the member for bringing this forward. I think we need a fulsome discussion around this entire industry.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Michael Prue: As my colleague from Welland has already stated, New Democrats will be supporting this bill. We are supporting the bill, in part, because we want to hear from some of the executives, as has been said again and again, but in supporting this bill, we're hoping against hope that the government will beef up consumer protection. We do note that the bill has no enforcement arm, and for it to work effectively, there's going to have to be one.

Perhaps, in the discussion of this bill, government members will come to understand that we need to bring consumer protection back to Ontario. Every single MPP in this House probably gets the same letters and phone calls that I do from people who were ripped off by door-to-door salesmen selling energy products and are trying to get out of it, people who have shoddy deals but who have signed a contract for which they have to hire a lawyer or other professional to get out of it, at more cost than what the product is worth, so it never happens. And they sign contracts, most often, that they don't understand at all.

We are waiting for the day when this government gives some power, authority and money to the Minister of Consumer Services, because with this bill, it just might happen.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Vic Dhillon: It's a pleasure to speak in support of Bill 133, the Wireless Phone, Smart Phone and Data Service Transparency Act.

I became interested in this piece of proposed legislation when a well-known radio host in the South Asian community, Rajinder Saini from Parvasi Radio, discussed this bill on his daily radio show. Rajinder told me after this show that he received hundreds of calls from listeners about the problems that they were having.

I, myself, get people complaining. There isn't a day that goes by when I go in and my staff, who speak some South Asian languages that are representative of the constituents that I represent in Brampton West, are not trying to resolve the problems that they are having with their cellphone bills as a result of not knowing some of the fees that they have to pay.

As of late, when I listen to some of the South Asian radio programs, I often hear these enticing offers for cellphones, to the effect of \$25-a-month unlimited calling, free phones and free first month's bill. That really makes me suspicious about the product that they're offering, because they don't obviously state the whole contract or the whole terms of the contract.

Representing a riding where the majority of the residents, my constituents, are new immigrants who have language barriers—some of them can speak English, and some not very well, let alone be able to understand the tough technical language which is stated in some of these phone contracts. As a matter of fact, I myself have problems understanding some of the terms because of the language that is used. For that reason, I think this bill is warranted.

Bill 133, the Wireless Phone, Smart Phone and Data Service Transparency Act, proposes a number of regulatory changes that would better serve to protect consumers of wireless phone, smart phone and data services by requiring that wireless service providers conduct themselves in a manner that is more fair and transparent. This legislation would put an end to unfair practices on the part of the wireless service providers by requiring that companies be more clear in the disclosure of service fees, including the disclosure of hidden fees and contract cancellation penalties.

1410

Contract cancellation is a big issue when it comes to people wanting to change providers. As the member from Sault Ste. Marie mentioned, people do get out of the contracts but they're having to pay the cancellation fee, again, over and over, month after month after month, which I think is very unfair.

The reaction to this bill has been very positive. I can tell you, when I am walking in Shoppers World mall in Brampton West, I often get people coming up to me and saying, "Thanks for bringing up this piece of legislation, because we had such-and-such problem." I hear this over and over again, for which reason I think this type of legislation is needed.

As a matter of fact, there have been several consumer advocacy groups who have lent their support to this proposed legislation. I just want to share with you some of the comments they've made. Mel Fruitman, who is the VP of the Consumers' Association of Canada, says that for a long time Canadian consumers have "been victims of the nefarious marketing practices of the wireless telephone companies" and that this protection for consumers is necessary and long overdue. They can see no reason why this act would not receive all-party support and quickly be passed. Obviously, the official opposition and the third party have committed their support.

I just want to mention one other thing. The cellphone service issue was the number one complaint received by the ministry and by the Better Business Bureau. That's further evidence that this is a big problem, and I hope that we can all support this bill this afternoon.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Ms. Helena Jaczek: Certainly it's a pleasure to rise in support of Bill 133, An Act to provide transparency and protection for consumers of wireless telephone services, smart phone services and data services in Ontario.

The member for Sault Ste. Marie, I think, is becoming well known for his very-well-thought-out private members' bills. He has introduced a number since I have come to this House, and think I've been able to speak in support of each of them.

Clearly, what he wants to do is ensure that disclosure provisions in contracts are clear and that people understand what they are signing up for. How could anyone object to this type of approach? There are a couple of specific areas that have come to my attention that I wanted to share some examples of.

We've heard about teenagers perhaps using cellphones a great deal and running up very large bills. Well, there certainly are some kids whose parents want them to have a cellphone for emergency purposes who are very conscientious, and they do obtain prepaid cards for wireless service.

On these cards, I certainly want to take issue with what the member for York-Simcoe said. They do have an activation date, and once that card is activated, there is a specific period of time within which you must use that card. You can very often end up with minutes left on the card that are unused. So clearly, people are paying for a service that they have not received because many kids do simply use those phones for emergency provisions.

The cancellation fee is one that, certainly in our family, we really hadn't looked into properly. My father was in his mid-80s, and we decided that he needed a cellphone. He liked to go out for long walks, he was still driving his car, and we felt he needed a cellphone available to him. A contract was signed. Within probably just a matter of months, it became clear that he was no longer able to drive and that, no matter how many speed dials we put on the phone, he was really not able to use the phone. We ended up just letting the contract run for the remainder of the time because it was just too difficult to extract ourselves from that contract.

In the last few seconds, I would like to quote Mel Fruitman, vice-president of the Consumer' Association of Canada, who said about the industry that for a long time, consumers have "been victims of the nefarious marketing practices of the wireless telephone companies."

This bill is a very good step forward in examining those practices. I certainly urge all members of the House to support it so we can look at it in more detail in committee.

The Acting Speaker (Mr. Jim Wilson): The honourable member Mr. Orazietti has two minutes for his response.

Mr. David Orazietti: I'm pleased to wrap up here. I wish I had more time on this bill, because there is so much more to talk about on this issue.

I want to thank my colleagues from Brampton West, Eglinton-Lawrence and Oak Ridges-Markham for their support, as well as the opposition members who are here today who spoke in favour of the bill: the member from York-Simcoe, the member from Newmarket-Aurora, the member from Welland and the member from Beaches-East York. Thank you for your support on this bill today. This is in the best interests of consumers.

Quite frankly, some of the companies out there are saying, "Do you know what? We're already doing some of these things." The reality is that if the bill passes, they shouldn't be concerned if they're already doing those things. I think the problem is that these things are not happening in the marketplace. Consumers are being stuck with massive bills, automatic renewal issues—a whole host of issues that we've already talked about.

The challenge is to bring some level of fairness to consumers in this sector. There is no competition in this sector, for all intents and purposes. Bernard Lord is pandering to these companies, and we need protection for consumers. The code of conduct that's in place seems to be a code of conduct that says, "Gouge the consumer." That's what the code of conduct seems to be, because consumers are really feeling the impact of these bills.

The vacuum at the federal level, when it comes to protection for consumers, is apparent, and I'm going to predict here today that if the federal government doesn't take a greater interest in this, you're going to see province after province implement consumer protection in this area. Quebec has already done that. I urge members to support Bill 133 so that we can have greater protection for consumers of cellphones.

The Acting Speaker (Mr. Jim Wilson): The time for Mr. Orazietti's ballot item has expired. We'll vote on it in approximately one hour.

CHILDREN'S MENTAL HEALTH ACT, 2011

LOI DE 2011 SUR LA SANTÉ MENTALE DES ENFANTS

Mr. Caplan moved second reading of the following bill:

Bill 117, An Act to amend the Child and Family Services Act and the Ministry of Health and Long-Term Care Act to transfer the administration of certain children's mental health services to the Minister of Health and Long-Term Care / *Projet de loi 117, Loi modifiant la Loi sur les services à l'enfance et à la famille et la Loi sur le ministère de la Santé et des Soins de longue durée afin de transférer l'administration de certains services de santé mentale pour les enfants au ministre de la Santé et des Soins de longue durée.*

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order 98, the honourable member has 12 minutes for his presentation.

Mr. David Caplan: At the very outset, I want to especially take this opportunity to thank Christine Elliott, the member from Whitby–Oshawa, and France Gélinas, the member from Nickel Belt, who are co-sponsors of this bill.

Mental health and addictions are issues that touch all of us. Twenty years ago it was acknowledged that one in six Canadians would suffer from a mental illness or addiction in their lifetime. Ten years ago it was one in five. Today mental illness and addictions directly affect one in four of us. All in all, mental health and addictions cost Ontarians at least \$39 billion per year. That doesn't include the overwhelming emotional and societal costs that simply cannot be measured.

The preamble to this bill reads as follows: "The burden of mental illnesses and addictions on individuals, their families and society must be reduced. Ensuring that all residents of Ontario have timely and equitable access to an integrated and client-directed health system will help reduce this burden. Such a health system should include health promotion, prevention, early intervention, treatment and community support programming. It must be well coordinated and efficient and provide excellent services and programming. Giving the Minister of Health and Long-Term Care the responsibility of administering programs related to the treatment of children with mental disorders is a step toward achieving these goals."

1420

That's the preamble of this bill, and it's also the vision that an all-party committee of this Legislature came up with in their report, a select committee of the Legislature on mental health and addictions.

Currently, over half a million children and youth have a mental illness in the province of Ontario, and more than 300,000 of these young people have more than one disorder. Mental illness in children and youth can often be seen in their behaviours, such as bullying, stealing, lying, substance abuse, poor school performance, social withdrawal, isolation, involvement in criminal activity and frequent conflicts with family members and peers.

The auditor in his 2008 annual report noted that, in his words, there is "a patchwork of services for children with mental health needs, both in local communities and across the province." So I say that there is an urgent need to develop and implement a solid framework to improve coordination and integration across sectors, across regions and across ministries.

Now, as I noted earlier—and my co-sponsors were both members of the Select Committee on Mental Health and Addictions. They rightly note in their final report: "One of the main problems in Ontario's mental health and addictions system is that there is, in fact, no coherent system. Mental health and addictions services are funded or provided by at least 10 different ministries. Community care is delivered by 440 children's mental health agencies, 330 community mental health agencies, 150 substance abuse treatment agencies, and approximately 50 problem gambling centres."

Simply put, many people fall through the cracks or give up in frustration because of the complexity of the system that has developed over time. It's not by design; this is the way that it has evolved. But the clear fact is that youth between the ages of 16 and 24 are the biggest losers. They have the biggest detriment of this lack of coordination and integration between sectors and ministries. These youth are falling through the cracks in our mental health system as they move from the current children's mental health program to those delivered in the adult system.

This change was made some 30 years ago and I think for very good reasons and for very caring reasons. But I would say that after 30 years of evidence, clearly the status quo is not working and something needs to change, because the consequences have been quite telling.

Adolescents with mental health issues are at greater risk of dropping out of school, are ending up in our justice system or are simply not able to reach their full potential and become fully functioning adult members in society.

Mental illness is the strongest risk factor for youth suicides, which is the leading cause of non-accidental deaths among youth. It's no surprise that you begin to see that spike upward in youth suicides at the age of 15, at that time of important adolescent transition between a children's system and an adult system. There is a strong need for coordination and linkage between these systems in order to help and support these youth.

Early intervention and prevention are the key. It's imperative, as the select committee, the minister's advisory committee and so many other advocates have pointed out over the years. But over 70% of adults with mental illness report that the signs and the symptoms occurred during childhood and adolescence.

Unfortunately, the stigma and the discrimination associated with mental health prevent many families and many individuals from even reaching out for help. Thirty-eight per cent of Canadian adults would be embarrassed to admit to their children or teen that they had a mental illness such as anxiety or depression. You know, it takes a great deal of courage. I was thrilled to see that Canadian icons like Clara Hughes have come forward to talk about some of their battles, having overcome them to reach some of the great pinnacles of Olympic history.

But too often, these are hidden in the shadows. It's terribly disappointing that so many have difficulty coming forward to share the burden they have. In fact,

it's estimated that only one out of six children and youth who need mental health services ever receives professional help. Quite simply, mental health issues can be prevented, and treatment is effective; it works. Early identification, assessment and treatment lead to significant improvements in social and emotional development, academic progress, self-esteem and future quality of life.

This is very timely because in the recent budget, which just today passed second reading, there is renewed support for children's mental health programs, for that early intervention in schools and in communities. Giving the Minister of Health and Long-Term Care the overarching, umbrella responsibility for administering programs related to the treatment of mental health disorders will, in my opinion, create a seamless and fully integrated mental health system and a single entry point for youth, and will eliminate over time, I hope, the gap in service and programs for youth as they move from childhood to adolescence to adulthood.

I was thrilled to see that this was one of the key recommendations of the Select Committee on Mental Health and Addictions in their final report, *Navigating the Journey to Wellness: The Comprehensive Mental Health and Addictions Action Plan for Ontarians*. In fact, the first recommendation was to create a coordinating body. They called it Mental Health and Addictions Ontario. The second—or (1) and (1)(a)—recommendation was this: that there be that overarching coordination, and that it be housed under the purview of the Minister of Health and Long-Term Care.

I want to congratulate each and every member of the select committee for the work that they undertook to produce such an extensive report, and for the insightful recommendations that were made to improve mental health and addictions services in Ontario.

Over the span of 18 months—and I think that's really important; for a year and a half—this legislative committee, the select committee, held over 30 days of public hearings from one end of the province to another, hearing testimonials from over 230 presenters and receiving more than 300 written submissions. It's truly a great testament to the work that can be done when members from all political parties come together and work together to tackle the important issues facing Ontarians. I'm delighted to see that a number of the members of that committee are here today to participate in today's debate, and I look forward to hearing the different perspectives that will be brought forward.

I recognize that any change which challenges the status quo will be difficult. I recognize that if we take that same kind of spirit of working together and that can-do attitude, these challenges can be easily overcome.

I've personally been touched in a very close way by mental health and addictions issues. I know that I'm not unique, because my neighbours in Don Valley East have come and told me their circumstances and asked for individual help and support, and I know that all members of the Legislature share in those kinds of experiences. Ontarians of all walks of life have similar stories to tell.

Individuals with mental illness are amongst the most vulnerable in our society. I firmly believe that the way we deal with this issue is in many ways a measure of ourselves as a compassionate society.

Speaker, I thank you for the opportunity here today to have second reading debate, and I look forward to hearing from all of my colleagues as it pertains to Bill 117.

The Acting Speaker (Mr. Jim Wilson): Further debate?

1430

Mrs. Christine Elliott: I'm very pleased to rise to contribute to the debate on Bill 117, the Children's Mental Health Act, 2010, and very happy to have the opportunity to co-sponsor the bill along with the member from Don Valley East and the member from Nickel Belt.

The PC caucus believes in the work of the Select Committee on Mental Health and Addictions and in its recommendations. Accordingly, since the premise of the Children's Mental Health Act is consistent with recommendation 1 of the select committee, we are obviously supportive of this bill.

If passed, this legislation would be a huge step forward in overhauling our mental health and addictions system, which will be a source of relief for many Ontario individuals and families who have been impacted by mental health and addiction issues. As you will know, recommendation 1 of the Select Committee on Mental Health and Addictions report proposed that children's mental health services be placed within the responsibility of the Ministry of Health and Long-Term Care. Under this recommendation, a new umbrella organization would be created, which was referred to by the member from Don Valley East, called Mental Health and Addictions Ontario. The responsibility for that agency would fall under the purview of the Ministry of Health.

Mental Health and Addictions Ontario would be responsible for the design, management and coordination of our mental health and addictions system, and for ensuring that programs and services are delivered in a consistent and comprehensive manner across the province of Ontario. Currently, the transition from children and youth to adult mental health services is quite fragmented and very difficult to navigate for health care consumers and their families. For individuals with mental illnesses and addictions, and the families who care for them, navigating the system causes frustration—we certainly heard that in our committee—and contributes to the direct stresses that they are already facing. Transitional-aged youth, children aged 16, 17 and 18, tend to fall between the cracks in our system. Once they're lost, it's very difficult for them to recover.

As members of the select committee, we heard firsthand about the lack of children's mental health programs and services and the difficulty in transitioning from children to adolescent to adult programs. During our consultations, Mr. Dan Hagler, who is the executive director of the Youthdale Treatment Centres, described the period from age 16 to 18 years as a "twilight zone" where

there's a scarce number of comprehensive integrated holistic treatments available. A seamless transition from child to adult mental health services would help vulnerable individuals in accessing the services they require and would equip the system to stop short changing the needs of transitional-aged youth.

Another issue we heard about repeatedly from individuals such as Angela Jacobs, who is an associate at the Mississauga Halton LHIN, is the fact that there are silos at every system level between mental health and addictions treatments in hospital and those that are available in the community. The committee actually was surprised by the fact that no one individual or organization seems to be charged with the responsibility of coordinating the various systems and making sure that they all connect. As a result, mental health and addictions treatment is a patchwork across the province, and the services that you are able to receive vary depending on where you live in the province.

During the select committee, we recognized that mental health services for children is an issue of particular importance because we are particularly concerned to hear about the increase in youth suicide: Each year, on average, 100 children and youth in Ontario will commit suicide. More of our children die from suicide than from cancer, heart disease, respiratory illness and diabetes combined. This is closely linked to the issue of mental health, given that mental illness is the strongest risk factor for suicide. Most children who suffer from depression have an underlying mental health disorder. Depression is a significant risk factor for suicide, especially among young girls. Youth may face many challenges, such as family and school pressures, major life changes, bullying and sexual orientation issues, that can act as a catalyst for mental illness. It is absolutely critical that when youth do face these critical pressures, they're able to cope and can rely on a system that is adequate, comprehensive and easy to access, regardless of where they live in the province of Ontario.

As vice-chair of the select committee and as co-sponsor of this legislation, I'm certainly hopeful that eventually all of the recommendations of this select committee will come to fruition. This bill will certainly help move the yardstick forward by consolidating children's and adults' mental health services under the purview and responsibility of the Ministry of Health and Long-Term Care, at least with respect to the treatment options available under the Child and Family Services Act. We hope that will expand to include all children's mental health services.

I believe that if we do this, this will result in compassionate, effective and timely care for the many children and youth in our province who so desperately need our help. So I'm very grateful for the opportunity to contribute, and happy to co-sponsor this legislation.

The Acting Speaker (Mr. Jim Wilson): Further debate?

M^{me} France G  linas: It is also my pleasure to stand here today and add a few words in support of Bill 117,

which the member from Don Valley East, the member from Whitby-Oshawa and myself co-sponsored.

I think it speaks to the importance of the issue if you look at who is co-sponsoring. To say the least, when you read some of my quotes in Hansard, I have not always been very kind to the member from Don Valley East. When he held the portfolio of Minister of Health, if you look through Hansard then, you would think we disagreed on everything from home care to long-term care to northern and rural health to emergency care. You name it, I'm on record as speaking against the honourable member. Not my best moment, I guess.

But there is one thing that shines through this time: his commitment to mental health and addictions. This is something that I've always supported in what he has done. It was under the member's watch that the Select Committee on Mental Health and Addictions was created. It was an idea that had come from the member from Whitby-Oshawa, that she had presented, but it was acted upon. Resources were actually allocated, people gathered together and the select committee happened.

It's interesting to see—you cannot see, but I can tell you that the member from Oakville, the member from Scarborough-Rouge River, the member from Dufferin-Caledon, the member from Peterborough, the member from Lambton-Kent-Middlesex, the member from Whitby-Oshawa, the member from Oak Ridges-Markham and the member from Guelph, we were all together on the Select Committee on Mental Health and Addictions. And although this is a Thursday afternoon, which tends to be quite quiet in this House, most of us are here today. We are here today because of the work that we've done for the Select Committee on Mental Health and Addictions and for the importance of mental health.

It was also under the member's watch that the advisory committee to the minister was formed. They also produced a report, which I would say, if you look at the path that the Select Committee on Mental Health and Addictions has given in our recommendations, the recommendations from the advisory committee that the member started certainly continue in that direction. I would say, with those two, plus the private member's bill that we are debating here today, the stars are finally aligned to shine a light on children's mental health and to move things forward.

Another achievement of the member was really in the summer of 2009. It was in the heat of the summer, where usually nothing happens except at the side of a pool or a lake or a camp. But it was in the heat of the summer, and the member was able to gather hundreds of people in downtown Toronto to talk about mental health and to talk about Every Door is the Right Door.

That was an achievement that we had never seen before, because to try to bring mental health into the spotlight, to try to give it the importance that it has for everyone in Ontario, is almost impossible. You talk about high-tech medical procedures—all of the media are on it. It makes the front page of all of the papers. You talk

about mental health and addiction—nobody listens. It seems like nobody cares. But the member was able to turn that around, and I would certainly commend him for what he has done and, hopefully, what we as a group will continue to do.

1440

We have talked about the Select Committee on Mental Health and Addictions. I know I'm not allowed a prop, but I will read from it—Navigating the Journey to Wellness: The Comprehensive Mental Health and Addictions Action Plan for Ontario.

As soon as you open it, our very first recommendation has two parts. The first part talks about creating Mental Health and Addictions Ontario. We want to gather accountability, responsibility for best practices etc. under one roof so that those 10 ministries that are trying really hard to offer some kind of mental health or addictions program can finally be gathered up together. Somebody is held accountable. Best practices are developed, they're implemented, they're used: That was our first recommendation.

Our first recommendation continues, saying, "All mental health and addictions programs and services—for all regions of the province and for all ages, including children and youth—should be consolidated in the Ministry of Health and Long-Term Care." The bill that we have here today, Bill 117, is trying to do this. It is trying to amend the Child and Family Services Act and the Ministry of Health and Long-Term Care Act to transfer the administration of children's mental health services to the Ministry of Health and Long-Term Care. I don't think all of the services would be transferred, but I would say the majority of them would be. It shows the member's commitment to mental health and to children's mental health and addictions.

As has been said before me, close to half a million children in Ontario are suffering from mental health and addiction issues, and the patchwork of services that exists is not meeting their needs.

I know there is a little bit of resistance out there toward this bill and toward this idea. I had been in health care for a very long time before I became a politician. I remember way back when children's mental health was under health, and at the time it was not well served. The types of treatment we were offering those kids, frankly, would not meet any criteria that we are presently using to help kids with mental health or addiction issues. So it was moved to what we now call the children and youth ministry. That ministry has changed names many, many times, but this is what we call it now.

I think it is time to bring it back under health. This philosophy that children with mental health issues are just acting out, that it is a behavioural problem, is completely wrong. Those children are ill. Just like everybody else who has a mental illness, they are ill and they need treatment to get better. Treating people falls under the responsibility of the Ministry of Health.

Of course, the Select Committee on Mental Health and Addictions has many other recommendations, 23 of them

altogether. We talk about the basket of services that is necessary in all parts of the province in order to start to make inroads. But at the core of it, what we call the integration of the mental health system must start at the top. I believe that it has the best chance of addressing the most serious problems affecting our current mental health and addictions system and of helping children the most. So it is a necessary step, although we all recognize that it is but one step. Many, many other ones will need to follow.

As was mentioned, we held 30 days of hearings during the 18 months that led us to the recommendations of the Select Committee on Mental Health and Addictions. We heard many, many stories, many of them having to do with children and how, in one way or another, the system failed them. The system failed them with catastrophic consequences on their lives and the people who cared for them and loved them.

I know that we've already talked about one of the most drastic consequences of mental illness that goes untreated; that is depression and suicide. You have to realize that healthy people don't commit suicide. People who commit suicide are sick. They needed help. Sometimes they've reached out for help but couldn't gain access to any, and we've heard many stories.

There was one story that I will remember forever from when I was working at the community health centre; we covered an area of my riding called Rayside-Balfour, which includes Azilda and Chelmsford. Five little girls made a pact to commit suicide. Out of the five, two of them died, and three of them are still here with us. That event changed that community forever. They were all from the same school. We dedicated a nurse to go into that school and to help each and every one of the children in that school to try to get through. But over and over again, we looked at how they had reached out for help, their families had reached out for help, and we had failed them. We know that we can do better.

Moving ahead with Bill 117, this co-sponsored bill, is one way to show that we want to make things better. I know we are in a recession. We are not asking for any type of money involvement. We're talking about putting the building blocks together so that we can do better. It starts by bringing children's mental health back where it belongs; that is, under the Ministry of Health and Long-Term Care.

I thank the member for having brought that bill forward and asking us, myself and the member for Whitby-Oshawa, to co-sponsor it. It's an honour to do that.

The Acting Speaker (Mr. Jim Wilson): The honourable member from Oakville.

Mr. Kevin Daniel Flynn: It is a pleasure to join the debate by rising and speaking to the co-sponsored private member's bill that we have before us today. All members in the House have played a major role in this issue, and I think they are to be applauded for their efforts, but especially those who have co-sponsored this bill: The member for Don Valley East brought the bill forward, co-sponsored by the member for Whitby-Oshawa and the member for Nickel Belt.

I think the member from Don Valley East made mental health and addictions a huge priority when he served as a member of cabinet. He brought together the Minister's Advisory Group on Mental Health and Addictions to advise him and those in his office. He co-hosted, as has been mentioned, a fantastic summit meeting that was held in Toronto, which drew, I think, over 1,000 participants in the middle of the summer. It was called Open Minds, Healthy Minds, and it was really to bring the issue to the forefront to allow those who had been frustrated by the inaction to date on some of these issues the avenue to express those frustrations, bring their concerns forward and deal with some members of this House who are prepared to act upon some of these recommendations. He's been a tremendous advocate for this issue, and that continues today.

I had the pleasure of serving on this committee, the Select Committee on Mental Health and Addictions, as the Chair for 18 months, along with the co-sponsors of the bill, as I said, the members from Whitby–Oshawa and from Nickel Belt. Other members came from Peterborough, Guelph, Oak Ridges–Markham, Scarborough–Rouge River, Dufferin–Caledon and Lambton–Kent–Middlesex. I was really proud of the way the committee conducted itself on such a sensitive issue. I think because of that conduct, they came forward with a report that people from all sides of the House, from both sides of this issue—if there are sides on this issue—recognized as being what's best about politics, what politics was intended to do.

1450

We heard from people, as we travelled around the province, that the issue of mental health and addictions has been ignored at Queen's Park for far too long in the past, by all levels of government and by all parties.

We came up with a series of recommendations to establish a comprehensive mental health and addictions strategy in the province of Ontario, and I know when we came up with the recommendations, there were still some in the province who were sort of cynical as to whether they would amount to anything.

So I really want to thank as well, as I give these remarks today, Minister Broten, Minister Matthews and Minister Duncan for the effort that they put in to giving some tangible evidence of the government's willingness to act on these issues by including what they included in the previous budget, and that is between \$250 million and \$300 million over three years for children's mental health.

Now what we heard, and it has been noted as we travelled around the province—and this comes very early in the recommendations—is that there was a unanimous decision made by the committee that the current funding arrangement was not working. There was a sense, I think, that came from some of the people who appeared before the committee that adults in the mental health system were getting better treatment than children in the mental health system. This is something that I had heard in my own region for a number of years, and there was a sense that this needed to be looked at.

I think that any time you have the opportunity to raise an issue and to discuss the issue in an open way, only good things can come out of this. I think all members of the committee agreed that the status quo was simply not good enough, and I think there are already people who have taken sides on this issue without that conversation having taken place. I think it's very healthy that that conversation take place. It could be that, at the end of the day, once that conversation has taken place, there's a way that this system can work without taking these services out of children and youth services and moving them to health. I simply don't know. But what I do know is that there's an appetite in the province of Ontario to talk about this issue in an open way, to talk about this issue in a manner that allows all the facts to come out and allows us to move ahead and to do the right thing.

I'm starting to notice at many of the events that I've been asked to attend now that the issue comes up. Ordinary people on the street now are feeling more comfortable about talking about the issue. There is still a stigma attached to the issue—there's no doubt—but I think people now are starting to open up a little bit more, and they're prepared to talk about it. There are not too many people who haven't been touched, either in their own family, in their friends' families or co-workers, by this issue in some manner. In the past, I don't think they felt they had permission in a societal way to talk about it. Now I think that's starting to change.

In the fall, the government acted very quickly on the narcotics strategy act. As I said, we've seen some substantial progress in what was included in the budget this year, and it starts with children and youth. What I'm suggesting today is that I'm not sure, at the end of the day, that what's being put forward is actually what I would like to see happen in the province of Ontario, but I'm very sure that what I would like to see take place is that conversation that allows both sides of the issue to bring forward the best of both models of funding, and then we move forward from there on.

But I think that, before we take sides on this issue, we've got one thing to remember, and that is, this is about the kids. This is about the mental health and addictions issues that these kids are facing. I think if we put the kids first, we'll make the right decision. You can't make the right decision unless you have that conversation. That's why I'm supporting the bill today.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mrs. Elizabeth Witmer: I want to take this opportunity to congratulate the members for Don Valley East, Whitby–Oshawa and Nickel Belt and all those individuals who have worked so hard and who have demonstrated a genuine commitment to mental health.

Mental health has been an issue in this Legislature for as long as I can remember, since I arrived here, and it's a non-partisan issue. It's an issue where I do believe that all three parties sincerely want to improve the accessibility to the services and also the delivery of the services.

So I do believe that this amendment today, which is co-sponsored by all three parties, to transfer the admin-

istration of certain children's mental health services to the Minister of Health and Long-Term Care is a good one, because we have too many silos today. Hopefully this will enhance the ability to approach this issue and provide the necessary mental health and addiction services that are so desperately needed by our young people. I know this is also consistent with the select committee's final report. Again, that committee did a great job.

This bill is going to make what I believe will be a very quick and significant improvement to the delivery of services. It's going to provide a desperately needed overhaul of our system. It will streamline the delivery of services, and thereby will, as I said at the outset, provide greater access for our children and young people and also continuity of care. I believe this is necessary. We have a very fragmented system today. It results, as I say, in silos and discrepancies between ministries.

We know that those in particular who fall through the cracks and between the silos are the youth who are receiving mental health services when they reach the age of adulthood and have that transition. So I support this. I support the establishment of the central umbrella organization that would be responsible for the design, management and coordination of the mental health system. As I say, it would help us eliminate the fragmentation we have today. We need consolidation in order that we can ensure consistency and efficiency. We need to strive to end the complex system that exists for parents and families in our province.

I remember that one of the first issues I dealt with when elected as a member was the fact that I had several families who were desperately seeking services for their children. A few of them were addiction cases, and there was just nowhere for people to go. We need to create a system that is seamless, we need this transition from youth to adult mental health services and we need to make sure nobody is stuck in no man's land.

I support the bill and I'm glad that people have come together, because mental health is an important issue and we need to do all we can to make the lives and the experience of those who suffer from mental illness better than what is happening to them today.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Khalil Ramal: I'm delighted to stand up and participate in the debate on Bill 117, which was brought forward by the member from Don Valley East and co-sponsored by the members from Whitby-Oshawa and Nickel Belt.

I think this issue is important to all of us, and that's why I want to commend the member from Don Valley East. When he was Minister of Health, he formed a committee from both sides of the house to deal with this issue. It's an important issue, not just for us as a government but for all members of this House from the opposition and the third party and also all the people of Ontario. This issue has been neglected for many years, and it was about time to open it up and form a committee to go and talk to the stakeholders across the province of On-

tario and speak to experts who dealt with the issue for many years.

Certainly, before I got elected, I went to many different places in London, and they told us about how important it is to deal with mental health and addiction in the province of Ontario. How many people have been neglected in the system; how many people who are suffering from mental illness or addictions fill up the jails and are on the streets homeless and in trouble with the police?

There are many different elements to it, as the member from Don Valley East mentioned. If we deal with this in a professional manner, it will save us \$39 billion. The result of neglecting this issue will cost our society and our community a lot of good people and also almost \$39 billion. That's why this issue is being brought up again by the same member who was the Minister of Health and formed the committee to study it in depth and come back to the House to be supported. I'm honoured to be part of the government that took this initiative seriously and also, in the latest budget, invested more than \$250 million in mental health and addiction, and more to support children. It's almost \$64 million to deal with this issue and support many different organizations and many different places across the province of Ontario that deal with mental health.

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I'm not the expert. I listened to the Chair of the committee, who led the charge across the province of Ontario. He mentioned that he listened to a lot of people. I had the privilege and honour to attend an event with him in London, Ontario, at the convention centre, where many different stakeholders came from across Ontario to discuss this very issue. He was the keynote speaker. He spoke about what the people said across the province of Ontario; what they said in the north and the west and the east and in Toronto. Everywhere across the province of Ontario there's some kind of unification and some kind of agreement. This issue has to be dealt with in a professional manner.

The member from Don Valley East is today bringing the issue to us to break those silos. According to what I read in the bill, there are silos from childhood to adolescence to adulthood; that when people go through those transitions, for some reason, they fall through the cracks and are not being dealt with smoothly. As a result of that gap or the silos, so many people suffer. Some people fall off track, and it costs our society and our communities a lot of pain.

Therefore, I think his suggestion to move the responsibility from the Ministry of Children and Youth to the Ministry of Health—I'm not an expert in that field. I'm not sure how it's going to happen, but my interest in the whole bill—that's why I'm speaking and recommending that people support it to deal with it, to open a conversation, as the member from Oakville mentioned, because it's important to talk about this stuff. It's important to deal with it once and for all, whether it be in the Ministry of Health and Long-Term Care or whether it remains with the Ministry of Children and Youth.

But in the end, do you know what? It doesn't matter which ministry we can be under. The most important thing is how we can invest our money, how we can invest our talent and skills and how we can deal with the issue. I guess we need a commitment, which we did as a government. We committed to this cause and to invest. We invested more than \$64 million to expand our support services for the youth who have faced some kind of mental or psychological challenges to deal with it. I think it's important to us to continue to open this conversation, to in the end come to a solution to protect our vulnerable people, our youth, because in the end, if we can save that youth and put them back on the right track, we'll have contributing members of society instead of members who take taxpayers dollars and also go—we waste lives and also create obstacles to the justice system and policing system. We will have people contributing instead of taking from the system.

It's an important topic. We've been open in the past and we'll continue to be open, I guess, in the future. Hopefully, when we send it to committee, we can come up with a solution. A good solution will please all people, especially when we get the professionals to deal with it.

In the end, as I said, I'm not a professional in this regard—whether it should be in this ministry or another ministry—but I think it's an important issue to be open about and to talk about because it needs to be solved.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Steve Clark: I'm pleased to join in the debate this afternoon on Bill 117. At the start, I want to commend the member for Don Valley East, the member for Whitby–Oshawa and the member for Nickel Belt for bringing this very important bill to the floor of the Legislative Assembly today.

When I was elected last year—we all have public meetings that we host in our constituencies. I've been at a lot of public meetings over the years, some not so well attended. Others garner a little more public attention. I can remember asking the member for Whitby–Oshawa and the member for Dufferin–Caledon to come to my riding during a constituency week in October to talk about the recommendations of the Select Committee on Mental Health and Addictions. The room was packed. It was completely packed with people who wanted to talk about the report, who wanted to talk about the issues in my community, the issues that face Ontarians. I think people were unanimous in wanting legislators here at Queen's Park to act. In fact, let's face it: When we have meetings in our ridings, sometimes we tend to have people who support our particular party show up at these meetings. I was so impressed that we had people from every political stripe there, because—and I'll quote the member for Oakville—they, like the member for Oakville, said that we should move ahead, and I think he used the words that we should “do the right thing.” I truly believe that Bill 117 is moving us forward and doing the right thing.

Let's remember that of the 23 recommendations in the select committee's report, this recommendation wasn't

number 23; it wasn't recommendation 19; it wasn't recommendation 10 or 5; it was recommendation 1. It was the very first recommendation that this all-party select committee presented for our ultimate unanimous consent and approval.

I again commend those three members for bringing that forward. I certainly support their initiatives. We've got a number of groups in my riding, people like Connect Youth, which is a young people's group that really looks forward to this happening and, truly, to young people being served in the province of Ontario.

The Acting Speaker (Mr. Jim Wilson): Mr. Caplan has two minutes for his response.

Mr. David Caplan: Speaker, I thank you, but I especially want to thank the members from Whitby–Oshawa, Nickel Belt, Oakville, Kitchener–Waterloo, London–Fanshawe and Leeds–Grenville for their contribution to this debate today. I thank them for their words of support and I thank them for their support of Bill 117.

I want to pick up where the member from Leeds–Grenville left off, for I very much believe that Ontarians are ready for action. We have had a lot of work and a lot of consultation and a lot of thought, and a lot of goodwill has developed over the course of a great deal of time. This, I think as members have said, crosses all political stripes. I think that members have worked together in a very genuine way and have brought these issues forward. Now is the time for action.

I hope that every recommendation that the select committee made, all 23, are implemented. I think we've already seen some action: action on narcotics. This is a step, in a legislative vein, but there is a lot more that needs to happen in policy, in funding, in coordination and in service delivery. I think the identification of a regional basket of services is absolutely critical for us to be able to say that, whether you live in the city of Toronto or in the town of Kapuskasing, there are supports for mental health and addiction services for you and for your family. It's time to take this out of the shadows.

I encourage all of my colleagues here today to please support Bill 117. Now is the time for action. I think very much that that spirit has been captured here today. It will not be easy, this journey that we're on. Changing the status quo is always difficult, but it is worthwhile, it is just, and the time is right.

The Acting Speaker (Mr. Jim Wilson): The time for this ballot item has expired. We'll vote on Mr. Caplan's bill in about 50 minutes.

HIGHWAY TRAFFIC
AMENDMENT ACT, 2011
LOI DE 2011 MODIFIANT
LE CODE DE LA ROUTE

Mr. Prue moved second reading of the following bill:

Bill 174, An Act to amend the Highway Traffic Act in respect of contravening the rules of the road and causing death / Projet de loi 174, Loi modifiant le Code de la

route en ce qui concerne les contraventions aux règles de la circulation et le fait de causer la mort d'une personne.

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order 98, the honourable member has 12 minutes for his presentation. Mr. Prue?

Mr. Michael Prue: I wish to preface my remarks today with profound thanks to Barbara Konstantopoulou, my constituent who came to me about a year ago with a problem that she perceived with the Highway Traffic Act, as it so hugely affected her extended family. Barbara is here today.

She came and she told me of the tragic events that happened to her sister, and she asked me if I could do something about it. I remember on that date telling her that I had already secured my second private member's bill for the term, and that the only chance there was was to have my name pulled out of the hat for the last remaining spots at the end of the session. In fact, it was, and when I phoned her up, she felt that that was a great sign, what had happened. She prepared all of the notes. She has been with me throughout this entire event. So I thank you for what you've done.

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Tragedy struck Barbara's family on May 27, 2009. A driver ran a red light 42 kilometres over the speed limit and it slammed into the car driven by Koula Nasiopoulos and killed her on the spot. The driver passed three stopped cars and collided, at impact, 122 kilometres an hour in an 80-kilometre-an-hour zone. The officers who attended the scene found, first of all, that there was no evidence of any alcohol or impairment of the driver. Secondly, although they wanted to, they could not take toxicological evidence, because that is contrary to the Charter of Rights and Freedoms, to determine whether there was anything else that may have caused an otherwise good driver to go 122 kilometres an hour, go past three cars, go through a red light and ultimately kill someone. There was no past history of speeding by the driver, so they could not say that this was a recurring event. And last but not least, the black box inside the car indicated that there was not any speeding five minutes before the accident. The driver herself blamed car malfunction. She said she could not understand why the car speeded up when she did not want it to.

The police, having looked at all the circumstances, determined that there was not sufficient evidence to prove, beyond a reasonable doubt under the Criminal Code of Canada, that the driver was guilty of careless driving, and therefore could not lay that charge, in spite of the fact that someone was killed. The Highway Traffic Act, in turn, has no provision for "cause death," and therefore the police reluctantly had to lay a charge of running a red light. The crown attorney who looked at all the circumstances of this case had to say, "There is nothing we can do, except prosecute the driver for running a red light." The judge, sitting in judgment on the case, said that there was nothing he could do except find the driver guilty of running a red light. In the end, Koula Nasiopoulos died and the driver got a \$300 fine, \$65 in court fees and three demerit points.

Think about the circumstances. The entire family is here today. Think about the circumstances if this happened to you or your family, and whether you would have thought that justice was done. This is not a unique case in Ontario. It has happened, as far as I can tell—and there is some stuff in the blogosphere—four or five times. Mothers Against Drunk Driving have talked about it. Other groups have sprung up to talk about the sentence, the consequences and what has happened to the victim and the victims' families.

What is even, I think, worse to all people who would look at this is that the transcript of this particular driver will forever show that there was a \$365 penalty and three demerit points. After two years, as we all know in this House, those demerit points will be removed, and they will be removed soon. So all that will exist is a \$365 penalty for going through a red light.

This is not what I think we need to have. There will be no reference that the action caused death. The officers, the crown attorney, would be unable to do anything, if they were prosecuting this same person again, other than to say, "You ran a red light two years ago. You went through a stop sign or you speeded or you did something else this time," because all it would say is that the woman ran a red light.

This bill would allow the police, would allow the crown attorney, would allow the judges to have some latitude, where the consequences of the action are far more serious than what some would say might be a trivial traffic misdemeanour, to have something else done. It would allow the judge to assess the situation. The judge could, in all the circumstances of the case, say, "Yes, you ran a red light, and, yes, the crown has charged you with a more serious offence. But I've heard all the circumstances, and I'm prepared to allow a lesser plea of running the red light," or going through a stop sign, or 100 other things that one might do under the Highway Traffic Act. Or the judge might say, "This was particularly careless. You were going 42 kilometres over the limit, you passed three other cars that were stopped for the red light and you killed somebody," and impose a different penalty.

I'm not particularly worried about the penalty. The proposal talks about "between \$1,000 and \$10,000 and the possibility of up to six months in jail." But what is more important, I would say to all of you, is that there would be a different finding by the judge that would be on the transcript: that this person has, through their actions, caused the death of an innocent human being, the death or dismemberment or turned someone into a paraplegic. We need to record that. We need to have that information. The police need to have it. The crown attorney needs to have it. The judge needs to have it. Yes, even the defence attorney needs to know that, in advance of any trial.

I'm asking that the members here give that opportunity by passing this bill. I know it may be contentious to some, and I have heard that some honourable members will support the bill and some may not, but I am asking

you to support it today at second reading. I am asking you to look into the eyes of the family. The victim's husband is here. The children are here. The extended family is here. People who knew her and loved her are here, and they cannot and will not accept that the final outcome is a \$365 fine. There has to be something more that we, as a society, can do and should do when someone dies. We have to be able to say that the judge should be given that opportunity, because the judge in this case was not given that opportunity. Everyone in that courtroom, from the victim—even the defence attorney. Everyone in the courtroom felt that a \$300 fine was not the answer to what happened.

As I said, this is not a lone case. So I am asking this Legislature to pass this bill at second reading and to send it to committee. I have talked to some of my colleagues who feel that maybe the bill isn't exactly as it should be worded. I have to rely on legislative counsel, just as all of you do. The legislative counsel told me that this is what was necessary to get the bill before this House. I ask that it go to committee; that if you have suggestions, if you have options, if there are other things that might make the bill better, that you allow that process to happen.

I ask you to hear from this family, but I also ask you to hear from MADD Ontario and MADD Canada, who are aware of this and have some other cases. I ask you to hear from the police, I ask you to hear from the crown attorneys and perhaps even from the judiciary about what is needed to make their jobs better, so that they can properly adjudicate; so that they are not tied down to simple things of going through a stop sign, going through a red light or going a few miles too fast. Really, what they need is an option when something very serious happens.

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We know that we cannot bring Koula back. We cannot lessen the grief of this family, and they are not here for that. They told me today, when I met all of them—and most of them for the first time—that they are here not to seek justice for the deceased relative; they are here to seek justice for the people of Ontario. They want to make sure that the same thing that has happened to them does not happen to other families: to see someone who has killed a loved one get off with the \$365 fine.

I want to close: I think the more accurate thing I'm trying to do is not so much the fine, because the fine can be anything the judge levies, from \$1,000 to \$10,000, or, in particularly egregious situations, some time in jail. The important thing is to more accurately reflect the gravity of the offence by putting that on the transcript and, by doing that, deter future behaviours. Because if someone just ran a red light and that's all that's on there, what is to stop them from thinking that that wasn't so serious?

Please, when you're speaking, look into the eyes of the family and do what you need to do. Thank you very much.

The Acting Speaker (Mr. Ernie Hardeman): Further debate?

Mr. Bob Delaney: I am personally familiar with the sentiment behind this bill. The mother of my former con-

stituency assistant died under very similar and tragic circumstances. While she was walking down one of our main streets in Meadowvale one summer evening a few years ago, she was struck and killed by a speeding driver.

I want to start off by looking at some of the things on which the member for Beaches–East York and I appear to agree. We very much agree that this tragedy should not befall anyone else or strike any other family. I think we can agree that Ontario has among the safest roads in North America, and while collision-related injuries and fatalities continue to decline, one of the things that I'm sure we agree on is that we're always looking for ways to make our highways and roads safer. I think we agree that driving on Ontario roads without the appropriate level of care and attention is unacceptable and there's no way we should tolerate it.

I know that the minister and the ministry continue to focus on improving the behaviour of all drivers through a combination of initiatives that include legislation, public education and supporting the enforcement efforts of Ontario's police services. In our province, we've always been on the forefront of innovative efforts to improve our traffic laws. In fact, as part of the Road Safety Act, 2009, the ministry increased the penalties for some serious Highway Traffic Act offences, which include careless driving, not wearing a seat belt, failure to remain at the scene of a collision, running a red light and, of course, failing to stop for emergency vehicles. These changes became effective last year, on January 1, 2010.

The minimum and maximum fines for careless driving were increased: the minimum fine from \$200 to \$400, the maximum fine from \$1,000 to \$2,000. Drivers convicted of careless driving continue to face up to six months in jail, six demerit points and a licence suspension of up to two years.

On something that personally concerns me, because this was part of the cause in which the mother of my constituency assistant died, our recent street racing law is considered among the toughest and most aggressive driving countermeasures in Canada. Since September 30, 2007, drivers who put others at risk by driving aggressively have faced stiffer penalties under the Safer Roads for a Safer Ontario Act. Drivers who engage in street races, driving contests and stunts have faced, among other things, an immediate seven-day driver's licence suspension at roadside, an immediate seven-day vehicle impoundment at roadside and, upon conviction, a maximum fine of \$10,000, a two-year maximum licence suspension, 10 years if convicted again within 10 years, and up to six months in jail. The definition of "stunt" is very broad, and includes driving at 50 kilometres per hour or more above the posted speed limit, intentionally preventing another vehicle from passing, cutting off another vehicle or driving too close to another vehicle, pedestrian or fixed object.

The member was discussing whether the police officer has some latitude, which I believe are the words he referred to. Depending upon the circumstances, police officers today have the option of laying more serious

charges under the Criminal Code of Canada, which include dangerous driving, dangerous driving causing bodily harm, dangerous driving causing death, criminal negligence causing bodily harm and criminal negligence causing death.

The penalties if death is involved are extremely serious. The conviction for criminal negligence causing death is punishable with imprisonment for life.

In each case, all of the relevant circumstances have to be taken into consideration by the investigating officer, including whether or not charges should be laid. If the police officer is of the view that there is no reasonable prospect of a conviction under the Criminal Code of Canada—a charge of dangerous driving causing death, which is subsection 249(4)—then the officer may lay a charge of careless driving under the Highway Traffic Act, which is a provincial statute. The Highway Traffic Act governs the rules of the road, but not criminal conduct. A charge for a traffic offence should never take the place of a charge under the Criminal Code of Canada, because the purpose of the traffic offence charge is very different from a criminal charge.

This makes it very difficult to discuss the member's bill, because some of the provisions in his bill may be considered redundant, given that the sentencing principles already take mitigating or aggravating factors into account. Moreover, if the penalty structure for a part X Highway Traffic Act bodily harm or death offence becomes too severe and approaches criminal penalties, then it's possible that Ontario could be perceived as encroaching on federal jurisdiction, leading to the possibility that the legislation proposed could itself be struck down.

Dramatic increases in the penalties associated with part X Highway Traffic Act offences would likely further increase the number of charges that are contested in court and the complexity of the proceedings, which could, as an unintended effect, result in more strain on court and police resources.

The proposed bill will not be applicable to speeding other than street racing or to careless or distracted driving, as these offences are not found in part X of the Highway Traffic Act. Bill 174 would only be applicable to provincial offences, which apply, generally speaking, to less serious driving offences as opposed to the offences of criminal negligence or dangerous driving, which are found in the Criminal Code of Canada, which is federal legislation.

On that note, I'd like to pause and listen to the rest of the debate and consider what the other members say.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Frank Klees: I'm pleased to rise and participate in this debate. At the outset, I would like to express, on behalf of my colleagues in the PC caucus and Tim Hudak, our sincerest condolences to the family. I know this must be a very difficult time. I am appreciative, as I'm sure the family is as well, that the member for Beaches–East York, Mr. Prue, is bringing this forward.

I think we can have a great deal of discussion about what the technicalities of the current legislation are. We can perhaps listen at length to rationale as to why the existing statutes serve us well. But I think that misses the point that Mr. Prue is attempting to bring to this House, and that is that with all of the good things that we have done in the province of Ontario to ensure road safety, there are some gaps.

Here we have one that I believe we as legislators have a responsibility to look at very seriously. As Mr. Prue has indicated, if the technicalities of how this statute is written need some work, we're all willing to sit down at committee and work those details out.

I think the essence is that an innocent life has been lost; that, based on the comments we heard, that we have been told about, given by the judge who was presiding over this matter—the judge reached out and called out for assistance, because even the judge felt that there was not sufficient basis on which any further remedy could, in fact, be prescribed here.

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I believe that there is an obvious need here for the ability of a judge to take into consideration that, while it was in fact a Highway Traffic Act violation, nevertheless, the fact that that caused bodily harm or death elevates this to yet another level, and that the appropriate remedy should be available to the courts to deal with. What I do believe is that if we don't take opportunities such as this to make the appropriate changes to legislation, then we're not doing our job.

I want to encourage the family, because it was a very similar circumstance in my riding that prompted me to bring before this very Legislature a private member's bill that called on the government to introduce tougher legislation relating to street racing, and we had this debate. A father and a mother lost their lives, leaving behind a seven-year-old, orphaned daughter, as the result of street racing not far from Bloomington. In fact, it was at Stouffville Road and Yonge Street in York region. It was that circumstance that prompted me to bring forward legislation. We had the debate here, and at that time, because of the circumstances of the House rising subsequently, we weren't able to get that particular legislation passed into law. To the credit of the government of the day, the government did subsequently take those very provisions of that private member's bill and incorporate it into what is now the government's street racing legislation.

So the encouragement I would offer the family is that you're here, the member for Beaches–East York is bringing this circumstance forward, and I'm sure that there will be very serious consideration given to what is being presented here today in honour of Koula, who, yes, lost her life. But I believe that this, while in no way making up for anything—certainly, I believe that as a family, you can take solace in the fact that, first of all, this issue is being discussed here, and I am convinced that the change that is being proposed by the member from Beaches–East York will ultimately, in fact, be

adopted by the government. As I said, we have some work to do in terms of some of the details, but the principle here cannot be argued.

I want to again, on behalf of my colleagues in the PC caucus, thank the member for Beaches–East York for bringing this forward. We will be supporting this, and we look forward to the subsequent legislative process that will, at the end of the day, ensure that this change is incorporated.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Peter Kormos: I'm pleased to speak to this bill put forward today. I know that my colleagues from Nickel Belt and Toronto–Danforth are eager to speak to it as well in the short time allowed to us.

First, I want to commend, congratulate and thank my colleague the member from Beaches–East York for his initiative in bringing this bill forward. I know, because he has spoken with me about this proposition over a pretty lengthy period of time now since he was first approached by the family, that this matter has weighed on his mind and that he was eager to find a slot on private members' public business, a slot that he has today, to bring this matter before the House.

Let's make something very clear: The vote today is on the bill in principle, and if people of this chamber have a desire to do some fine-tuning of the bill then all the better. Then support the bill on second reading in principle and send it to committee, because that's where that kind of work is done. Let's lay to rest right now this very false argument that somehow this bill is unconstitutional.

I'm well aware of the difference between the federal jurisdiction over criminal law and the provincial jurisdiction over property and civil rights. I'm also well aware of the litany of appellate court decisions, including the Supreme Court of Canada, of course, that have said for many, many decades now, when contemplating the provincial Highway Traffic Act and the types of offences it has created, that the fact that a violation of the Highway Traffic Act is punishable by fine or imprisonment does not make it criminal law and is outside the jurisdiction of the province. So that argument just doesn't cut it, and that's the Supreme Court of Canada. If you can find a higher court, please show it to me.

The tragedy—and I have witnessed it so many times in my own community and many years ago as a criminal lawyer—of an offence being a simple failure to stop for a stop sign but nonetheless resulting, as we have here, not just in serious bodily harm and in death, but with the police and the courts having no choice but to charge for failure to stop for a stop sign or failure to stop for a red light and being bound by the provisions of the Criminal Code is enormous.

Sentencing is about a whole pile of things. Again, the courts have said that too. It's about deterrence, both specific deterrence and general deterrence. I put to you that there's an underlying function of sentencing, and that's a symbolic function, in that the sentence must and can and should in some way reflect the gravity of the

consequences of the behaviour. We have a dead woman here, and the meagreness, the trivialness, of the sentence that the court was compelled to impose does not speak well about our regard for that woman and her family.

So the member from Beaches–East York does two things here: One, he is right; we should be very clear about this. He creates a new offence, and he makes it clear that the purpose of this new offence is so that a Highway Traffic Act record—you should know that those records don't last forever; after five years they disappear. But at least for that five-year period, anybody reviewing that record—a court on a subsequent sentencing procedure, for instance, to determine whether the sentence on a subsequent offence might be—will understand that that previous misdemeanour, that previous offence, that previous violation of the Highway Traffic Act resulted in somebody's death. Because the mere fact that it's a conviction under 191.0.2: Everyone, "as a result of contravening any provision of this part," part X, "causes the death of or bodily harm to any person is guilty of an offence," and the author goes on with the sentencing provisions.

We should understand that part X of the Highway Traffic Act is the rules of the road provisions. Part IX is the speeding provisions. Curiously, and I don't know why, section 130, "Careless Driving," is included in the speeding provisions in part IX. I suspect that's an anomaly created by constant revision of the Highway Traffic Act over the course of many, many years, because careless driving would clearly more properly fit in part X of the Highway Traffic Act, the rules of the road, rather than amongst the speeding provisions.

So I say to the government: If they want to bring a bill moving careless driving into part X into the Highway Traffic Act, I'd be pleased, on behalf of New Democrats, to stand up in support of it and to expedite its passage.

This is all quite an aside. When we look at the offence of racing—and reference was made to it by the government spokesperson—we see that racing is accompanied by the prospect of a minimum fine of \$2,000 and a maximum fine of \$10,000. The proposition contained in Bill 174 has, again, a maximum fine of \$10,000. So it's well within the framework, and the courts have considered the racing provisions of the Highway Traffic Act in various appeals. The framework of the sentencing in terms of monetary sentence is entirely consistent with what's already in the Criminal Code with very, very serious offences.

1540

But let's understand this as well: There isn't such an offence in the Highway Traffic Act, part X, of racing causing death. This bill, Bill 174, would permit a court to convict a person of racing causing death or racing causing bodily harm, and their record would show that. Isn't that important? Isn't that relevant?

What my colleague has done is create an aggravated highway traffic offence from which a particular consequence flows. So any one of the part X offences, the rules of the road offences, if violated, results in bodily harm or

death, that bodily harm or death aggravates the behaviour and not only permits the court to impose a more serious penalty—at the end of the day, look, no penalty can ever restore a life. No penalty can ever restore a mother, a sister, a daughter, an aunt, a neighbour, the woman who volunteers at the local hospital or with her local school. But sentences can reflect society's regard for the victim and society's sense of repugnance at the behaviour.

I think this is an incredibly important bill that belongs in committee, so it can be worked with and discussed further. I urge people in this chamber who, if they have regard for those victims, to support this legislation.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Khalil Ramal: It's a privilege and honour to enter the debate.

Before I start, I want to, on behalf of myself and my colleagues, express my sorrow and sympathy with the family who's with us today. I want to thank you for working with the member from Beaches–East York to bring such an issue to us in this place to be debated and talked about.

This issue is important to me. As you know, I'm from London, Ontario. Every week we drive back and forth to London. We come Sunday night, drive back tonight after we finish here to our constituency office and deal with our constituents in London. Most of the time, driving the highway—and as you know, the highway's full of trucks, cars; people speed, and different weather conditions sometimes impose certain circumstances.

One time I was driving to London and one of the big, huge trucks wasn't paying attention or whatever and just pushed the brake and I guess slid and hit the back of my car and pushed me against the barrier, bounced me back to the truck, and I guess it dragged me almost about 200 or 300 metres. So I'm lucky I'm still alive and back to this place.

I think it's important for us to discuss this issue, to make sure that all the people who are driving on the highway or in the city are paying attention to red lights and stop signs and not racing—take this issue seriously because most of the time there's a lot of kids playing on the street, or elderly women or men walking by, which actually happened to my father one time. A person who was working all night I guess was tired. Every morning, my dad liked to walk just for exercise in London, and the guy just hit him. He happened to be his friend, and he apologized and said, "I worked all night. I was so tired, I didn't pay attention." So there are many elements. It happens all the time.

I listened to the member from Welland, who's the expert. He's a lawyer. He knows the law more than me and he knows the details. I thank him for explaining to us about this bill. I think he said it contradicts with the Constitution of Canada, and also that we'll be overstepping the jurisdiction of the federal jurisdiction.

The most important thing is to open the debate. To the member from Beaches–East York: Despite the result or outcome of the vote in the end, I think it's very important

for us to bring this issue to this House, debate it very well and learn. Probably many people across the province of Ontario are listening to us and might read about it. It's very important to discuss it, in the interest of me, you and all of us across the province of Ontario, and to create some kind of safety mechanism to put in place.

I know we have the best safety record on highways in the province of Ontario and I know we have the busiest highway in North America, which is the 401. Also, we have a lot of conditions, a lot of people who, for many different reasons, race on the streets and in many different towns and cities because they think themselves cool; or some people who are not paying attention and they cross through a red light or a stop sign. They think it's their privilege, and they can do it because they are in a rush—they want to go to work or they want to go to a meeting—despite who's crossing or who's going to be affected as a result of their actions.

In principle, I'm supporting the bill, as the member from Welland mentioned. We can support it in principle and we'll see, when it goes to committee, where we can tweak it and listen to many different experts to see what we can do in terms of making sure that all the elements and mechanisms are in place to make sure that all the population across the province of Ontario, when they drive, when they walk in the streets or whatever they do—it's important for all of us.

I want to leave a few minutes to my colleague from Eglinton–Lawrence, who wants to speak about it. So thank you, Mr. Speaker, for allowing me to speak.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Peter Tabuns: It's a privilege, I believe, to be able to speak in this House today. To the family: Mr. Prue has spoken well, Mr. Kormos has spoken well about the necessity for this bill. Like them, I thank you for persisting in bringing forward this issue, because, as has been said, it's not just a question of what happened to your family, it's a question of what will happen to families across this province in the years to come.

Mr. Kormos thinks about these issues, has the legal training, has made the argument that this legislation is needed to broaden the armoury that a crown attorney and the police have to deal with behaviour that is destructive, that is deadly, that occurs on our streets. There's no question in my mind that if this bill needs to be improved, voting for it today, sending it to committee so that in fact all those who have a stake in this issue—the public, the police, the crown, all those who want to ensure the best possible framework of laws to protect people and their property on our streets will have that opportunity to come to speak. I have no doubt that a committee representative of everyone in this Legislature can make the changes that would be necessary to satisfy you legislators who are here today so that this bill can go forward.

Mr. Prue has a history of coming forward with practical, applicable, sensible legislation that would help

people in Ontario. He's done it again today. I thank him and I thank the family.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Mike Colle: I support this bill because, in many cases, the federal Criminal Code threshold is such that it's difficult to get proper justice. I introduced a bill in this House a couple of years ago with the same problem, where it is almost impossible to get a Criminal Code conviction for people who engage in drive-by shootings or have illegal firearms in their cars. It is sickening to see people who have shotguns—there's one before the courts right now about people with guns in their cars. Invariably, they get off on some federal technicality. I would love to see us take away their driver's licence and impound their cars, because the Criminal Code doesn't appropriately suit the bad behaviour.

I support this bill for that same reason. We've got to be more pragmatic in dealing with this kind of criminal activity that hurts families and people. We've got to do what we can to stop that from happening.

The Acting Speaker (Mr. Jim Wilson): Further debate?

M^{me} France Gélinas: I too would like to start by offering my support to the family of Koula Nasiopoulos. I thank you for joining us for the debate today.

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I started my career working on the intensive rehab unit at the hospital in Sudbury. The story and the painful event that you have lived through, other people have lived through, and if they ended up in the intensive rehab unit, it was because they were severely disabled by a similar tragedy.

In order for the family and themselves to get closure, many things come into play—the type of support they have, the therapy they get—but one big part for a family needing closure after a motor vehicle accident is that they want justice to be done. They want a fair and equitable justice system, as the member from Welland says, that matches the responsibility for what happened with the consequences of what happened. We know there is nothing any of us can do to bring Koula back, but as legislators today, we can do something to help bring closure to hundreds of Ontarians who will live through the same dramatic event that this family has gone through. We can help them bring closure to their family and we can bring a sense of justice when those events unfold. I will support this bill, and I hope you will do the same.

The Acting Speaker (Mr. Jim Wilson): Further debate? Further debate?

Mr. Prue has up to two minutes for his response.

Mr. Michael Prue: I'd like to thank the members from Mississauga–Streetsville, Newmarket–Aurora, Welland, London–Fanshawe, Toronto–Danforth, Eglinton–Lawrence and Nickel Belt for their contribution to the debate. I'd like to thank the member from Newmarket–Aurora for so strongly stating that it needs to go to committee. I'd like to thank the member from Welland

for speaking about the responsibility that is incumbent upon this House and the criminal justice system and the traffic justice system to make sure that everything that can be done is being done, the member from Eglinton–Lawrence for talking about the inadequacy of the Criminal Code, and the other members for just generally being supportive.

To the member for Mississauga–Streetsville, who was the one and lone person—I do admire what you had to say. You were talking about technicalities and the worrying of those technicalities, but I would hope that what the member from Welland had to say might assuage some of the difficulties that you felt were inherent in the legislation. I do not pretend for a moment that the legislation is perfect. We came with a situation, and we went to legislative counsel. The legislative counsel put out a framework, and I am willing to work with any and all members to make sure that it will serve the best interests, not only of the family who was here today but of all Ontario citizens. This is an attempt to empower police, the courts, the justice system and everyone involved, to make sure that the punishment and the recording of that punishment fits what happened. That's what this bill is all about.

I would not be content, and I think all members ought not to be content, to see someone who has killed someone by running a red light at 42 kilometres an hour over the limit get a \$300 fine and \$65 court costs. That's what this bill is about.

The Acting Speaker (Mr. Jim Wilson): The time provided for private members' public business is now expired.

WIRELESS PHONE, SMART PHONE
AND DATA SERVICE
TRANSPARENCY ACT, 2011
LOI DE 2011 SUR LA TRANSPARENCE
DES SERVICES DE TÉLÉPHONE MOBILE,
DE TÉLÉPHONE INTELLIGENT
ET DE DONNÉES

The Acting Speaker (Mr. Jim Wilson): We'll first deal with ballot item number 1, standing in the name of Mr. Orazietti.

Mr. Orazietti has moved second reading of Bill 133, An Act to provide transparency and protection for consumers of wireless telephone services, smart phone services and data services in Ontario.

Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Acting Speaker (Mr. Jim Wilson): Mr. Orazietti?

Mr. David Orazietti: Thank you very much, Speaker. I certainly appreciate the support of all members of the House today. I refer the bill to the Standing Committee on General Government.

The Acting Speaker (Mr. Jim Wilson): So ordered.

CHILDREN'S MENTAL
HEALTH ACT, 2010
LOI DE 2011 SUR LA SANTÉ
MENTALE DES ENFANTS

The Acting Speaker (Mr. Jim Wilson): We'll now deal with ballot item number 2.

Mr. Caplan has moved second reading of Bill 117, An Act to amend the Child and Family Services Act and the Ministry of Health and Long-Term Care Act to transfer the administration of certain children's mental health services to the Minister of Health and Long-Term Care.

Is it the pleasure of the House that the motion carry?
I heard some noes.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

We'll call in the members after the next vote.

HIGHWAY TRAFFIC
AMENDMENT ACT, 2011
LOI DE 2011 MODIFIANT
LE CODE DE LA ROUTE

The Acting Speaker (Mr. Jim Wilson): We'll now deal with ballot item 3.

Mr. Prue has moved second reading of Bill 174. Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

Mr. Michael Prue: I would like the bill sent to the committee on justice policy.

The Acting Speaker (Mr. Jim Wilson): It will be referred to the committee on justice policy. So ordered.

CHILDREN'S MENTAL
HEALTH ACT, 2010
LOI DE 2011 SUR LA SANTÉ
MENTALE DES ENFANTS

The Acting Speaker (Mr. Jim Wilson): We will call in the members. This will be a five-minute bell.

The division bells rang from 1556 to 1601.

The Acting Speaker (Mr. Jim Wilson): Mr. Caplan has moved second reading of Bill 117. All those in favour of the motion will please rise and remain standing until recognized by the Clerk.

Ayes

Caplan, David	Hardeman, Ernie	Miller, Norm
Clark, Steve	Jones, Sylvia	Prue, Michael
Dhillon, Vic	Klees, Frank	Ramal, Khalil
Flynn, Kevin Daniel	Kormos, Peter	Tabuns, Peter
Gélinas, France	Marchese, Rosario	Witmer, Elizabeth

The Acting Speaker (Mr. Jim Wilson): All those opposed to the motion, please rise and remain standing until recognized by the Clerk.

Nays

Albanese, Laura	Delaney, Bob	Oraziotti, David
Arthurs, Wayne	Dickson, Joe	Phillips, Gerry
Balkissoon, Bas	Jaczek, Helena	Rinaldi, Lou
Berardinetti, Lorenzo	Johnson, Rick	Ruprecht, Tony
Best, Margaret	Kular, Kuldip	Sandals, Liz
Brownell, Jim	Kwinter, Monte	Smith, Monique
Cansfield, Donna H.	Mangat, Amrit	Sousa, Charles
Colle, Mike	Moridi, Reza	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 15; the nays are 23.

The Acting Speaker (Mr. Jim Wilson): I declare the motion lost.

Second reading negated.

The Acting Speaker (Mr. Jim Wilson): All matters relating to private members' public business now being completed, I do now call orders of the day.

Hon. Gerry Phillips: I move adjournment of the House.

The Acting Speaker (Mr. Jim Wilson): Mr. Phillips has moved adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until next Monday at 10:30 a.m.

The House adjourned at 1603.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Aggelonitis, Hon. / L'hon. Sophia (LIB)	Hamilton Mountain	Minister of Revenue / Ministre du Revenu Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion and Sport / Ministre de la Promotion de la santé et du Sport
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Brotten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. Aileen (LIB)	Barrie	
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Tourism and Culture / Ministre du Tourisme et de la Culture
Chiarelli, Hon. / L'hon. Bob (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Infrastructure / Ministre de l'Infrastructure
Chudleigh, Ted (PC)	Halton	
Clark, Steve (PC)	Leeds–Grenville	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Education / Ministre de l'Éducation
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Energy / Ministre de l'Énergie

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC) Elliott, Christine (PC)	Simcoe North / Simcoe-Nord Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Flynn, Kevin Daniel (LIB) Gélinas, France (NDP) Gerretsen, Hon. / L'hon. John (LIB)	Oakville Nickel Belt Kingston and the Islands / Kingston et les Îles	Minister of Consumer Services / Ministre des Services aux consommateurs
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP) Hardeman, Ernie (PC)	Kenora–Rainy River Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Hon. / L'hon. Eric (LIB)	St. Paul's	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Hoy, Pat (LIB) Hudak, Tim (PC)	Chatham–Kent–Essex Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB) Jeffrey, Hon. / L'hon. Linda (LIB)	Oak Ridges–Markham Brampton–Springdale	Minister of Natural Resources / Ministre des Richesses naturelles
Johnson, Rick (LIB) Jones, Sylvia (PC) Klees, Frank (PC) Kormos, Peter (NDP) Kular, Kuldeep (LIB) Kwinter, Monte (LIB) Lalonde, Jean-Marc (LIB) Leal, Jeff (LIB) Levac, Dave (LIB) MacLeod, Lisa (PC) Mangat, Amrit (LIB)	Haliburton–Kawartha Lakes–Brock Dufferin–Caledon Newmarket–Aurora Welland Bramalea–Gore–Malton York Centre / York-Centre Glengarry–Prescott–Russell Peterborough Brant Nepean–Carleton Mississauga–Brampton South / Mississauga–Brampton-Sud	Third Party House Leader / Leader parlementaire de parti reconnu
Marchese, Rosario (NDP) Martiniuk, Gerry (PC) Matthews, Hon. / L'hon. Deborah (LIB)	Trinity–Spadina Cambridge London North Centre / London-Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB) McGuinty, Hon. / L'hon. Dalton (LIB)	Thunder Bay–Atikokan Ottawa South / Ottawa-Sud	Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Ted (LIB)	Ancaster–Dundas–Flamborough–Westdale	
McNeely, Phil (LIB) Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Orléans Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC) Miller, Paul (NDP)	Parry Sound–Muskoka Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Hon. / L'hon. Carol (LIB)	Huron–Bruce	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
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	
Oraziotti, 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	

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Vice-Chair / Vice-président: Robert Bailey
Robert Bailey, Gilles Bisson
Kim Craitor, Bob Delaney
Garfield Dunlop, Phil McNeely
John O'Toole, Maria Van Bommel
Clerks / Greffiers: Valerie Quioc Lim, Sylwia Przewdziecki

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Christine Elliott, Peter Kormos
Reza Moridi, Lou Rinaldi
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Peter Shurman, Norman W. Sterling
David Zimmer
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Rick Johnson, Sylvia Jones
Jean-Marc Lalonde, Ted McMeekin
Shafiq Qaadri, Khalil Ramal
Elizabeth Witmer
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Vice-Chair / Vice-président: Frank Klees
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