



No. 123

N° 123

ISSN 1180-2987

Legislative Assembly
of Ontario
Second Session, 39th Parliament

Assemblée législative
de l'Ontario
Deuxième session, 39^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 18 May 2011

Mercredi 18 mai 2011

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

Greffière
Deborah Deller

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 18 May 2011

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 18 mai 2011

The House met at 0900.

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

Prayers.

NOTICE OF REASONED AMENDMENT

The Speaker (Hon. Steve Peters): I beg to inform the House that, pursuant to standing order 71(b), the member for Wellington–Halton Hills has notified the Clerk of his intention to file a reasoned amendment to the motion for second reading of Bill 196, An Act to amend the Election Act with respect to certain electoral practices. The order for second reading of Bill 196 may therefore not be called today.

Orders of the day?

Hon. Monique M. Smith: We have no business this morning.

The Speaker (Hon. Steve Peters): There being no business, this House stands recessed until 10:30 a.m. this morning.

The House recessed from 0902 to 1030.

INTRODUCTION OF VISITORS

Hon. John Wilkinson: I'd like to introduce to the House a former staffer of mine and a good friend of many of us, Mrs. Pamela McDonald-Kuhne, who visiting from England. We're delighted that she's back visiting us today for question period.

Mr. Norman W. Sterling: It's my pleasure to introduce two guests today: Cyril Bladen from Middlesex, England, and Gary Matheson from the city of Toronto.

Mr. Michael Prue: I'd like to introduce my friends who have just arrived: John Papadakis from Fort Erie and his partner, Ellie Fisher.

Mr. Yasir Naqvi: I want to welcome Roxanna Spruyt-Rocks, the executive director of DeafBlind Ontario Services, and Doug Downer, who is the incoming board chair of the same organization. Welcome to Queen's Park.

Mr. Tim Hudak: Last week I had the pleasure of having lunch with our outstanding page from Jordan in my riding, Maggy Watson, and I'm pleased to say that her family has joined us here today: her sister Evalyn Watson; mom and dad, Shawna and Richard Watson; and grandparents Mary Catharine and Michael Watson, and Sydney and Stan Robson—a very proud family of our outstanding page.

Mr. Rick Johnson: I would like to introduce the reeve of Haliburton Highlands East, Mr. Dave Burton, who is here as part of the Haliburton–Kawartha Lakes–Brock day, which will be taking place in room 247 over lunchtime. I'd like to remind everybody: Please invite everyone to attend this afternoon.

Mr. Lou Rinaldi: I'd like to take the opportunity to welcome a couple of guests of mine today: Michelle Moore and Janett Kapinski.

Mr. Ted Chudleigh: I'm pleased to introduce some friends that I have from Halton who have come in to view Queen's Park for the day—hopefully, question period will be exciting: Mr. Keith Hess, Mr. Paul Mitrovich, and someone called Sandy Chudleigh is also with them.

Mr. Frank Klees: I'm pleased to welcome to the Legislature Adrienne McKenzie, who is the CEO of Victory Community Credit Union and also a constituent of mine. She's here telling us about the credit union movement. There she is there. Welcome to Queen's Park.

Hon. Monique M. Smith: It's my privilege to introduce my intern, who is doing her master's at Ryerson in journalism and who is with me for a few weeks: Carly Conway. Some of you might find the last name familiar, and I think some of you will remember Carly's uncle, Sean Conway, who was a member here for innumerable years. We welcome Carly.

Mr. Khalil Ramal: I'd like to introduce Harry Joosten from Libro, a famous credit union bank in our region. Welcome to Queen's Park.

The Deputy Speaker (Mr. Bruce Crozier): We have guests from the Welland riding: Mary Dolan and Dave Couture.

I would like my colleagues to recognize my guests who are in the Speaker's gallery: Larry Girard and his charming wife, Cindy Girard. Larry is one of the fearsome foursome that go to the Indy 500 each year, and we're ready to go next week.

Also in the Speaker's gallery are Joan's and my daughter, Nancy Crozier, and grandchildren Emma Stoyles and Adam Stoyles.

ORAL QUESTIONS

EXECUTIVE COMPENSATION

Mr. Tim Hudak: My question to the Acting Premier: At a time when Ontario families have seen their own wages frozen or rolled back and at a time when Ontario

families and seniors are struggling to pay for higher taxes and skyrocketing hydro bills, how can Premier McGuinty justify handing out merit pay and bonuses of up to 10% to the bureaucrats who brought us the billion-dollar eHealth boondoggle? Could you explain that to us?

Hon. Kathleen O. Wynne: To the Minister of Government Services, please.

Hon. Harinder S. Takhar: This agency reports to the Minister of Health, but let me just generally say that I absolutely expect all agencies, including eHealth Ontario, to adhere to the rules around compensation restraint. Our government was very clear about our expectations. The Minister of Health is meeting and is going to speak to the board chair and is asking for a full accounting and review of their decisions. We want assurance that their actions and the actions of all agencies follow not only the letter of the law but the spirit of the law.

Performance pay, as you may remember, was actually brought in by the other government. It was brought in by the Conservative government.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Tim Hudak: Minister, with all due respect, you set the rules; you enforce the rules. This is wrong. You should stand on your feet and say it's wrong and that you're going to rescind these bonuses of merit pay to eHealth bureaucrats that brought us this scandal.

Minister, I have a daughter who is three years old. Even she knows that she doesn't get rewarded for doing something wrong. It's clear. It's simple.

Will you please stand in your place and say this is wrong and you're going to rescind these merit pay bonuses to the people who brought us the eHealth boondoggle?

Hon. Harinder S. Takhar: I have said it very clearly: We expect all agencies, including eHealth, to actually abide by the rules and regulations that we have put in place. The Minister of Health is meeting with the agency chair and the CEO. She will ask for the full accounting of this.

Talking about daughters, actually, I have got two daughters. I know more about daughters than you will ever know.

The Deputy Speaker (Mr. Bruce Crozier): Final supplementary?

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Order.

Mr. Tim Hudak: With all due respect, back to the minister, instead of the family shots, let's get back to the point at hand. You have decided to give the eHealth bureaucrats who brought us one of the biggest boondoggles in the history of the planet up to a 10% merit pay increase. I don't have to remind the minister this was a billion dollars for health care that got flushed down the drain, hundreds of millions of dollars into the pockets of Liberal-friendly consultants.

Have you learned nothing from the eHealth scandal? How can you stand in your place and try to justify in any shape, form or fashion a bonus to eHealth bureaucrats? It's wrong. Stand in your place and pull it back.

Hon. Harinder S. Takhar: I'm not sure if the Leader of the Opposition is hearing what I'm saying. I said I expect all agencies, including eHealth Ontario, to adhere to the rules around compensation restraint. Our government was very clear about our expectations. We expect all of our agencies to follow the rules and regulations. The Minister of Health will be meeting with the chair and the CEO and will be asking for a full accounting of all this.

EXECUTIVE COMPENSATION

Mr. Tim Hudak: Back to the minister responsible for the bonus pay to eHealth bureaucrats: Minister, I'm sorry; your answers just don't cut it. This is clear. This was one of the biggest scandals in the history of the province of, a billion-dollar boondoggle, money that went into the pockets of Liberal-friendly consultants. I don't know what kind of rules you claim you are enforcing, but I want to ask you: What planet do you call home now that you think this makes any kind of sense whatsoever? This is an extraordinary abuse of tax dollars. The eHealth scandal keeps taking and taking. It's wrong. Minister, why don't you just say so?

1040

Hon. Harinder S. Takhar: I have made it very clear. We expect all agencies, including eHealth, to respect the rules around compensation restraint. Our government was very clear that we expect them to follow the rules and regulations. The Minister of Health will be meeting with the CEO and the chair of the board and then she will be asking for a full accounting of this. We want assurance that their actions and the actions of all agencies actually follow not just the letter of the law but the spirit of the law as well. That's why the Minister of Health will be meeting with the CEO and the chair of the board.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Tim Hudak: This is what I think was happening, Minister: You have signed a number of secret deals, including the 1% pay increase to the largest public sector union after the next election campaign. I suspect that you are trying to keep this secret. The bonus pay for eHealth bureaucrats has brought us one of the biggest scandals in the history of the province.

Minister, I don't know what rules you enforce, but perhaps you can tell us today: Under what circumstances, under what form of reality that you believe in, could a 10% pay increase for eHealth bureaucrats be justified in any shape or form whatsoever? Please tell us how this could ever be justified in the province of Ontario.

Hon. Harinder S. Takhar: This is why our Minister of Health will be meeting with the chair and the CEO of eHealth. We will be asking for a full accounting of it.

But let's be very clear: The performance bonuses were brought by the Conservative government. You set it up. You set up the rules and regulations. We will be asking all of our agencies to completely adhere to the rules and regulations that we set up, including eHealth.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): The member for Renfrew.

Final supplementary?

Mr. Tim Hudak: If there is any reason why we need change in the province of Ontario, it is your decision to give a 10% pay increase to the eHealth bureaucrats who brought us one of the biggest scandals in our province's history. No wonder Ontario families have lost faith in the McGuinty Liberals. No wonder Ontario families are looking for a change.

Let me restate the record, Minister: a billion-dollar health boondoggle, money that went into the pockets of Liberal-friendly consultants, a scandal that finally brought down a health minister sitting behind you here today and chased another one out of politics. Minister, how can anyone in their right mind justify a 10% bonus to the eHealth bureaucrats who put us in that situation?

Hon. Harinder S. Takhar: Let me just share with you a few examples of why the restraint that we introduced is actually working. In late 2008, the government reduced performance pay for senior managers earning \$150,000 or more to zero for the 2009 calendar year. That was reflected on the sunshine list that came out in March, as many senior managers, including deputy ministers, took pay cuts compared to last year's sunshine list.

For example, Cynthia Morton, the Deputy Minister of Labour, in 2010 earned \$204,000. That is less than the \$221,000 that she earned in 2009. George Zegarac, the Deputy Minister of Children and Youth Services, in 2010 earned about \$196,700. That is less than the \$206,590 he made in 2009. Kevin Costante, Deputy Minister of Education, in 2010 earned \$231,694. That is less than—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. New question?

POLITICAL CONTRIBUTIONS

Ms. Andrea Horwath: My question is to the Acting Premier. Yesterday, we revealed that a president of a publicly funded college was reimbursed by his institution for a \$5,000 donation to the Ontario Liberal Party. He paid it back only after we filed a freedom-of-information request. My question is: Is this an isolated incident?

Hon. Kathleen O. Wynne: I would have thought that the member opposite might have let this line of questioning go, after yesterday.

But let me just say that there are rules in place that govern political donations. We follow those rules. I trust that the member opposite follows those rules. Our understanding, under Ontario's Election Finances Act, is that the Liberal Party may only accept contributions from individuals, unions that hold bargaining rights for Ontario workers, and corporations that carry on business in Ontario and are not registered charities.

In addition to these legal requirements, the Ontario Liberal Party does not accept contributions from hospitals, colleges, universities, municipalities or from any organization that receives public funding. If you fall

within one of these categories, please do not make a contribution.

Those are the rules. The money was paid back, and the member opposite knows that.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Ms. Andrea Horwath: Records show that the president of George Brown College expensed seven donations to that institution for fundraisers in 2008 and in 2009. The donations were eventually repaid. I quote the institution: "The reimbursement to the college was made ... in conjunction with the review triggered by the FOI request."

What's being discussed at these fundraisers that makes college presidents think these are business expenses?

Hon. Kathleen O. Wynne: I think the member opposite knows full well that the rules were complied with in this instance. She knew that yesterday when she asked her question, but she didn't reveal that she knew that the money had been paid back.

We are following the rules. In fact, we're the party, we're the government, that has banned lobbyists from publicly funded institutions. We've actually tightened up the rules that have been in place for many years. We will follow those rules. The member opposite knows that we're in compliance, and we will continue to behave in that manner.

The Deputy Speaker (Mr. Bruce Crozier): Final supplementary.

Ms. Andrea Horwath: A number of cabinet ministers benefited from public funds being used for political donations. George Brown's president attended fundraisers for the Ministers of Health, Transportation, and Training, Colleges and Universities, and, in addition, a \$1,000 donation was made to the Toronto Centre riding association, all on the public's dime—until an opposition party made an information request.

The government likes to call this "gotcha" politics, but it's clear that they're the ones who just don't get it. What's being discussed at these fundraisers that makes public servants think that attending is a necessity of their job?

Hon. Kathleen O. Wynne: Our government has been very focused on improvement in the post-secondary sector. There are 60,000 additional spaces for post-secondary students. This kind of "gotcha" politics really isn't consistent with supporting that sector. What it does is, it undermines the very, very good people who are playing by the rules in that sector.

I have an email from President Anne Sado of George Brown. What she says is: "In the note, you will see that there are two personal cheques used for my expense reimbursement. You will also note that we have now reviewed our accounting processes, recognize the appropriate rules and as such, to ensure no inappropriate reimbursement, I have reimbursed the college for the amounts of the political donations."

I don't think that it is becoming of the leader of the third party to undermine the reputation of a person with as much stature as Anne Sado.

POLITICAL CONTRIBUTIONS

Ms. Andrea Horwath: My question is to the Acting Premier. The president of Fanshawe College also expended a donation to the governing party. This donation was also repaid after it was flagged.

Is the Acting Premier concerned at all about this practice going on in publicly funded institutions in this province?

Hon. Kathleen O. Wynne: What I'm concerned about is that everyone knows what the rules are and they follow the rules, and that's in fact what is happening. That's what's going on.

But what I'm more concerned about is making sure that every student who looks for a post-secondary placement in this province or an apprenticeship can find that. I want those kids to graduate from our high schools and to find a place in post-secondary. I want them to have the lives that they dream of, and what we're doing is putting that structure in place so that they can be the best that they can be.

1050

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Ms. Andrea Horwath: In September 2009, a Liberal Party fundraiser was held to honour the Minister of Training, Colleges and Universities. George Brown College bought two tickets, at a total cost of \$1,000. They clearly thought that handing money to the Liberal Party to attend a fundraiser was part of their job. Can the Acting Premier tell us what was discussed at that fundraiser?

Hon. Kathleen O. Wynne: We've been very clear—and in fact, we're the first government that has been very clear—that the use of public money should not be to get more public money; that that's not what it's about. That's why we've banned lobbyists.

We have an open-door policy. We believe that there need to be conversations between people who deliver services in the broader public sector and government. That needs to happen, but the rules about money have been tightened up. We've been very clear what they are, and people will be following those.

That's what the member opposite knows. She knew that yesterday when she asked the question, and she didn't reveal it until she was into her supplementary.

The Deputy Speaker (Mr. Bruce Crozier): Final supplementary?

Ms. Andrea Horwath: A government has been around way too long when they can't tell the difference between the public interest and their own. When public servants think attending Liberal fundraisers is part of their job, it's clear that we need a change in this province.

Why won't the Acting Premier clear the air and explain what was up for discussion at these fundraising events?

Hon. Kathleen O. Wynne: Well, maybe the member opposite would like to post some of her expenses, because my understanding is that none of her expenses have been posted.

What we have done is, we have tightened up the rules around the use of public dollars and how those conversations may or may not take place. We have tightened up the rules around lobbyists, and we've made it very clear that when there is a conversation about public policy, those conversations cannot be in the framework of money that is public dollars changing hands. The people who have been giving us donations understand that. The member opposite knows that those donations have been refunded and the rules are being complied with.

ELECTORAL REFORM

Ms. Lisa MacLeod: To the Acting Premier: A week ago, Premier McGuinty and his backroom advisers were running around comparing him to Prime Minister Stephen Harper. Now he's calling Stephen Harper corrupt. Hours after he said his Election Act amendments were non-partisan and federal Conservatives were not implicated in corrupt practices during the federal election, his backroom operatives sent out an email alleging that Conservatives, the Ontario PC Party and our leader were. Will you state categorically in this House that that sort of libel and smear is unbecoming of the Liberal Party and apologize to our Prime Minister and to the Ontario PC leader?

Hon. Kathleen O. Wynne: I'm not sure what kind of innuendo or rumour the member opposite is talking about. What we're trying to do is, we're concerned about any allegations or reports of fraud and misinformation that might have taken place during the federal election campaign. What we're interested in is making sure that the provincial election process is as up front, as transparent and as open as possible. That's all this is about. We just want to make sure—

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Members of the official opposition: When you ask a question, it would be nice if you kept quiet and listened to the answer.

The member for Nepean—Carleton.

Hon. Kathleen O. Wynne: I don't think I'm done.

The Deputy Speaker (Mr. Bruce Crozier): You're not finished? Okay.

Hon. Kathleen O. Wynne: I am not finished, Mr. Speaker.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Stop the clock.

Acting Premier?

Hon. Kathleen O. Wynne: What the legislation introduced yesterday is about is protecting the right to vote, and I think everyone should be in favour of that.

My question back to the member opposite is: Will she be voting in support of that legislation to protect the right to vote?

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Ms. Lisa MacLeod: The email was circulated last night by the Ontario Liberal Party accusing the Prime Minister of these tactics. That is why Ontario families are losing faith in this Liberal government. If the McGuinty Liberals have proof that the Conservatives of Canada and this party are involved in anything, then I challenge you to bring it forward.

The Liberals did not mention that the only campaign caught breaking election laws in the last federal election was the Liberals' campaign in Eglinton–Lawrence, when campaign workers were pulling Green Party pamphlets out of mailboxes. Instead, they decided to put these attacks on the Ontario PCs. We want to propose to fix the real problems with corrupt election promises in this province.

We do have a condition, to answer the minister's question: To pass this bill that you had eight years to bring forward, we want you to include provisions that would ban the sort of collusion that occurs between your campaign and the third party Working Families Coalition—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Response?

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Order. Stop the clock. Are you ready for the response?

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Are you ready for the response? Order.

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Minister for Consumer Services.

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Along with you.

Acting Premier.

Hon. Kathleen O. Wynne: It's very interesting to me that this reaction is coming from the opposition party because it seems to me that this legislation, which is really about protecting the right to vote, is something that they should be able to support without a whole lot of hulla-baloo.

We moved as quickly as we could. We want to get this legislation passed before the end of this session. We think it's very important. The fact is, if there are allegations of problems that occurred during the federal election, we want to make sure that none of those can recur.

At the base, at the root of it, what this legislation is about is protecting people's right to vote, to be able to get to the polling station that they should be going to and express their preference on a ballot. That's what we hope they'll be supporting.

EXECUTIVE COMPENSATION

Ms. Andrea Horwath: My question is to the Minister of Finance. News reports today indicate that eHealth Ontario employees, on average, are receiving 7.8% pay increases on top of merit pay increases. Can the Minister of Finance explain why front-line health care workers are

being told their wages will be frozen while others are seeing huge increases?

Hon. Dwight Duncan: First of all, we salute the front-line health workers of this province, whether you're talking about nurses, doctors, radiologists, technicians—those who provide the front-line services.

We have brought down the average rate of settlement in the public and broader public sectors. Working with our partners in the public and broader public sectors, we have continued to build on our record of investing in front-line services. We will continue to do that across the province.

We have hired some 10,000 nurses, and 1.2 million Ontarians now have a family doctor who did not have a family doctor when we came to office. We will continue to work with the public and broader public sectors, with union, as well as management, as we transition back to a balanced budget at the same time as we continue to build the vital public services that all Ontarians have come to rely on.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Ms. Andrea Horwath: This government's so-called wage freeze was doomed from the start when it expected front-line health care workers, like nurses and paramedics, to take a pay freeze while top health care executives, like Ron Sapsford and former eHealth head Sarah Kramer, received pay hikes and secret golden handshakes. Does the finance minister seriously think his plan is working?

1100

Hon. Dwight Duncan: It's working a lot better than the social contract ever did. Let's not forget the utter betrayal by that party, to get elected standing up for working people, then turning on working people. Unlike you, we froze management. We froze them by law. We chose to negotiate with unions, and we have had some success. We have had setbacks, but we are bringing down the average rate of settlement. The law that we have established is being followed.

Yesterday Moody's, the third credit rating agency, not only upheld our credit rating, but they said that we're on track to get back to a balanced budget. They said that our plan is working. Unlike that member and her party, we would not unilaterally strip collective agreements across the public and broader public sector. Why don't you reject that now while you have the chance, as you criticize us?

CLEAN TECHNOLOGY

Mr. Rick Johnson: My question is to the Minister of Research and Innovation. Innovation is really about giving ourselves better choices for the future and improving our quality of life. That is why the McGuinty government has embraced clean technology.

Clean technology is the key to continuing to build a strong Ontario economy. Our province is well positioned to become a major player in clean technology, bringing

in \$8 billion in annual revenues. Today more than ever, Ontario's economic and social prosperity depend on our ability to compete and win in the global marketplace. We want to ensure our clean technology companies have access to the capital they need to become global leaders in the clean tech space, especially in the early stages.

How will the minister ensure that we help clean technology start-up companies find access to capital?

Hon. Glen R. Murray: Right now, our clean tech sector here in Ontario is home to 3,000 firms—most of them have emerged in the last 10 years—that employ 65,000 people. I think Ontario understands that this is the result of three specific strategies that contrast our government with the opposition.

The first, as the honourable member pointed out, is capital. We have put \$3.6 billion directly into research and development with the private sector. The HST put \$8.5 billion in new capital back into those companies, on talent.

They would add \$8.5 billion in new costs by cancelling the HST, and they would cancel, as they did before, R&D—another \$3.6 billion. If we pursued their policies—

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Rick Johnson: Innovation and clean technologies can play an important role in developing new economic opportunities while reducing pressures on the environment. The concept of clean technology embraces a diverse range of products, services and processes across the industry that are inherently designed to provide superior performance at lower cost while greatly reducing or eliminating negative environmental impacts.

Ontario families want to make sure that they're using clean technologies to ensure that their children and grandchildren have a greener province. The minister has stated that our government has made substantial investments using Ontario families' hard-earned tax dollars in key projects in the field of clean technology. How do we know that these investments have been helping companies become local and global leaders in the clean technology industry?

Hon. Glen R. Murray: From Kenora to Kitchener to Kawartha Lakes, we are seeing microFIT on small farms and right into large companies emerging in our larger centres and mid-centres, like Cobourg. Not only do we have almost \$20 billion in new capital in relief in the last seven years, the other piece, where we disagree with the opposition, is on talent. They cut half a billion dollars from the university system. They raised tuition by 67%. We have capped tuition, capped debt and added 200,000 places. But still with that, we have to expand more because we have shortages in places like St. Catharines and Niagara in the digital economy. They want to send us back to hack-and-slash and destroy our post-secondary.

The final thing is contracts and trust. The Samsung deal is one of the underpinnings of Niagara. There is a chill going through the investment community because

they will violate the most sacred contracts with our most important private sector—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Minister of Research and Development, sit.

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Well, if you were sorry, you would have sat down sooner.

New question.

TAXATION

Mr. Norm Miller: A question to the Acting Premier: Yesterday, Premier McGuinty finally admitted that Ontario families can expect them to raise their taxes again when he said, "We'll keep doing what we've been doing."

His honesty sent a shiver down the spine of Ontario families and it sent his backroom advisers into full panic mode. They hastily assembled a bizarre late-afternoon press conference on the flimsiest of pretexts, and that was to celebrate the status quo. Did he really think he would deflect the attention of Ontario families from his plan to increase the HST with this last-minute attempt to cover up?

Hon. Kathleen O. Wynne: To the Minister of Finance.

Hon. Dwight Duncan: When countries and sub-national jurisdictions have had their credit rating downgraded and Ontario has maintained it not with one, not with two, but with three credit rating agencies, I say we should celebrate that.

Let me tell you something else: The credit rating agencies have refuted everything you have just said. The credit rating agencies said yesterday that we have a fiscal plan that can be accommodated within existing revenues and get us back to balance. That's what they said. What they talked about is the need to lay out a plan, to say what you're going to do, which we have done in a variety of documents, including the most recent budget.

That member and his party need to tell Ontarians why they voted against our tax cut package and why they voted against the clean energy benefit, and then start telling us what you're going to cut when you start doing more to hospitals and health care, like you did when you were part of your last government.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Order. Your member is going to ask a supplementary now, and I'm sure you'd like to hear the answer.

Supplementary?

Mr. Norm Miller: Well, this is a new milestone for the McGuinty government: They're celebrating not being downgraded.

Even Premier McGuinty has given up believing he won't raise taxes again. After the health tax, the HST, eco taxes on 9,000 items families use every day and more

taxes than I can name, Premier McGuinty has raised the taxes Ontario families pay so many times they know he'll raise taxes again if given the chance. So when he confessed that he will keep raising taxes, like he's done for the past eight years, it was a cleansing moment of honesty.

It should have been commended, but Premier McGuinty is so dedicated to raising taxes he tried to deflect the attention from his slip-up. Too late. So I ask: Will the HST be increased by 1% or 2%?

Hon. Dwight Duncan: We've laid out a budget and a plan that's been affirmed by the credit rating agencies that says we can get back to balance; that says we can continue to make the investments we're making—

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): I'm sure you want to hear the answer.

Ms. Lisa MacLeod: We already know.

The Deputy Speaker (Mr. Bruce Crozier): Then come to order.

Minister?

Hon. Dwight Duncan: —and keep our hospitals open and schools open. What the member conveniently forgets to remind people is that when we came to office, there was a hidden \$5.5-billion deficit that his party left behind. We brought forward the Fiscal Transparency and Accountability Act to ensure that that kind of misstatement could never happen again.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): I want question period over before my grandchildren grow up, so we've got to keep this thing going.

Minister?

Hon. Dwight Duncan: Ontarians don't want to go back to when they closed hospitals, when they fired nurses, when they fired teachers. We've laid out a plan. We're cutting taxes. You have voted against every one of those tax cuts for individuals and businesses.

Leadership is about making tough decisions, balancing budgets and investing in those vital public services that all Ontarians expect, and Dalton McGuinty and his government will show the right way to the future, overturning everything they did in the last eight years.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Order, please. New question.

1110

CORONER'S INQUEST

Mr. Howard Hampton: My question is for the Acting Premier. Two years ago, in May 2009, the Attorney General was asked about the improper use of CPIC, the police investigation tool, in terms of jury selection and jury rosters. The Attorney General responded by saying that this was a very serious issue and it had to be checked out, and a review was under way with the privacy commissioner to make sure this didn't happen again. Four years ago, in 2007, two First Nation families from Thun-

der Bay asked the Attorney General for information about the fairness of the selection of juries with respect to the investigation into the deaths of two young teenagers, and to quote the Court of Appeal, "they got the run-around" from the Attorney General.

Can you explain the very different responses from the Attorney General in these two very similar cases?

Hon. Kathleen O. Wynne: My understanding is that the matter that the member opposite is talking about is back with the coroner to proceed with an inquest. It's important that the coroner's process be able to roll out as is necessary.

I think at least one of the issues that the member opposite is talking about is a multi-jurisdictional issue, and he's talked about it here in the House before. The federal government has a role, obviously, in funding education, and I know that that's part of the issue that he's raised.

It's clear from our track record that the Attorney General and Minister of Aboriginal Affairs and our government are committed to working with First Nations. We're committed to making sure that the processes are in place to make children safe and to make sure that justice is served.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Howard Hampton: With respect, that's not what the record shows. In 2009, when questions were raised about interference with the jury system in terms of using CPIC checks, very quickly the Attorney General responded, you got this special investigation by the privacy commissioner, and then you got amendments introduced five months later to the Juries Act to deal with that. But when it comes to First Nation parents who are watching their teenaged children die on the streets of Thunder Bay and they put in a request to make sure the jury system is fair and impartial, the Ontario Court of Appeal says that after four long years, they did not get answers. Instead, they got the runaround, and a lot of time and money was wasted by the Ministry of the Attorney General.

I ask again: How do First Nation families get treated so badly on the one hand, but on the other hand, where it doesn't involve First Nation families, things happen very quickly from your government?

Hon. Kathleen O. Wynne: First of all, as my colleagues have made it clear, our hearts go out to the families of any missing children.

The second thing is that the issues that the member is raising are very complex. They're multilayered; they're interjurisdictional. There are many facets to them. I think the member opposite, to be fair, is exploiting a notion that, somehow, there's an inequity of justice being applied to different people in the province. That is absolutely not the case. That is certainly not our intention.

We will do everything we can, and I know the Attorney General will do everything that he can to make sure that justice is meted out in as fair a manner as possible. But we will work within the bounds of the law.

ASSISTANCE TO FARMERS

Mr. Lou Rinaldi: My question is to the Minister of Agriculture, Food and Rural Affairs. Minister, Ontario farmers are facing damage to livestock and crops from a wide range of wildlife. Farmers receive compensation for losses under the Livestock, Poultry and Honey Bee Protection Act. However, the compensation provided by the act is over 25 years old. Producers in my riding criticize the package for being not only outdated but also far too restrictive.

I know that farmers in my riding were pleased to hear that the government is working to come up with a compensation program that meets their needs. Can the minister please share with the House what steps are being taken to revise the current compensation schedule?

Hon. Carol Mitchell: I'm very pleased to respond, and I certainly understand that wildlife compensation is a very serious concern to our affected producers. We recognize that the wildlife compensation has not been adjusted in 30 years, and that's why we've made changes under the Open for Business Act. We are working with our farmers to come up with a modern compensation program that meets their needs. Farmers wanted this change, and I want to share with you: I heard that at AMO, and I heard it at ROMA. There were over 250 submissions on the EBR posting, and there was a joint OMAFRA-MNR industry working group that made that absolutely crystal clear. We heard it from the consultation done by the ministry.

We are a part of a government that listens, and I'm very pleased to report today on all of the people who have been engaged. Our farmers want change on—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Supplementary?

Mr. Lou Rinaldi: Minister, as you know, Ontario farmers are ardent supporters of preserving wildlife. Their record is strong, and participation in the environmental farm plan is proof. Farm communities across Ontario appreciate the foresight of the provincial government in providing programs that help balance the needs of food production with the needs of preserving the environment.

Farmers in my riding recognize that wildlife damage is an inherent risk, but as damage levels increase beyond manageable levels, they are turning to government for help. They tell me that not only does the compensation need to be updated to reflect current values, but they feel there is some weakness with the act, as it applies to a limited number of predators and livestock.

I ask the minister: Why did it take 30 years to act on this, and when can we expect to see updated programs?

Hon. Carol Mitchell: I'm very pleased to tell the member that the rollout for the compensation program will be in late spring.

But I wonder sometimes: Do the members from opposite side hear any of the voices from the farmers? Do they hear the voices that wanted the compensation package changed over 30 years? They voted against it. Then they voted against risk management.

One of the things that the farmers look at is, "What can we expect from them?" We always look to how they treated the farmers in the past. Do you know how they treated farmers in the past? There were 1,000 farmers a year leaving the land. And how did they deal with that? They cut the ag budget, and then they shut down the offices. This is how they reacted. Did we see a plan—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. New question.

DUTY-FREE SHOPS

Mrs. Julia Munro: My question is to the Minister of Finance. Minister, Ontario's land-based duty-free shops have seen a decline in sales by 50% during your time in office, with a loss of more than 700 jobs and millions in provincial taxes. This is due to growing US competition on an unlevel playing field. All of the liquor that is sold in the duty-free stores must be purchased through the Ontario liquor control board, which charges a 50% markup. The duty-free shops are seeking a lowering of the markup to 30%, to help them survive.

Minister, you hold the keys to their survival. Will you lower the markup to help Ontario's duty-free shops?

Hon. Dwight Duncan: It's just like that party: They'll vote against the Ontario child benefit but want a tax cut for liquor stores.

Let me just tell you what we have done—and I'll remind the member opposite that you voted against this. In 2008, the LCBO markups on imported beer and imported wine sold to duty-free operators were reduced from 50% to 15% of landed cost. Coolers were reduced from 30% to 15%. You voted against it. You're trying to have it both ways. You stand up here today and demand we do something. We did it two years ago, and you voted against it—a typical Tory story.

1120

They won't tell you what they're going to; what they will do is say no to poor kids but yes to liquor distributors. We've got the right balance, the right plan for a better future. Why did you vote against those cuts when you did?

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mrs. Julia Munro: An economic analysis prepared by the duty-free shops states that lowering the markup would increase gross provincial output by \$25 million, create 220 full-time-equivalent jobs and increase provincial tax revenue, which then you could use in the manner which you've described.

This report was presented to your ministry two and a half years ago. Do you agree with the report, and will you reduce the markup, as the duty-free shops have asked? Don't you want to see 220 more jobs in Ontario, some in Windsor?

Hon. Dwight Duncan: They're killing 3,000 green energy jobs in Windsor, and you have the nerve to stand—look at her. She did a thumbs-up. The member from Nepean—Carleton did a thumbs-up to killing jobs in

Windsor. Shame on you. You come to Windsor and you put—

Interjections.

Hon. Dwight Duncan: She's not giving them a thumbs-up; she's giving the finger to my—

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): The member for Nepean–Carleton, come to order. Member for Oxford. Member for Simcoe–Grey. Who else?

Minister?

Hon. Dwight Duncan: She gave a thumbs-up to unemployed people in Windsor who got jobs. Half of the people who have been hired into the new CS Wind plant came off the welfare rolls. And what does she do? She gives a thumbs-up to kill those jobs.

I'll say to her colleague who asked the question: You wanted to lower—

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Member for Nepean–Carleton, I'm warning you.

Minister of Finance?

Hon. Dwight Duncan: I say to the member opposite: We lowered the markups; you voted against it. Why? You're trying to have it both ways. You say one thing, you do another thing. No plan, no future, and you give the thumbs-up to killing 3,000 jobs in my community. Shame on you.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): There. Have we all had a stretch now?

New question.

ELECTORAL REFORM

Mr. Peter Kormos: To the Acting Premier: Yesterday, the Ontario Liberal Party broadcast an email that very clearly stated that its proposed amendments to the Election Act were a response to the dirty tricks in the federal election by the federal Conservatives. Only two weeks ago, the twittering Minister of Research and Innovation was tweeting that it was the New Democrats who were responsible for dirty tricks during that election. My question is this: Why can't this band get their rumours straight?

Hon. Kathleen O. Wynne: The legislation that was introduced yesterday, as I have said already, is in place. We are introducing it to protect the right to vote. That's what it's about.

I understand that at any given moment of the day, there are allegations and rumours and innuendoes swirling around in the Twittersphere. We're here on the ground, in the real world, introducing legislation that will put in place protections to make sure that provincial elections, going forward, will be open and will protect people's right to vote so that they can go to a polling station, cast their ballot and make their voice heard.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Peter Kormos: Well, down where I come from, we've got a saying: Whoever smelt it probably dealt it. Can the government please confirm today that, in fact, it's the long history of Liberal sleazy campaigning that gives rise to the government's Bill 196?

Hon. Kathleen O. Wynne: Here are three of the provisions that we are introducing: We want to prohibit a person from interfering, or attempting to interfere, with an elector's right to vote; we want to prohibit a person from impersonating election officials, candidates or their representatives; thirdly, we are also proposing to increase fines from a maximum of \$5,000 to a maximum of \$25,000, and jail terms from six months to a maximum of two years less a day.

We want the penalties to be tough. We want the rules to be clear. We want to protect people's right to vote. The question is, will the member opposite join with us and support this legislation?

SERVICES EN FRANÇAIS

M^{me} Helena Jaczek: Ma question s'adresse à la ministre déléguée aux Affaires francophones. Il y a quelque temps, j'ai rencontré des membres d'une des associations francophones de la région de York, qui m'ont fait part de leur volonté de voir leur région désignée sous la Loi sur les services en français. Ils m'ont dit avoir déposé une demande officielle à l'Office des affaires francophones. Je soutiens ce projet et aimerais savoir : où en est cette demande?

L'hon. Madeleine Meilleur: C'est une excellente question de la députée d'Oak Ridges–Markham. Je la remercie pour sa question. En effet, la région de York est l'une des cinq régions en attente de désignation. Sa désignation est donc présentement en cours de traitement. Ce processus peut parfois être long, car il comprend une analyse assidue de plusieurs critères. Ceux-ci incluent une analyse de la proportion francophone d'une population, du degré de soutien de la communauté et des leaders locaux, ainsi que d'une évaluation des implications financières et opérationnelles de celle-ci. Le fait que de plus en plus de communautés désirent cette désignation atteste du vaste progrès accompli dans la promotion de la francophonie depuis 2003.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

M^{me} Helena Jaczek: Merci pour ces informations.

Madame la Ministre, dans votre réponse, vous mentionnez les détails du processus de désignation. Je me questionne à présent sur les développements concrets une fois ce processus complété. En effet, une fois la région désignée, quels seront les changements vécus par mes commettants? Ces changements auront-ils l'impact désiré?

L'hon. Madeleine Meilleur: Merci encore pour cette question. Le processus de désignation a pour but premier de servir la communauté franco-ontarienne en assurant, entre autres, la disponibilité de services en français. De ce fait, la désignation d'une région rend notre société plus

inclusive et assure l'épanouissement des francophones dans notre province. Les Franco-Ontariens peuvent ainsi se sentir chez eux avec un gouvernement qui les sert dans leur langue.

Je prends pour exemple la récente désignation de Kingston qui a été un succès grâce au soutien remarquable de la communauté locale. Nous sommes très fiers de nos accomplissements face à la communauté franco-ontarienne et des outils que notre gouvernement offre pour protéger la langue française en Ontario.

ANIMAL PROTECTION

Mr. Frank Klees: To the Minister of Community Safety: Justice Patrick LeSage and Dr. Alan Meek agreed to conduct an independent investigation into the unnecessary killing of 102 animals at the OSPCA's Newmarket shelter. They did so on the understanding that that report would be made public.

My question to the minister is this: The fact is that we have learned from Justice LeSage's office that that report was released to the OSPCA some time ago. Was that report conveyed to the minister? If so, why has it not been made public?

Hon. James J. Bradley: As the member would be aware, it was the OSPCA that actually commissioned the report with Justice LeSage. I'm sure that Justice LeSage gave it considerable deliberation. I think it was Justice LeSage and Mr. Meek at the same time who did this report on behalf of that organization. I'm sure that that organization has looked very carefully at the report, is analyzing it and will distribute that report as it deems appropriate. That report is a report, after all, of that particular organization.

I know that Justice LeSage and others who would be involved in advising on this particular report would be doing a very thorough job. It arose as a result of a situation that arose with the OSPCA, and they asked that it be undertaken, and we'll all be very interested in the report.

1130

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Frank Klees: It's most disturbing that the report that was delivered to the OSPCA has not been conveyed to the minister who, although he declines responsibility, is responsible for this file. The LeSage-Meek report will either vindicate the minister's confidence in the OSPCA or it will confirm that in fact the OSPCA desperately needs provincial oversight. The minister and Liberal MPPs defeated a resolution in this House that would have ensured provincial oversight of the OSPCA.

I would ask the minister to ensure that the report is conveyed to his attention immediately and that it is made public, so that we can know whether the minister is vindicated or whether the resolution that called for provincial oversight was in fact the right thing to do.

Hon. James J. Bradley: I have to say to the member, first of all, that I hope I didn't imply to him that I have

not received a copy of the report; I have. I simply say to him that while I would be analyzing and looking at the provisions of it, it is not our report to release. It is their report. I am confident they will release it to the public. I'm looking forward with anticipation to that. I think it'll engender a good deal of interest in the public. They will have canvassed a lot of the issues that were asked for by the OSPCA, and they will be releasing that to the public appropriately. They have to deal with their board and with a number of other people there.

I'm very confident that they are going to be releasing that report. I think all of us will look forward to analyzing it very carefully and determining what action might be forthcoming from such a report that I think we all feel is—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. New question?

NUCLEAR WASTE

Mr. Peter Tabuns: My question is to the Acting Premier. This week, Bruce Power withdrew its request for permission from the US government to ship radioactive steam generators across the Great Lakes because of the widespread opposition from mayors, First Nations and Great Lakes communities, or perhaps because the US Department of Transportation won't approve the plan without a full environmental assessment.

Why is the government of Ontario not requiring an environmental assessment of this plan before allowing Bruce Power to transport radioactive steam generators on Ontario roads?

Hon. Kathleen O. Wynne: To the Minister of Energy.

Hon. Brad Duguid: I want to commend Bruce Power for listening very closely to the concerns of First Nations. I think that's important. Frankly, it reflects the changes that have taken place here in this province over the last eight years. Bruce Power took very seriously the issues being raised by First Nations, and they have, in a sense, put on hold this particular decision that they're taking through.

These kinds of decisions have gone through a very vigorous process with the Canadian Nuclear Safety Commission. Indeed, I wrote to Bruce and advised them to make sure they're taking every safety precaution they can.

The party opposite had an opportunity to participate in those hearings, and we didn't hear a word from them.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Peter Tabuns: Over 96,000 people have signed a Council of Canadians petition urging the government of Ontario to stop this shipment of nuclear waste. Steam generator radioactivity levels are 50 times above the legal shipping limits. The shipment poses a serious threat to drinking water in the Great Lakes. The shipment sets a dangerous precedent. Why is your government not acting to stop this shipment?

Hon. Brad Duguid: I think in his first question he said that Bruce is putting on hold the shipment—I think. Now, in his second question, he's telling us to stop something that, right now, does not appear to be going forward.

This has been through a full process. Bruce is a private company. They've gone to the Canadian Nuclear Safety Commission; it's the federal government's responsibility. We've asked all parties to take every precaution to make sure safety and public health are tantamount. Indeed, I believe they have. The shipment now, I understand, is on hold, and I would think the member would be pleased with that.

But I think what we haven't heard from the party opposite—we know that the Leader of the Opposition wants to kill thousands of jobs across this province. We haven't heard a peep out of that party standing up for the thousands of clean energy workers who will lose their jobs if they get their way. What do you think about their jobs? Why don't you stand up with us for a strong clean energy economy? We haven't heard a word from you when it comes to that. Ontario workers deserve to hear where the NDP stands on those thousands of jobs that are—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. New question.

DRIVER LICENCES

Mr. Khalil Ramal: My question is for the Minister of Transportation. Minister, there are some people here in Ontario who are uncomfortable driving under specific conditions, whether on a 400-series highway or at night-time. In order to obtain a driver's licence in Ontario, sometimes you are required to drive on a 400-series highway. As a result of that, many people will lose their driver's licence.

Last June, I introduced Bill 97, called the Michelle Krohn Act, which would allow drivers of any age to voluntarily obtain a driver's licence with restrictions. These restrictions would mean that those who have this driver's licence can drive under certain conditions and in certain places. Also, it's important for many people, especially in rural areas, to obtain those driver's licences to be able to drive around and serve themselves, instead of depending on other people.

Minister, can you tell us what you are doing for the people who cannot drive and are losing their driver's licence in order to obtain—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Minister of Transportation?

Hon. Kathleen O. Wynne: I really want to thank the member for London–Fanshawe for raising this subject. It's something that has been raised with me a number of times. It's a very important discussion. Right now in Ontario, we have some of the safest roads in North America. We have a medical review process that determines whether a driver should be on the road or not, but the

reality is that we have a lot of seniors, particularly, who are concerned about their licences being taken away.

I think this is a discussion that we have to have. I think we need to look at what is going on in other jurisdictions. I certainly welcome input on this subject. As I say, it has been raised from a number of quarters, but at the end of the day what we have to look at is what safety precautions must be taken to keep our roads the safest in North America.

The Deputy Speaker (Mr. Bruce Crozier): The time for question period has expired.

Mr. Mike Colle: Good job, Mr. Speaker. Let's hear it for the Speaker.

Applause.

The Deputy Speaker (Mr. Bruce Crozier): I think, coming from over here—particularly over here—you're glad that it's my last question period, is probably what it is.

Ms. Lisa MacLeod: We want you to spend four more years, Speaker.

The Deputy Speaker (Mr. Bruce Crozier): Thank you. I don't mind that interjection.

Mr. David Zimmer: Throw somebody out.

The Deputy Speaker (Mr. Bruce Crozier): How about you?

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): No, you can sit down. Just go back to your seat; that's all.

NOTICE OF DISSATISFACTION

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to standing order 38(a), the member for Nepean–Carleton has given notice of her dissatisfaction with the answer to her question given by the Acting Premier on election laws. This matter will be debated today at 6 p.m.

DEFERRED VOTES

SUPPORTING SMOKE-FREE ONTARIO BY REDUCING CONTRABAND TOBACCO ACT, 2011

LOI DE 2011 APPUYANT LA STRATÉGIE ONTARIO SANS FUMÉE PAR LA RÉDUCTION DU TABAC DE CONTREBANDE

Deferred vote on the motion for second reading of Bill 186, An Act to amend the Tobacco Tax Act / Projet de loi 186, Loi modifiant la Loi de la taxe sur le tabac.

The Deputy Speaker (Mr. Bruce Crozier): Call in the members. This is a five-minute bell.

The division bells rang from 1138 to 1143.

The Deputy Speaker (Mr. Bruce Crozier): On May 5, 2011, Ms. Aggelonitis moved second reading of Bill 186, An Act to amend the Tobacco Tax Act.

All those in favour, stand one at a time and be recognized by the Clerk.

Ayes

Aggelonitis, Sophia	Gélinas, France	Murray, Glen R.
Albanese, Laura	Gravelle, Michael	Naqvi, Yasir
Arnott, Ted	Hardeman, Ernie	O'Toole, John
Arthurs, Wayne	Horwath, Andrea	Oraziotti, David
Balkissoon, Bas	Hoskins, Eric	Ouellette, Jerry J.
Barrett, Toby	Hoy, Pat	Pendergast, Leeanna
Bartolucci, Rick	Hudak, Tim	Phillips, Gerry
Berardinetti, Lorenzo	Jaczek, Helena	Prue, Michael
Bradley, James J.	Jeffrey, Linda	Pupatello, Sandra
Broten, Laurel C.	Johnson, Rick	Ramal, Khalil
Brownell, Jim	Jones, Sylvia	Ramsay, David
Caplan, David	Klees, Frank	Rinaldi, Lou
Carroll, Aileen	Kormos, Peter	Ruprecht, Tony
Chudleigh, Ted	Kwinter, Monte	Sandals, Liz
Clark, Steve	Lalonde, Jean-Marc	Savoline, Joyce
Colle, Mike	Levac, Dave	Smith, Monique
Craitor, Kim	MacLeod, Lisa	Sousa, Charles
Delaney, Bob	Marchese, Rosario	Sterling, Norman W.
Dickson, Joe	Matthews, Deborah	Tabuns, Peter
DiNovo, Cheri	Mauro, Bill	Takhar, Harinder S.
Dombrowsky, Leona	Meilleur, Madeleine	Wilkinson, John
Duguid, Brad	Miller, Norm	Wilson, Jim
Duncan, Dwight	Mitchell, Carol	Witmer, Elizabeth
Flynn, Kevin Daniel	Moridi, Reza	Wynne, Kathleen O.
Gerretsen, John	Munro, Julia	Zimmer, David

The Deputy Speaker (Mr. Bruce Crozier): All those opposed, stand and be recognized by the Clerk.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 75; the nays are 0.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion carried.

Second reading agreed to.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated May 17, 2011, the bill is ordered referred to the Standing Committee on Finance and Economic Affairs.

TIME ALLOCATION

The Deputy Speaker (Mr. Bruce Crozier): We have a deferred vote on the motion by Mr. Phillips for allocation of time on the motion by Ms. Smith concerning Ontario's tax plan for jobs and growth.

Call in the members. This is a five-minute bell.

The division bells rang from 1147 to 1148.

The Deputy Speaker (Mr. Bruce Crozier): On May 17, Mr. Phillips moved government notice of motion 76. All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Aggelonitis, Sophia	Flynn, Kevin Daniel	Naqvi, Yasir
Albanese, Laura	Gerretsen, John	Oraziotti, David
Arthurs, Wayne	Gravelle, Michael	Pendergast, Leeanna
Balkissoon, Bas	Hoskins, Eric	Phillips, Gerry
Bartolucci, Rick	Hoy, Pat	Pupatello, Sandra
Berardinetti, Lorenzo	Jaczek, Helena	Ramal, Khalil
Bradley, James J.	Jeffrey, Linda	Ramsay, David
Broten, Laurel C.	Johnson, Rick	Rinaldi, Lou
Brownell, Jim	Kwinter, Monte	Ruprecht, Tony
Carroll, Aileen	Lalonde, Jean-Marc	Sandals, Liz
Colle, Mike	Levac, Dave	Smith, Monique
Craitor, Kim	Matthews, Deborah	Sousa, Charles

Delaney, Bob	Mauro, Bill
Dickson, Joe	Meilleur, Madeleine
Dombrowsky, Leona	Mitchell, Carol
Duguid, Brad	Moridi, Reza
Duncan, Dwight	Murray, Glen R.

Takhar, Harinder S.
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Deputy Speaker (Mr. Bruce Crozier): All those opposed, please stand one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Horwath, Andrea	Murdoch, Bill
Barrett, Toby	Hudak, Tim	O'Toole, John
Bisson, Gilles	Jones, Sylvia	Ouellette, Jerry J.
Chudleigh, Ted	Klees, Frank	Prue, Michael
Clark, Steve	Kormos, Peter	Savoline, Joyce
DiNovo, Cheri	MacLeod, Lisa	Tabuns, Peter
Gélinas, France	Marchese, Rosario	Wilson, Jim
Hampton, Howard	Miller, Norm	Witmer, Elizabeth
Hardeman, Ernie	Miller, Paul	
Hillier, Randy	Munro, Julia	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 50; the nays are 28.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion carried.

Motion agreed to.

OCCUPATIONAL HEALTH AND SAFETY STATUTE LAW AMENDMENT ACT, 2011

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

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

The Deputy Speaker (Mr. Bruce Crozier): Call in the members. This is a five-minute bell.

On May 17, Mr. Sousa moved third reading of Bill 160. All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Aggelonitis, Sophia	Gravelle, Michael	Murdoch, Bill
Albanese, Laura	Hampton, Howard	Murray, Glen R.
Arnott, Ted	Hardeman, Ernie	Naqvi, Yasir
Arthurs, Wayne	Hillier, Randy	O'Toole, John
Balkissoon, Bas	Horwath, Andrea	Oraziotti, David
Barrett, Toby	Hoskins, Eric	Ouellette, Jerry J.
Bartolucci, Rick	Hoy, Pat	Pendergast, Leeanna
Berardinetti, Lorenzo	Hudak, Tim	Phillips, Gerry
Bisson, Gilles	Jaczek, Helena	Prue, Michael
Bradley, James J.	Jeffrey, Linda	Pupatello, Sandra
Broten, Laurel C.	Johnson, Rick	Ramal, Khalil
Brownell, Jim	Jones, Sylvia	Ramsay, David
Caplan, David	Klees, Frank	Rinaldi, Lou
Carroll, Aileen	Kormos, Peter	Ruprecht, Tony

Chudleigh, Ted	Kwinter, Monte	Sandals, Liz
Clark, Steve	Lalonde, Jean-Marc	Savoline, Joyce
Colle, Mike	Levac, Dave	Smith, Monique
Craitor, Kim	MacLeod, Lisa	Sousa, Charles
Delaney, Bob	Marchese, Rosario	Tabuns, Peter
Dickson, Joe	Matthews, Deborah	Takhar, Harinder S.
DiNovo, Cheri	Mauro, Bill	Wilkinson, John
Dombrowsky, Leona	Meilleur, Madeleine	Wilson, Jim
Duguid, Brad	Miller, Norm	Witmer, Elizabeth
Duncan, Dwight	Miller, Paul	Wynne, Kathleen O.
Flynn, Kevin Daniel	Mitchell, Carol	Zimmer, David
Gerretsen, John	Moridi, Reza	
Gélinas, France	Munro, Julia	

The Deputy Speaker (Mr. Bruce Crozier): All those against, please rise.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 79; the nays are 0.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

EVENTS AT QUEEN'S PARK

The Deputy Speaker (Mr. Bruce Crozier): We're just about finished. Thanks for your patience. I would like to remind members at the end of question period that the Haliburton-Kawartha Lakes-Brock day is taking place in room 247, right after question period, and I would like to remind the members of the VON Canada fifth annual Queen's Park wellness clinic, from 11 a.m. to 3 p.m. in committee room 2.

There being no further business, this House is in recess until 3 p.m. of the clock.

The House recessed from 1155 to 1500.

INTRODUCTION OF VISITORS

Mr. Pat Hoy: I'm pleased to introduce to the House the finest staff that any MPP could ever have here at Queen's Park. Seated over here in the gallery are Fran and Frances from my Toronto office, and up here from Chatham-Kent-Essex are Charlene, Shannon and Mike, the best staff in Ontario.

MEMBERS' STATEMENTS

THOUSAND ISLANDS PLAYHOUSE

Mr. Steve Clark: It is with great pleasure that I rise to speak about the Thousand Islands Playhouse, truly one of the finest theatre companies in Ontario. This is a very special year for the playhouse, as it has raised the curtain on its 30th anniversary season. For three decades this small but mighty company has staged world-class productions in Gananoque at the Springer Theatre and Firehall Theatre venues.

In its debut 1982 season, the playhouse drew about 6,000 people to three shows. From those humble beginnings it has blossomed into a star performer. Every year its shows now attract some 40,000 patrons, providing a remarkable \$20-million boost to the region's economy. Those figures rank it among the top five summer festivals in Ontario.

Among the 189 productions that have graced the playbill, the playhouse can boast 24 world premieres. I'm proud that this success story in my riding is also recognized as a showcase for Canadian talent, particularly young artists hoping to gain the experience they need to make it on bigger stages.

Playhouse founder Greg Wanless certainly believed in what he started all those years ago, as he continues as their artistic director to this day. To Greg and everyone whose efforts have contributed to making the playhouse the treasure it has become, I offer my sincere congratulations.

I'd also like to encourage everyone to take in a performance at the Thousand Islands Playhouse during this special year. The seven-show 2011 lineup features The Marvelous Wonderettes, Wingfield: Lost and Found, Lend Me a Tenor, Heroes, Ned Durango, The Drowning Girls, and Billy Bishop Goes to War.

HAMILTON TOY MUSEUM

Mr. Paul Miller: The Hamilton Toy Museum was recently founded by two Hamilton East-Stoney Creek residents, Chris and Shannon Weston, both of whom are teachers. The museum's mission is to: establish a community toy museum in Hamilton; provide educational workshops and activities for the benefit of the public; preserve the cultural heritage inherent to the museum's collections, with particular attention paid to the contributions of Canadians; and to assist other Canadian children's charities to raise awareness and funds for their causes.

The museum doesn't have a permanent location yet, so Chris and Shannon are holding a gala event, which essentially is the museum launch, with the goal of raising funds towards a permanent museum location. The initial fundraising gala, a dinner and silent auction, will be held on Monday, June 6 at Hamilton's historic Liuna Station, starting at 5:30. If you can be in Hamilton on June 6 and would like to support this new initiative, please call 905-545-2595 or send an email to collecting@cogeco.ca.

I congratulate Chris and Shannon on their hard work on, and the innovative nature of, this initiative.

ALLIANCE FOR EQUALITY OF BLIND CANADIANS

Mr. Dave Levac: Founded in British Columbia in 1992, the Alliance for Equality of Blind Canadians, the AEBC, is a consumer group of blind, partially sighted and deaf-blind adults with a common goal to preserve and enhance the rights of such persons in Canada through

public education, advocacy and other initiatives that they have done.

The AEBC was founded out of a desire for equality and empowerment of blind people in Canadian society.

This weekend, Friday, May 20, to Sunday, May 22, is the 19th annual national convention, which will be held in Brantford, Ontario. For the first time, this convention will be hosted by the Brant chapter, which has operated in Brantford and Brant county for almost three years. This convention is a tremendous opportunity to showcase what Brantford, Brant, Six Nations and the Mississaugas of the New Credit have to offer.

To all, on behalf of all the residents of the riding of Brant, I extend a grand welcome to the convention-goers and remind those who are attending that we are open for business.

We deeply appreciate all the work that the Brant chapter has gone to, first, for scoring this convention, because it's the 19th, and also for their hard work in preparing for it. I will be very proud to be there to help greet them as they start their convention deliberations. Thank you, and congratulations to the AEBC.

BUSINESS AWARDS OF EXCELLENCE

Mr. Ernie Hardeman: Last week, the Tillsonburg Chamber of Commerce in my riding held its 13th annual Awards of Excellence to honour local businesses for their success and to recognize their contributions to our community and our environment.

I'm pleased to rise to recognize this year's winners, such as ServiceMaster, a company that grew from a home-based business 26 years ago to an 11,000-square-foot facility today, and was recognized last week with the business productivity award.

I also want to recognize Otter Valley Foods, which received the environmental award for reducing its water consumption by 30%, saving 25 million gallons of water annually. I also want to commend them for their use of local ingredients.

Future Transfer Co. Inc. won the award for economic development new investment for their new facility on Tilson Avenue.

Three years ago, Barb Morgan, along with her daughter and husband, started Morgan Realty in a depressed market. However, they persevered, and today they have 12 agents.

I particularly want to commend the winners of the community service award, Terry and Cindy Crevits of M&M Meat Shops, who were unable to attend the event because they were, appropriately, at a barbecue raising money for charity.

All these companies succeeded through hard work and innovation. They also demonstrated a desire to give back to their community.

On behalf of the people of Oxford, I want to congratulate all the winners and all the Tillsonburg companies that were nominated.

EMERGENCY PREPAREDNESS

Mr. Khalil Ramal: On May 6, I had the opportunity, along with my colleagues Chris Bentley and Deb Matthews, to attend the official opening of London's new Emergency Operations and Training Centre as part of Emergency Preparedness Week.

As this House knows, Emergency Preparedness Week aims to raise public awareness about the importance of being prepared for emergencies, whether it's a blackout like we saw here in Ontario in 2003 or natural disasters such as a flood or tornado.

The Emergency Operations and Training Centre is equipped with state-of-the-art technology and helps emergency responders in London to work together as a team and receive and send out information to the public. The new facility also allows for significant improvement in the collaboration of public safety and emergency response resource providers.

I would like to congratulate the city of London on the establishment and opening of this impressive facility. Designed to be the nerve centre for major emergencies in the city of London, the Emergency Operations and Training Centre is a state-of-the-art facility that can be used for training purposes and emergency exercises or during an actual emergency.

It is jointly funded by the federal and provincial governments, and I congratulate the city of London for utilizing every penny they received from the province and from the federal government to improve their ability to serve the people of the city of London. Again, congratulations to all the people who put out the great effort to establish this incredible and impressive centre.

WIND TURBINES

Mr. John O'Toole: My riding of Durham is home to some of the leaders in energy. In fact, Durham region is the home of the Darlington nuclear plant as well as the Pickering nuclear plant.

Today there was a meeting at Queen's Park that had to do with the city of Kawartha Lakes. One of the issues there that often comes up from constituents in my riding is the unwanted intrusion of the wind turbines.

The one failure in Bill 150, the Green Energy Act, is the lack of a duty to consult with citizens as well as municipally elected leaders in the community. It's a problem in the city of Kawartha Lakes, which was here today, and it's a problem in my riding.

The Clarington Wind Concerns group, led by a young educator in our riding, Heather Rutherford, has been very instrumental in raising awareness of the lack of consistency with the municipal plan for the agricultural area that this added intrusion would bring to the community.

1510

So I commend the organization, Clarington Wind Concerns, for their public advocacy to get the McGuinty government to listen to people about the appropriateness of wind turbines in communities across Ontario, where indeed they're unwanted.

Of all of the things that we hear that the McGuinty government is doing, this is one that I can tell you is not very popular, and it will affect us in the future.

GLEBE CENTRE

Mr. Yasir Naqvi: It is my great pleasure to recognize the Glebe Centre, which is a charitable, not-for-profit, long-term-care home providing residential care and community outreach services in my riding of Ottawa Centre.

Since 1880, the site at 950 Bank Street has been caring for the elderly citizens of Ottawa, now for 125 years. They have over 250 residents, including a floor that offers special services for Asian-Canadian residents, strongly supported by the Chinese-Canadian community.

Abbotsford House, a vibrant, popular community centre, located just next door in a heritage home, offers a variety of programs to its over 900 clients and members. These include programs for people with dementia, at-home support assisting seniors to live independently, and activities of all kinds for the body, mind and soul.

There are 350 dedicated staff, including registered nurses, personal support workers, program facilitators, food service workers and environmental and administrative personnel. The Glebe Centre has about 300 volunteers who give over 24,000 hours of their time each year to supplement and enrich the day-to-day lives at the Glebe Centre.

They're celebrating their 125th year on Saturday, June 4. I want to wish a big thank you to all the staff and volunteers at the Glebe Centre for their service to our elders.

BREWING INDUSTRY

Ms. Helena Jaczek: The Ontario Craft Brewers association is comprised of 25 brewers dedicated to making great-tasting beer right here in Ontario.

In my riding of Oak Ridges–Markham, we are privileged to have one of Ontario's outstanding breweries, the King Brewery. This brewery has won many awards for its true-style Czech pilsner, including gold at this year's Canadian Brewing Awards for Canada's best European-style pilsner. The King Brewery has distinguished itself among critics as one of the premier craft brewers in Canada, and I am proud to have them in my riding.

The Ontario Craft Brewers will be hosting their second annual Ontario Craft Beer Week, which will kick off on Father's Day and will run in communities throughout Ontario from June 19 to 25, 2011.

Ontario Craft Beer Week will feature a series of special events designed to expose consumers to the craft beer experience, with tasting events, brewery tours, cooking demonstrations, food pairings, beer dinners and much more. Activities will take place in breweries, restaurants, bars and outdoor venues throughout the province.

This spring, the LCBO will be stocking the OCB discovery pack, which offers a hand-selected combination of great brews from brewers across Ontario. I urge you to

explore some of the 200-plus brews offered by OCB member breweries, but please drink responsibly. This long weekend, be safe. Do not drink and drive.

ROSS SMITH

Mr. Jeff Leal: I rise today to pay tribute to Mr. Ross Smith, a member of my community who recently lost his battle with cancer at age 68.

In the 1930s, AON Inc. was begun by Ross's parents, Arthur and Myrtle Ross. They had two sons, Ross and Hugh, who were groomed by their parents to take over the family business. Ross Smith grew to become one of the most successful businessmen to have lived and worked in Peterborough.

As a businessman, he was a visionary. He saw the needs of Peterborough, especially the downtown core, and he met those needs by building parking garages and residential and commercial buildings and renovating and preserving residential structures, and is best known for his establishment of exceptional long-term-care homes in Peterborough.

I know that his mother, Myrtle, was an inspiration to his creation of retirement residences, making sure his facilities provided a comfortable home for seniors—including his mother, who resided in Princess Gardens.

Ross always tried to utilize the local tradesman when he embarked on one of his many projects. He gave back to the community in a significant way. Ross Smith had a big heart when it came to Peterborough and was a major supporter of fundraising and not-for-profit organizations.

He believed in supporting his community in every capacity. His death is a huge loss for his family, friends, staff and the community of Peterborough.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Norman W. Sterling: I beg leave to present a report on the commercial vehicle safety and enforcement program from the Standing Committee on Public Accounts.

The Speaker (Hon. Steve Peters): Mr. Sterling presents the committee's report. Does the Chair wish to make a brief statement?

Mr. Norman W. Sterling: On this particular topic, the committee had no further recommendations than the auditor's recommendations.

Report presented.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Michael Prue: I beg leave to present a report from the Standing Committee on Regulations and Private

Bills and move its adoption, and send it down with page Jonathan.

The Clerk-at-the-Table (Ms. Tonia Grannum): Your committee begs to report the following bill without amendment:

Bill Pr48, An Act to revive 917866 Ontario Inc.

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

Report adopted.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Norman W. Sterling: I beg leave to present a report on infrastructure stimulus spending from the Standing Committee on Public Accounts.

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

Mr. Norman W. Sterling: Again, on this particular topic, the committee had no further recommendations to make.

Report presented.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Norman W. Sterling: I beg leave to present a report on hospital board governance from the Standing Committee on Public Accounts.

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

Mr. Norman W. Sterling: As with the two previous reports, the committee had no further recommendations to add to the auditor's recommendations.

Report presented.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Norman W. Sterling: I beg leave to present a report on the assistive devices program from the Standing Committee on Public Accounts and move the adoption of its recommendations.

The Speaker (Hon. Steve Peters): Mr. Sterling presents the committee's report and moves the adoption of its recommendations. Does the Chair wish to make a brief statement?

Mr. Norman W. Sterling: Yes, Mr. Speaker. I want to note that on the three previous reports I was not available for the meetings. Therefore, in writing the report, the committee sought not to make further recommendations. However, on the present report, where I was present, we did prepare a report and added some significant recommendations—not that my committee works hard only when I am there; I'm certain they work hard when I'm not there as well.

As you know, the public accounts committee reviews the auditor's report. With regard to the assistive devices program, the committee undertook a very unusual pro-

cess. Next week, I will be presenting the second report of the public accounts committee on best practices, and it will deal specifically with the procedure that the committee chose to take with regard to reviewing the assistive devices program.

In March 2010, the committee reviewed the sections of the auditor's report in December 2009 dealing with the assistive devices program. So we reviewed it in March 2010.

Rather than writing the report after the first hearing, the committee took the very unusual step of asking me as Chair—with a little bit of prompting, I might add—to write to the deputy minister of health, because notwithstanding that the deputy minister had appeared with regard to the assistive devices program, the committee was very concerned that the program and the structure of the program perhaps needed overhauling. So I wrote to the deputy minister on behalf of the committee.

As well, the committee took the unusual step of calling the deputy minister back in November, even though we had heard from him in March, after he had heard some of our concerns over how the assistive devices program was functioning.

1520

So we now have prepared this report in response to the second set of hearings, and I would urge all members of the Legislature to read this particular report. The report not only points out our recommendations but also acknowledges that the ministry has now made significant savings because of some of the urging of the auditor and some of the urging of the committee. In fact, those savings have already amounted to over \$7 million because of the actions of both the auditor and the public accounts committee.

I think this is an excellent example of how constructive criticism, constructive work, non-partisan work by a legislative committee of this assembly, can work to better the systems, to better provide services for our people, and can save the taxpayers money.

With that, Mr. Speaker, I'd like to adjourn the debate.

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

Debate adjourned.

INTRODUCTION OF BILLS

HUMAN RIGHTS CODE AMENDMENT ACT (GENETIC CHARACTERISTICS), 2011 LOI DE 2011 MODIFIANT LE CODE DES DROITS DE LA PERSONNE (CARACTÉRISTIQUES GÉNÉTIQUES)

Mr. Colle moved first reading of the following bill:

Bill 199, An Act to amend the Human Rights Code with respect to genetic characteristics / Projet de loi 199,

Loi modifiant le Code des droits de la personne en ce qui a trait aux caractéristiques génétiques.

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

First reading agreed to.

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

Mr. Mike Colle: The bill, if passed, will amend the Human Rights Code of Ontario to include genetic characteristics as a prohibited grounds of discrimination. The act currently includes race, marital status and disability, among other things, as prohibited grounds of discrimination. In addition to other amendments, various sections are amended to provide that every person has a right to equal treatment, without discrimination because of genetic characteristics, with respect to services, goods, facilities and the occupancy of accommodation, the right to contract employment and membership in various types of organizations.

PREGNANCY AND INFANT LOSS
AWARENESS DAY ACT, 2011

LOI DE 2011 SUR LA JOURNÉE
DE SENSIBILISATION À LA PERTE
D'UNE GROSSESSE OU D'UN BÉBÉ

Mr. Paul Miller moved first reading of the following bill:

Bill 200, An Act to proclaim Pregnancy and Infant Loss Awareness Day / Projet de loi 200, Loi proclamant la Journée de sensibilisation à la perte d'une grossesse ou d'un bébé.

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

First reading agreed to.

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

Mr. Paul Miller: This bill proclaims October 15 each year as Pregnancy and Infant Loss Awareness Day.

MOTIONS

ADJOURNMENT DEBATE

Hon. Gerry Phillips: I believe we have unanimous consent to put forward a motion without notice, regarding late shows.

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

Hon. Gerry Phillips: I move that the late show standing in the name of the member for Nepean–Carleton be deferred until Tuesday, May 31, 2011.

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

Motion agreed to.

STATEMENTS BY THE MINISTRY
AND RESPONSES

POLICE WEEK

Hon. James J. Bradley: Before I begin the formal statement, I would like to note for all members of the Legislature that it's being done in the presence of Larry Molyneaux, the president of the Police Association of Ontario; Dave McFadden, the board chair; and Ron Middel, the CAO, who are in the gallery. We welcome you to the Legislature today.

I rise today to bring to the attention of members and the public that this week, May 15 to 21, is being observed as Police Week in Ontario. Police Week is an occasion to pay tribute to the work of the brave and committed men and women who serve us as police officers and help keep our communities safe. Their work is demanding. They serve us selflessly with devotion. Ontarians are fortunate to be so well served. We can point with pride to a continuing decline year after year in the incidence of crimes in Ontario.

I congratulate Ontario's police officers for the great job they are doing and thank them on behalf of all Ontarians.

Permit me, Mr. Speaker, to express on behalf of the government of Ontario our condolences to the family of the late Inspector Steven Waite, detachment commander of the Ontario Provincial Police Hawkesbury detachment. Inspector Waite was an outstanding police officer who lost his battle with cancer last Saturday.

This year's theme for Police Week, Working Together for a Safer Community, is all about that joint effort. The McGuinty government has provided more than \$100 million annually to intensify police efforts in crime prevention and community safety initiatives. The McGuinty government's financial assistance to police services helps fund the hiring of additional police officers and provides grants for successful programs. Many of these programs are based on partnerships between the police and the community—partnerships that help to keep all Ontarians safe.

As part of Police Week, we will expand a successful program that combats guns and gangs to more communities across the province. We will also be reminding Ontarians not to drink and drive.

Recently, I had the opportunity to sit down with representatives of the Police Association of Ontario and the Ontario Association of Police Services Boards to discuss their request for a ministry-led working group with our police stakeholders to look at how we can find efficiencies in our current police practices. We will be moving forward immediately with the creation of an efficiencies working group. Reducing the administrative burden makes sense. It means that our officers can spend more time on our streets protecting our communities and keeping Ontarians safe.

Throughout this week, police services will be showcasing successful partnerships within the community and

inviting the public to share in these activities. I want to urge members of this House to participate and pay tribute to the hard work and dedication of the police officers who serve us so well in Ontario.

The Speaker (Hon. Steve Peters): Responses?

Mr. Garfield Dunlop: Minister, you took the words right out of my mouth. It's incredible; we had almost the same speech.

I'd like to welcome the police officers here today—Ron and Dave and Larry—and welcome and thank all the police officers who serve us so well here in the province of Ontario. It's a very difficult job. As the minister said, there are many times, late at night in different parts of the province, whether they're on roadways or the waterways—you often forget how many people are out there trying to protect us so that we have such a safe and wonderful province.

I also want to acknowledge Inspector Steven Waite and his family and express our condolences.

I also want to mention something very briefly about the police memorial we had here a couple of weeks ago, on May 1, when we paid tribute to the family of Officer Ryan Russell. That was a very touching police memorial, as was the funeral a few months earlier.

I was encouraged to hear the minister say something about a working group around a way to find efficiencies within the system. I think that should be a ministry-led working group. I'm hoping that that's something we can move on very quickly, because I can tell you, Minister, when I'm talking to some of my friends who are stakeholders in the policing industry, one of the things they tell me continually is the amount of administrative time they spend on particular cases. If we can find ways to streamline that system so that more of those front-line officers can be on the streets protecting us, that will be a good move on behalf of all Ontarians. I'm sure we can find those efficiencies. In my discussions with some of these gentlemen, I think that that's certainly possible.

1530

Also, I think it's important to acknowledge that there's more we can do to help some of our policing friends.

Just a quick comment on the front-line police officers and on the people who belong to the associations across the province: We often tend to forget the administrative staff. Many of the administrative staff put a lot of time and effort and a lot of background work into helping our front-line officers as well. I was told that at the OPP reception. When I got up and said a few words, one lady came forward and said, "You didn't mention anything about the staff people in the different offices." I wanted to put that on the record as well today.

I think also that there are some ways we can support the policing as well. One way: I think we have to do some kind of review on the role of the director of the SIU. Some of the comments that were made in the last year by the director—and I've asked some of the questions to the minister here, the Attorney General—haven't done a lot for morale, and I'd like to see the government look towards a review there.

I think also that the police ended up kind of like the meat in the sandwich on the G20. They were blamed for things, and yet as things roll out, we know that there are some problems with some of the special legislation that was passed.

Also, there are areas we can help by actually fast-tracking or moving on some of the legislation that we've asked for. I know that I introduced a private member's bill on drug-endangered children because the Minister of Children and Youth Services felt that it wasn't necessary, but when you talk to the Ontario Association of Chiefs of Police, they felt that it was something that was needed very much in this province. I know that I'm going to be speaking at a conference next week, I believe in Stratford, on that particular topic. Of course, over and over again—I think it's been seven or eight years now that I've been talking to the OACP, and they've been asking, "When are we going to finally see changes to the pawnbrokers' legislation?" That's something that I believe the Attorney General promised. We've asked that question in the House a few times.

These are bills that should move forward and should be debated. Obviously at this time of this session, as we move towards the election, we likely won't see that, but it would still be nice to see some kind of announcement that would say that the government's interested in these particular topics.

But that's taking away from the fine work that the officers do. I'm really happy that we've got comments made here today in Police Week. As a typical example: This coming weekend, the police will be out in full force as cottagers head towards cottage country and our traffic will be very heavy.

I wish them all the best. Thank you, guys, for all being here today as well for Police Week.

Mr. Peter Kormos: I'm pleased to be able to respond on behalf of New Democrats here at Queen's Park to the Minister of Community Safety. Of course, police weeks occur every year, but the Police Week that occurs in the shadow of an upcoming provincial election acquires a special quality, and the police know this. They see three political parties all competing with each other to demonstrate themselves as at the head of the line when it comes to being pro-cop. The pandering that takes place is sometimes embarrassing.

Look: Cops neither need nor want pandering. We can stand here and make all the gracious statements in the world and attest to our support for our police officers, but let's be candid here. There isn't a member of this Legislature who doesn't support cops in this province or in their respective communities; who doesn't understand that they do dangerous and important work; and, quite frankly, when they're the ones whose house is being broken into or when they're the ones who are being mugged, who doesn't want the biggest, meanest, toughest cop in the world showing up on the scene with all of the tools that that cop needs to protect that person.

So here we are, paying tribute to police officers, as we should. It is Police Week. And we're saying all the right

things, but are we doing the right things? The Ontario Provincial Police were here a couple of weeks ago. They met with the minister, and I know they spoke of him as a fair and understanding person. Then I explained that it isn't just the minister himself involved; there's a Premier's office and a Minister of Finance and a Chair of Management Board.

See, the OPP explained to us that they need at least 600 new police officers to be able to do core policing—never mind any of this add-on stuff; never mind any of the special-focus policing that attracts the headlines and the front page: to do core policing. OPP officers talked about communities that they're policing where an officer is an hour away from another officer. They talked about the scenario when they are attending to instances of, let's say, domestic violence—a very dangerous scenario for a police officer to walk into, to enter into. So there's a police officer who's got a report of a woman being beaten, who knows that she or he should have the backup support of another police officer, but he also knows that that other police officer is an hour away, Minister. That police officer, of course, doesn't sit in his car and wait for an hour before attending to the matter; he or she enters in there, at great risk to themselves, in their interest of protecting someone else. So you talk a good game, but walk the walk. The OPP needs a stronger complement of police officers—600 to do core policing alone.

We talked with them about the illegal tobacco act, the new legislation that this government, the Minister of Revenue, sponsored, and the cops said, "Fine and good. But it's all about priorities. You can create all the new laws in the world, but we have to prioritize because we have such scarce resources." And the likelihood of enforcement of the illegal tobacco act is about this much when you have to prioritize, and when you're talking about violent crime and talking about apprehending violent offenders and talking about collecting the evidence that's necessary to convict those people or at least prosecute them and hopefully convict them in a trial.

You know that salaries around cops have been an issue lately. I, for one, am confident that our police officers deserve the salaries—the fair salaries, the good salaries—that they negotiate. They do hard, demanding, dangerous work. The standards for admission to the police force have never been higher; the qualifications have never been greater. They're under constant scrutiny, as they should be, but then to hear people howl because police officers are being paid fairly—and are being paid a salary that's commensurate with their expertise, their skill and the hazards they incur during the course of their work—I find offensive.

What that means, of course, is that municipal taxpayers can't be the only source of revenue for salaries of police officers. Policing is labour intensive and it's expensive. You either want good cops or you don't. Do you want enough cops or not? And if you do, you've got to pay for them. Municipalities can't pay for them on their own with a municipal tax base. That means this government has to step up to the plate and support pol-

icing with stable funding across this province, both provincially and at a municipal level, in a way that they never have before—in a way that this government simply refuses to.

PETITIONS

HIGHWAY SAFETY

Mr. Garfield Dunlop: I have a number of petitions here. It's a petition calling on the Ministry of Transportation to install traffic lights at the intersection of Highway 12 and Fairgrounds Road in Orillia.

"To the Legislative Assembly of Ontario:

"Whereas the intersection of Highway 12 at Fairgrounds Road in Orillia is a main traffic link for Notre Dame Catholic School, for the Odas Park fairgrounds and a number of local businesses; and

"Whereas we are concerned about the increased congestion and safety of the travelling public and the transportation of children to Notre Dame Catholic School;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to have the Ministry of Transportation install traffic lights at the intersection of Highway 12 and Fairgrounds Road, Orillia."

I am pleased to support this and give it to Jonathan to present to the table.

1540

ÉDUCATION EN FRANÇAIS

M. Michael Prue: J'ai une pétition pour des écoles publiques françaises adéquates. Elle se lit comme suit :

« À l'Assemblée législative de l'Ontario :

« Attendu que l'article 23 de la Charte canadienne des droits et libertés garantit l'accès à un enseignement public de langue française;

« Attendu qu'il y a, depuis des années, une pénurie sérieuse d'écoles publiques de langue française à Toronto;

« Attendu que le Toronto District School Board a déclaré que l'école Essex West school et le Toronto West collegiate institute ne sont pas nécessaires à leurs fins dans le sens du règlement 444 de la Loi sur l'éducation encadrant l'aliénation de biens immeubles excédentaires;

« Attendu que le Conseil scolaire Viamonde a déclaré son intérêt à se prévaloir de la priorité que lui accorde le règlement 444 pour acquérir ces propriétés;

« Attendu que le ministère de l'Éducation de l'Ontario a confirmé à maintes reprises, au cours de la dernière décennie, que des fonds étaient disponibles pour que le conseil puisse acquérir de nouvelles écoles aussitôt que des édifices adéquats seraient disponibles;

« Nous, soussignés, membres de la communauté francophone et francophile du grand Toronto, adressons à l'Assemblée législative de l'Ontario la pétition suivante :

« Que le gouvernement de l'Ontario respecte les garanties données au conseil par son ministère de l'Éducation et permette l'achat par le conseil des édifices du Essex West school et du Toronto West collegiate institute dans le respect de l'esprit et de la lettre du règlement 444 de la Loi sur l'éducation de l'Ontario ».

Je suis d'accord et je soussigne et donne la pétition à Jonah.

PARAMEDICS

Mr. Jeff Leal: "To the Legislative Assembly of Ontario:

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

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

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

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

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

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

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

I agree with this petition and will affix my signature to it.

DOG OWNERSHIP

Mrs. Julia Munro: "To the Legislative Assembly of Ontario:

"Whereas aggressive dogs are found among all breeds and mixed breeds; and

"Breed-specific legislation has been shown to be an expensive and ineffective approach to dog bite prevention; and

"Problem dog owners are best dealt with through education, training and legislation encouraging responsible behaviour;

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

"To repeal the breed-specific sections of the Dog Owners' Liability Act (2005) and to implement legislation that encourages responsible ownership of all dog breeds and types."

As I am in favour of this, I will affix my signature and give it to page Jonah.

PARAMEDICS

Ms. Helena Jaczek: "To the Legislative Assembly of Ontario:

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

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

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

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

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

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

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

As I agree with this petition, I will sign it and send it to the table with page Jonathan.

MULTIPLE SCLEROSIS TREATMENT

Mr. Garfield Dunlop: "To the Legislative Assembly of Ontario:

"Whereas thousands of people suffer from multiple sclerosis;

"Whereas there is a treatment for chronic cerebrospinal venous insufficiency, more commonly called CCSVI, which consists of a corrective angioplasty, a well-known and universally practised procedure that is low-risk and at relatively low expense;

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

"That the Minister of Health agrees to proceed with clinical trials of the venoplasty treatment to fully explore its potential to bring relief to the thousands of Ontarians afflicted with multiple sclerosis."

I'm pleased to sign it and give it to Rachel to give to the table.

PHOTO IDENTIFICATION

Mr. Bob Delaney: I have a petition addressed to the Ontario Legislative Assembly, and I would like to thank Stephanie Gunther from Roehampton Avenue in Toronto for having mailed it to me. It reads as follows:

"Whereas many seniors, visually impaired persons and other non-drivers do not need or are not eligible for a driver's licence; and

"Whereas many day-to-day transactions such as cashing of cheques; opening a new bank account at a financial institution; returning merchandise to a retail store; boarding a domestic flight; gaining admittance to bars, clubs and casinos; checking in at a hotel; obtaining a credit card, and even renting a video require government-issued photo identification; and

"Whereas Ontario's Photo Card Act, 2008, sets the legislative framework required to deliver a non-licence photo identification;

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

"That the province of Ontario develop a government-issued photo identification card and deliver, in 2011, an Ontario photo card identification for residents of the province over the age of 16 who cannot or choose not to drive."

I completely agree with this petition and I'm pleased to affix my signature to it and to send it to the table with page Benjamin.

RURAL SCHOOLS

Mr. Garfield Dunlop: "Petition to Save Moonstone Public School and All Other Rural Schools in Simcoe North.

"To the Legislative Assembly of Ontario:

"Whereas Moonstone public school is an important part of Oro-Medonte township and the surrounding area; and

"Whereas Moonstone 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;

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

"That Premier Dalton McGuinty and the Minister of Education support the citizens of Simcoe North 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'm pleased to sign this and give it to Maggy to present to the table.

PARAMEDICS

Mr. Joe Dickson: "To the Legislative Assembly of Ontario:

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

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

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

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

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

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

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

I agree with the petition. I will attach my signature to it and pass it to page John.

PROTECTION OF MINORS

Mr. John O'Toole: I'm pleased to present this petition. It's more important that the Minister of Children and Youth Services is here, and the Minister of Community Safety and Correctional Services is here as well. I read this petition on behalf of my constituent, whose name is Michael Colligan. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas many magazines displayed at store checkout counters have messages and images not suitable for children; and

"Whereas some of the messages in some of these publications promote topics such as unhealthy body images, outrageous lifestyles and degradation of women; and

"Whereas this material at checkout counters is clearly visible to underage readers," with their parents often;

"Therefore, be it resolved that the Ontario Legislature support action to require the removal of magazines unfit for young readers from checkout counters, that this reading material with mature content be displayed less prominently and that the checkout counters be reserved for the display of magazines and reading material that is more appropriate "and family-friendly."

I'm pleased to sign it, support it and present it to one of the pages, Benjamin.

1550

PARAMEDICS

Mr. Yasir Naqvi: "To the Legislative Assembly of Ontario:

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

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

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

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

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

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

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

I agree with this petition, affix my signature and send it to the table via page Jonathan.

TAXATION

Mr. John O'Toole: Again, I'm pleased to present a petition. This will be on behalf of the three municipalities in my riding: Uxbridge, Scugog and Clarington. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government's projected new revenue from the harmonized sales tax (HST) on gasoline and diesel will create an estimated \$1.5 billion" in revenue per year to the province of Ontario; and

"Whereas there is a lack of funding for essential transportation construction, maintenance and rehabilitation among Ontario's municipalities," many of them rural; and

"Whereas over 100 municipalities representing more than four million Ontarians have endorsed a resolution from the CAA," the Canadian Automobile Association, in southern Ontario "and the Ontario Good Roads Association calling for the" McGuinty "government of Ontario to dedicate a portion of the HST gas tax revenue to transportation;

"Therefore we, the undersigned, ask that if the provincial government insists on collecting HST at the gas pumps, that a portion of this added revenue be allocated to a new, predictable funding mechanism that will help Ontario municipalities invest in transportation infrastructure" in their community, as they see fit.

I'm pleased to sign it, support it and present it to Maggy, one of the pages on her last day here.

CELLULAR TOWERS

Mr. Kevin Daniel Flynn: I've got a petition to the Legislative Assembly of Ontario. It reads:

"Whereas a cellular communications tower is proposed to be built in the vicinity of Third Line and Rebecca Street in Oakville;

"Whereas Industry Canada has ultimate authority to approve the location of cellular communications towers under the federal Radiocommunication Act;

"Whereas the province of Ontario has no jurisdiction in the placement of cell towers;

"Whereas the town of Oakville has very limited jurisdiction in the placement of cell towers; and

"Whereas many area residents and local elected officials have expressed concerns with the proposed location and proximity to residential areas;

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

"That the province of Ontario request that the government of Canada grant municipalities the right to have enhanced participation in the placement of cellular communications towers in residential areas; and

"That the province of Ontario request that the government of Canada place a moratorium on the construction

of cellular towers within 500 metres of residential homes until the implementation of an improved municipal approval process."

I agree with this, will sign it and send it down with Rachel.

ORDERS OF THE DAY

ELECTORAL REFORM

The Speaker (Hon. Steve Peters): Orders of the day?

Hon. Gerry Phillips: Government notice of motion number 77.

The Deputy Clerk (Mr. Todd Decker): Government notice of motion number 77. Mr. Bentley.

Mr. Peter Kormos: On a point of order, Mr. Speaker: I refer to standing order 23(e), the rule against anticipation. One of the interesting things in Ontario's standing orders, of course, is that unlike the federal standing orders, the standing orders of Parliament, which do not contain the codification of the rule against anticipation, the Ontario standing orders do have a codification of the rule against anticipation, and I'm going to explain in just a minute why I believe that's significant.

I want to put this in context, please. I first refer to *The Procedure of the House of Commons: A Study of its History and Present Form*, Josef Redlich, page 221:

"The so-called rule against anticipation has never been embodied in any of the standing orders of the House but is part of the common law or usage of the House. There is some obscurity about its origin and about the precise date of its first formulation. The earliest edition of May's *Parliamentary Practice* in which there is any express reference to it appears to be that of 1871, but it is evident from Mr. Speaker Denison's rulings that the rule had been recognized and acted upon for many years before that date."

So, as I say, this was in effect a common-law rule, a parliamentary rule, in the British House of Commons.

Next, in terms of developing an understanding of the rule against anticipation—as I say, unlike the federal standing orders, in the provincial standing orders the rule against anticipation is codified. In Erskine May, 23rd edition, at page 389, there is a reference to the rule against anticipation. The reference notes that, "Formerly, the House strictly observed a rule against anticipation according to which a motion could not anticipate a matter already appointed for consideration by the House, whether it were a bill or an adjourned debate upon a motion. The rule survives in standing order no. 28"—of course, this is referring to the British Parliament's, Westminster's, standing orders—"which requires that in determining whether a discussion is out of order on the ground of anticipation the Speaker must have regard to the probability of the matter anticipated being brought before the House within a reasonable time." That's an important

consideration here too, because that is repeated in at least one other reference, certainly *Beauchesne*.

“Stated generally, the rule against anticipation (which applied to other proceedings as well as motions), as strictly enforced in earlier times, was that a matter must not be anticipated if it were contained in a more effective form of proceeding than the proceeding by which it was sought to be anticipated, but it might be anticipated if it were contained in an equally less effective form. A bill or other order of the day is more effective than a motion, a substantive motion more effective than a motion for the adjournment of the House or an amendment, and a motion for the adjournment is more effective than a supplementary question.”

I'll leave the references for a moment and get to what we have before us right now. We have today's motion, which is government notice of motion number 77. I put to you that the gut, the gist of the motion, is addressing corrupt acts in the course of elections, and then defines those, at least in part, “such as misleading phone calls and other attempts to prevent individuals from voting in elections...” Hmm. Because we also have before the House on the order paper Bill 196, presented for first reading yesterday. Bill 196 is a very compact bill. It addresses corrupt acts in the course of elections and specifically makes reference to the context or the purpose for which misleading phone calls are made and other attempts to prevent individuals from voting in elections.

It's interesting to note that all of Bill 196 addresses or amends nothing other than the part of the Ontario Election Act that is titled “Corrupt Practices and Other Offences: Penalties and Enforcement.” So Bill 196 is restricted to amending that part of the Election Act that addresses corrupt practices. That, I believe, is significant here in terms of understanding whether these are sufficiently similar such that the debate on the motion would anticipate the subject matter of the bill.

I put to you, sir, that the reference that I made to Erskine May that talked about a bill trumping a motion is entirely relevant here. That's what May says: that a bill is a more powerful, more potent parliamentary process than is the passage of a resolution, which, of course, isn't binding on anybody, and sometimes isn't even persuasive, and in the context of this resolution, really says nothing.

I don't want to draw unfair inferences, but I suspect that the government didn't have anything else to call today were it not for this motion that appears to have been concocted late in the day yesterday—the order paper is rather sparse—which goes to the probability of the bill being called in relatively short order.

1600

The order paper is common knowledge. There's not very much left on the order paper, Speaker. Everything that's there at this point is tied up, in large part, in committee and will be returned to this House in relatively short order. So I submit to you, sir, that you can infer that this bill, Bill 196, the amendments to the Election Act—the sections of the Election Act beginning with section

90, “Corrupt Practices and Other Offences: Penalties and Enforcement”—will be called reasonably soon.

I just want to take you very quickly now, because I don't want to use up a lot of your time, to *Beauchesne*, which has some very significant comments on this particular scenario. I refer to *Beauchesne*, sixth edition, page 154, starting with paragraph 512:

“(1) The rule of anticipation, a rule which forbids discussion of a matter standing on the order paper from being forestalled, is dependent upon the same principle as that which forbids the same question from being raised twice within the same session.

“(2) The rule against anticipation is that a matter must not be anticipated if it is contained in a more effective form of proceeding than the proceeding by which it is sought to be anticipated”—I interrupt the quote here for a minute; a more effective form, the bill as compared to the resolution—“but it may be anticipated if it is contained in an equally or less effective form.” That's not the case here.

“(3) The British practice in reference to this rule is sufficiently clear; the same cannot be said about Canadian precedents where attempts have been made to apply the rule to our own Canadian practice.”

The government House leader, I'm sure, will want to seize on that. She'll want to take that and light it like a torch and hold it flaming above her head.

Beauchesne then says, “The difficulty stems from the fact that the British Commons' standing orders include a specific rule on this subject.” Parliament's standing orders appear not to; however, Ontario's do.

Hon. John Wilkinson: We're in Ontario.

Mr. Peter Kormos: As the minister says, we are in Ontario. We're in Ontario's Parliament. Specifically, standing order 23(e): “A member shall be called to order by the Speaker if he or she ... anticipates any matter already on the Orders and Notices paper for consideration.”

Finally, we go to the New Testament, O'Brien and Bosc's *House of Commons Procedure and Practice*, second edition, page 560, “The rule of anticipation.”

“According to this rule, which applied to other proceedings as well as to motions, a motion could not anticipate a matter which was standing on the order paper for further discussion, whether as a bill or a motion, and which was contained in a more effective form of proceeding....

“While the rule of anticipation is part of the standing orders in the British House of Commons, it has never been so in the Canadian House of Commons. Furthermore, references to past attempts to apply this British rule to Canadian practice are inconclusive”—inconclusive.

However, once again, the authors of Ontario's standing orders have seen fit to include the rule against anticipation in standing order 23(e).

So I put to you that it is incumbent upon the Speaker to, first, determine whether the rule of anticipation prevails in this Parliament. I submit that it does, (1), because

of the common law, and (2), because of the codification of the common law in standing order 23(e).

Second, I put to you that it's incumbent upon the Speaker to determine whether the facts here permit the application of the rule of anticipation.

I submit to you that the bill is narrow, in that it applies only to the part of the Ontario Election Act that addresses corruption, and the resolution put forward in notice of motion number 77 is similarly narrow and again is speaking specifically of the very same things that the amendments in Bill 196 speak to; that is, misleading phone calls and other attempts to prevent individuals from voting in elections. Indeed, section 3 of the bill amends the Election Act by saying, "A person who, inside or outside Ontario, prevents another person from voting"—bang on with the resolution. The overall theme is one which—the statute—would prohibit misleading phone calls; that is to say, impersonation, again contained in Bill 196.

I put to you that Bill 196 and notice of motion number 77 overlap not just partially but so significantly that this is a case where the more potent process, the bill, is being anticipated by the motion. There's not even some likelihood but there's no doubt about the fact of this bill being called in relatively short order.

You were hearing—and of course, it's part of Hansard—the comments of the Attorney General when he introduced the bill and when he spoke to it during ministerial statements. Again, the clear inference to be drawn was that the government has presented it so it could pass this legislation in anticipation of the upcoming October 6 election.

It's an interesting point. I was referred to three Hansard references of interesting people like Ian Deans and Mike Breugh, who, of course, handled these standing orders pretty well in their own right in their own day—very well, as a matter of fact. Unfortunately, as I read the Hansards, I realized that those fact situations were so removed from this one that I submit that they're of no value. I don't refer to them.

I find this interesting. With great anticipation, I look forward to your ruling, sir.

Ms. Lisa MacLeod: On the same point of order, Mr. Speaker: I'd like to submit, on behalf of the official opposition, our concurrence with the third party House leader that this motion ought to be ruled out of order. He has done an eloquent job of using his experience and his resources to cite so many parliamentary studies, reports and examples.

I would like to use just a simple one in this Legislature. As many of us know, when we submit our private members' business, if that bill has already been submitted, it is ruled out of order. In this case, it would appear, given the motion that was tabled yesterday, as well as the bill that was tabled yesterday, that they are trying to achieve the same thing. I think, given, as my colleague opposite has stated, that a bill does take precedence over a motion, that this motion ought then to be ruled out of order.

In the standing orders, you do have an ability to rule on whether this motion is in order or not. I suggest that

you consider the arguments made by my colleague, supported by the official opposition.

Mr. Peter Kormos: Speaker, I apologize. I neglected to mention that the author of the bill is the Honourable C. Bentley and the mover of the motion is also the Honourable C. Bentley: yet another nexus between the bill and the motion.

Hon. Monique M. Smith: I appreciate the opportunity to speak to this point of order brought by the member for Welland. As always, he hasn't had an opportunity to speak for a couple of weeks, so we anticipated that we would get a point of order, however weak it may be, and we appreciate the opportunity to have a discussion about this today.

As you know, we have before us a suggestion that the motion that we are about to call in some way is counter to standing order 23(e), which reads—member for Trinity-Spadina, pull out your standing orders—"In debate, a member shall be called to order by the Speaker if he or she...

"(e) Anticipates any matter already on the Orders and Notices paper for consideration."

I think the nub of the argument this afternoon is whether Bill 196, which is on the order paper, is in fact the same matter as is outlined in our government motion 77, which has just been called to debate. I would argue that they are not.

The motion to be debated this afternoon expresses condemnation of the alleged corrupt acts that took place during the federal election. We've all heard about them, we've read about them and we want to make sure that such things do not happen in upcoming provincial elections. It "condemns acts of election fraud, such as misleading phone calls and other attempts to prevent individuals from voting in elections."

I would anticipate that my colleagues in this House would agree with me that we do not want to allow for any kind of corrupt acts to take place during a provincial election, and we certainly want to express our condemnation of those acts.

1610

Further, the motion confirms the Legislative Assembly of Ontario's resolve that electors in the upcoming provincial election should be free to cast their ballots without any such interference. Minister Bentley's bill, in contrast—Bill 196—"amends the Election Act to add new sections 96.2 and 96.3. Section 96.2 prohibits interference with voting. Section 96.3 prohibits impersonation of electoral officials, candidates and persons authorized to act of behalf of candidates, parties and constituency associations."

None of those are referenced in the motion that we are debating this afternoon. We are condemning election fraud and misleading phone calls, but we are in no way calling for the prohibition of impersonation of electoral officials—a distinguishing feature between the act and the motion that I think is very clear.

"Several offences under the act, including the ones described in new sections 96.2 and 96.3, constitute

'corrupt practices' if committed knowingly. The existing penalty for a person who is found guilty of a corrupt practice is a fine of not more than \$5,000, imprisonment for a term of not more than six months, or both. The maximum fine for a corrupt practice is increased to \$25,000 and the maximum term of imprisonment to two years less a day."

Standing order 23(e) states that in debate a member shall be called to order by the Speaker, as I noted earlier, if he or she "anticipates any matter already on the Orders and Notices paper for consideration." The motion does not anticipate the proposed amendments to the Election Act outlined in Bill 196; it simply references alleged corrupt acts and the condemnation of election fraud and gives a couple of examples.

They are very distinguishable, as are many cases, and I would note that the member for Welland did fail to raise with us any precedent that was on point with this. He did reference, of course, as is his wont, a number of texts, and I look forward to the day where I no longer have to refer to Beauchesne—not that I don't appreciate his good work.

But I would bring to your attention the work of O'Brien and Bosc, and as usual, my colleague the member for Welland has only quoted part of the section on the rule of anticipation, which gives me the opportunity to share with you the entire submission on the rule of anticipation, which is on page 560. I'm sure Mr. Speaker will want the full context of this.

"The moving of a motion was formerly subject to the ancient"—perhaps reflective of some points of view of the member for Welland—"rule of anticipation"—

Mr. Peter Kormos: You're not exactly a teenager—

Hon. Monique M. Smith: So much younger than you, my friend; so much younger than you—"which is no longer strictly observed."

I'd just like to emphasize that for you, Mr. Speaker. O'Brien and Bosc clearly indicate that the moving of a motion of this ancient rule of anticipation is no longer strictly observed—according to O'Brien and Bosc, who of course are the experts who have been referred to by the member for Welland.

"According to this rule, which applied to other proceedings as well as to motions, a motion could not anticipate a matter which was standing on the order paper for further discussion, whether as a bill or a motion, and which was contained in a more effective form of proceeding (for example, a bill or any other order of the day is more effective than a motion, which in turn has priority over an amendment, which in turn is more effective than a written or oral question). If such a motion were allowed, it could indeed forestall or block a decision from being taken on the matter already on the order paper.

"While the rule of anticipation is part of the standing orders in the British House of Commons, it has never been so in the Canadian House of Commons. Furthermore, references to past attempts to apply this British rule to Canadian practices are inconclusive.

"The rule"—

Mr. Peter Kormos: That's exactly what I said.

Hon. Monique M. Smith: You did. But let me continue. "The rule is dependent on the principle"—

Interjection.

The Speaker (Hon. Steve Peters): Let her finish, please.

Hon. Monique M. Smith: Thank you, Mr. Speaker. I do believe we listened quite attentively to the member for Welland.

"The rule is dependent on the principle which forbids the same question from being decided twice within the same session. It does not apply, however, to similar or identical motions or bills which appear on the notice paper prior to debate. The rule of anticipation becomes operative only when one of two similar motions on the order paper is actually proceeded with. For example, two bills similar in substance will be allowed to stand on the order paper but only one may be moved and disposed of. If the first bill is withdrawn (by unanimous consent, often after debate has started), the second may be proceeded with."

I note, Mr. Speaker, that we are just starting debate on this motion. There is no indication at this point in time that it will be disposed of today, and we would not be precluded from moving forward with the bill were it to be found similar enough to invoke standing order 23(e).

I go back to my quotation: "A point of order regarding anticipation may be raised when the second motion"—therefore, this point of order may be untimely. "A point of order regarding anticipation may be raised when the second motion is proposed from the Chair, if the first has already been proposed to the House and has become an order of the day.

"An exception has been allowed, however, in the case of an opposition motion on a supply day related to the subject matter of a bill already before the House," which is not appropriate in this particular circumstance.

To summarize, I would indicate a couple of things:

(1) This is an ancient rule.

(2) It is rarely applied.

(3) It would only become applicable if both the motion and the piece of legislation were similar enough to be comparable, and in this case I would argue they are not.

(4) I would argue, as I have in the past and as I always like to end in this particular circumstance when referring to the member from Welland, that he has in fact, and has proudly stated that he has in fact violated every one of the standing orders, particularly those in section 23.

This would not be the first case where this House would see perhaps a slight transgression on section 23(e) and, as noted in the esteemed Bosc and O'Brien, that is actually accepted in most Houses of Parliament.

I would argue today that the motion we are putting forward today and that we would like to debate today condemns the alleged corrupt acts that took place during the federal election and argues against election fraud and lists a few examples of that, while our piece of legislation is very clear in wanting to prohibit interference with

voting and prohibit impersonation of electoral officers, candidates and persons, and provides penalties that are relevant to those types of corrupt acts which, I would argue, are a corruption of democracy.

I actually find it kind of surprising today that my colleague would be precluding us from debating something that I would think he would agree with wholeheartedly, and that is precluding the abuses of the process in the electoral process and condemning corrupt acts that would somehow corrupt our electoral process, which is so important and dear to the people of Ontario.

The Speaker (Hon. Steve Peters): The member from Welland.

Mr. Peter Kormos: A brief reply, and I don't want to appear overly pedagogical or pedantic, but I must. The government House leader reads page 560 and she's entirely correct; I want her to know that. I want to acknowledge that, because it's clear that the rule does not apply "to similar identical motions or bills which appear on the notice paper prior to debate." The two can coexist on the order paper until the cows come home. "The rule of anticipation becomes operative only when one of two similar motions on the order paper is actually proceeded with." It's what's happening today. The fact that it's called, that it's being proceeded with, invokes the rule.

We're going to go through this until somebody gets it: "Two bills similar in substance will be allowed to stand ... but only one may be moved and disposed of. If the first bill is withdrawn, the second may be proceeded with. If a decision is taken on the first bill, the other may not be proceeded with. A point of order regarding anticipation may be raised when the second motion is proposed from the Chair, if the first has already been proposed to the House and has become an order of the day."

You see, an order is being called today. The problem is that the federal Parliament does not have a standing order that codifies the rule of anticipation, the rule against anticipation; our Parliament does. There can be no other explanation for 23 other than that it's a codification of the rule of anticipation. I appreciate the government House leader's attempt to guide me through the English text, and I welcome any assistance that I can be offered, but I'm afraid her argument indeed confirms what I've proposed.

One distinct difference: You see, here Bosc and O'Brien don't talk about the hierarchy, bill trumping motion. They talk about motion and motion, bill and bill. The text, for whatever reason, doesn't refer to the hierarchy. Here we've got that interesting little angle of the hierarchy, the bill being a more potent vehicle than the motion and thus having superiority.

I'm not going to say any more other than to tell you that, again, I eagerly await your ruling.

Ms. Lisa MacLeod: I am informed by the chief official opposition whip that the actual piece of legislation we were to have debated this afternoon, according to the orders of the day, was in fact Bill 196, put forward and introduced by the Attorney General, Chris Bentley. It

was on the Legislative Assembly's orders of the day. As a result of a reasoned amendment that we put forward, that was taken off and this was inserted—this motion, this legislation, was put forward by the exact same member.

So to my colleague in the third party's point of order, I would humbly suggest that this motion is out of order, given those reasons.

The Speaker (Hon. Steve Peters): I thank the member from Welland, the member from Nepean-Carleton and the government House leader for their comments on this point of order. While I have to admit that I may have anticipated that this matter might be raised today, I will admit that this certainly is, as has been laid out, a complex issue, and I'm therefore going to recess the House for one half-hour to consider the matter.

The House recessed from 1621 to 1742.

The Speaker (Hon. Steve Peters): The member for Welland, Mr. Kormos, has risen on a point of order to the effect that the calling of government notice of motion 77, which was filed yesterday, anticipates consideration of Bill 196, which was introduced earlier in the day yesterday and which now awaits second reading consideration. The member for Nepean-Carleton, Ms. MacLeod, and the government House leader, Ms. Smith, also made submissions on the matter.

I have had the opportunity to reflect on the submissions and to review our precedents and authorities on anticipation.

Standing order 23(e) provides as follows: "In debate, a member shall be called to order by the Speaker if he or she ... [a]nticipates any matter already on the Orders and Notices paper for consideration."

Since there appears to be some confusion, let me begin by explaining what the meaning of the rule of anticipation is. The rule, as it exists in parliamentary tradition, is intended to prevent a matter that is already set down in the order paper for consideration—in this case, Bill 196—from being debated in a different or less effective proceeding—in this case, government notice of motion 77.

The purpose of the rule is to prevent the time of the House from being wasted and to mitigate the potential for conflicting decisions. The rule goes hand in hand with the rule that prevents a motion from being proposed once the subject has already been decided upon. For example, if a motion that is on a substantially similar subject as a bill set down for future consideration is decided upon, it is possible that the House could not then proceed with the bill.

With respect to the rule of anticipation in this House, the member for Welland is correct, in that we have codified what in some other jurisdictions is an ancient convention. However, as far as I can determine, no Speaker of this assembly appears to have rigorously applied standing order 23(e) in order to rule consideration of business out of order. I think that the reason for the dearth of Ontario rulings on anticipation is that Speakers prefer to adopt the approach that, to paraphrase standing

order 1(b), accentuates members' abilities to submit motions and bills, and to then debate, speak to and vote on them.

Moreover, if the rule were to be interpreted strictly, the Speaker would have to apply the same principles to all business, be it government business, opposition business or private members' business. I suspect that some of the business that the House has considered in the past would be out of order under a strict regime.

Further, members—and I would encourage this—may want to seriously consider the unanticipated ripple effect that could result from the desire to see the rule of anticipation rigorously applied. Doing so could very well upset the delicate balance of this House.

That the rule exists, there is no question. However, before it can be invoked, the Speaker must determine whether government motion 77 calls on the House to decide substantially the same question it will be asked to decide with respect to Bill 196.

The motion, if passed, would express the condemnation of the House for various alleged transgressions that occurred during polling in the May 2 federal election, and further expresses the determination of the House that similar transgressions do not occur in our own upcoming election. The bill amends the Election Act to provide penalties for various corrupt practices. There is no question that there is a linkage between these two elements, and that the debate on the motion and the debate on the bill will likely produce similar speeches. But ultimately the House will be asked to decide two different questions. Though they are thematically similar, they are not the same. In this sense, the motion does not offend the anticipation rule or standing order 52.

But, finally, let me add that the government could and should have structured its business entirely differently, so as to avoid this procedural issue entirely. After all—

Interjection.

The Speaker (Hon. Steve Peters): Government House leader, I'd appreciate you listening, please.

I'm going to repeat this: Finally, let me add that the government could and should have structured its business differently, so as to avoid this procedural issue entirely. After all, what is in play here are two closely related items of government business that emerged within hours of each other. It strikes me that more effective use could be made of the time of the House.

I thank the member for Welland, the member for Nepean–Carleton and the government House leader for their submissions on this point of order.

Minister without portfolio.

Hon. Gerry Phillips: I move that the Legislative Assembly of Ontario condemns the alleged corrupt acts that took place during the federal election and condemns acts of election fraud, such as misleading phone calls and other attempts to prevent individuals from voting in elections and confirms its resolve that electors in the upcoming provincial election should be free to cast their ballots without any such interference.

The Speaker (Hon. Steve Peters): Mr. Phillips has moved government notice of motion number 77. Debate?

Mr. David Zimmer: I'm delighted to be able to speak to this motion, which really deals with the whole issue of—when you look at the motion, read it over and reflect on just what it means, in a word or two it's all about preventing voter suppression. I read the motion again carefully: "That the Legislative Assembly of Ontario condemns the alleged corrupt acts that took place during the federal election and condemns acts of election fraud, such as misleading phone calls and other attempts to prevent individuals from voting in elections and confirms its resolve that electors in the upcoming provincial election should be free to cast their ballots without any such interference."

The motion asks this House to recognize, by way of adopting this resolution, that we stand by that principle that the voter who chooses to exercise their right to vote, in this case in the provincial election, can exercise that and vote for whomever they want. They can vote for a Conservative. They can vote NDP. They can vote Green. They can vote Liberal. But that is their absolute right.

1750

There is a history of voter suppression that we're probably all aware of. When I walk you through some of the most egregious examples, perhaps, in other jurisdictions, it poses the question in my mind of why anybody in this chamber, be he or she Liberal, NDP or Conservative, would oppose or vote against a motion which says that this chamber is opposed to any form of voter suppression.

I happened to watch a film the other night—I guess about a week ago—an American film called *Mississippi Burning*. It is one of the icon films of the American civil rights movement, particularly in the 1960s. What that film was all about was the efforts of the federal government and other governments to assist voters in dealing with the voter suppression that was rampant in certain parts of the United States.

What was the form of that voter suppression? The strategy behind voter suppression was to interfere with the voter's right to go freely to a place to cast their vote. Why did certain groups want to, for whatever reason, suppress the voters or prevent voters from exercising their right to vote? Because they were afraid that certain voters were going to vote one way or vote the other way on an issue. That interference—trying to prevent a voter from freely wanting to cast their vote in a direction to the left or a direction to the right or a direction to the middle—is an affront to democracy. I dare say that everybody in this House, on this side of the House and on that side of the House, when they examine their conscience on this issue—I just can't comprehend anyone voting against a motion that says, "We, as a House, are going to do everything we can to condemn, in any way, voter suppression."

It's in all parties' interests in this chamber, be they Liberal, Conservative or NDP, to see that everybody freely exercises their vote and that there are no extraneous circumstances that interfere with that right, whether it's some mechanism to send people to the wrong polling

station or some form of intimidation to encourage them to stay home or to cast their vote one way or another. There are jurisdictions throughout the world—and we see examples of that this very day as I am speaking. Throughout the Middle East, where, after years and years and years of living in regimes where the essence of the regime was voter suppression—all kinds of mechanisms to prevent voters from casting a vote or encouraging them or putting pressure on them to cast a vote in this way or that way. We have extreme examples of that, where you used to read in some jurisdictions where there was an election and the governing party that won the election got 99.9% of the vote. That's an extreme example of voter suppression.

In other jurisdictions—and it's relevant now because in the Middle East, people are risking their lives so that they can express themselves. They can encourage their governments to have open elections. They're prepared to risk life and limb for that right to cast a vote.

I go back to the American civil rights movement in the 1960s. If any of you have seen that film, *Mississippi Burning*, it got really right into the nitty-gritty of what this motion is about. There were corrupt acts that took place during the elections to interfere with the right to vote: misleading phone calls, threatening phone calls and all manner of attempts to prevent individuals from voting in the elections and freely casting their ballot.

There's a whole generation of people who put themselves at risk to ensure that there would not be voter suppression. We see it all through the Middle East today. In fact, going back several hundreds of years—the English Civil War, the French Revolution, the American Civil War, the suffragette movement, particularly in the west or in England and Canada and the US; there were women who wanted to cast a vote. First, they wanted to get the vote, and they had a terrible fight. They finally got the vote. Then, if you read the history books of that period, 1917—1900 to about 1920, there were all sorts of

nefarious acts to suppress the vote: threatening phone calls and pressures and family pressures and misleading statements to interfere with the right of women to cast their vote as they decided. Governments fought hard for voters, be they men or women or whoever, so that they could freely exercise their vote.

All this motion says today is that in view of the bad things, awful things that went on throughout the last federal election a couple of weeks ago, it's incumbent upon this House to have the courage to stand up and, in effect, renew or recognize afresh its commitment to the voters of Ontario to cast their vote however they want to, free of undue influence, and to eliminate any possibility of voter suppression. People may want to cast their vote for the left, for the right or for the centre. The point is, that's their right, and they should have the right to do that without interference.

So I say to the members opposite, I say to the members of my own caucus, how, when the question is posed that way, can you possibly cast a vote against a motion that renews this chamber's collective commitment to stamping out voter suppression? That's the heart of our democracy, and we as democrats, we as people living in a free society, we as people who base our governance on the result of free elections in the fullest sense of the word—I say to the members opposite, whether they be in the third party, the official opposition or, indeed, my own party members, how can you possibly go on record as voting against a motion that says we're all renewing our pledge to free, unencumbered elections? We will not stand for any form of voter suppression.

Debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): Well.

Ms. Lisa MacLeod: Your clock looks a little fast—

The Deputy Speaker (Mr. Bruce Crozier): It being close to 6 of the clock—oh, it's very close—this House is adjourned until 9 a.m. of the clock Thursday, May 19, 2011.

The House adjourned at 1758.

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

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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	

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Garfield Dunlop
Vice-Chair / Vice-président: Robert Bailey
Robert Bailey, Gilles Bisson
Kim Craitor, Bob Delaney
Garfield Dunlop, Phil McNeely
Yasir Naqvi, John O'Toole
Maria Van Bommel
Clerks / Greffiers: Valerie Quioc Lim, Sylwia Przewdziecki

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-présidente: Laura Albanese
Laura Albanese, Toby Barrett
Bob Delaney, Kevin Daniel Flynn
Pat Hoy, Helena Jaczek
Norm Miller, Leeanna Pendergast
Peter Tabuns
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on General Government / Comité
permanent des affaires gouvernementales**

Chair / Président: David Oraziotti
Vice-Chair / Vice-président: Jim Brownell
Jim Brownell, Steve Clark
Kuldip Kular, Dave Levac
Amrit Mangat, Rosario Marchese
Bill Mauro, David Oraziotti
Joyce Savoline
Committee Clerk / Greffier: William Short

**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

Chair / Président: Ernie Hardeman
Vice-Chair / Vice-présidente: Lisa MacLeod
Laura Albanese, Michael A. Brown
Donna H. Cansfield, Aileen Carroll
Howard Hampton, Ernie Hardeman
Lisa MacLeod, Leeanna Pendergast
Jim Wilson
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Justice Policy / Comité permanent de
la justice**

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Reza Moridi
Bas Balkissoon, Lorenzo Berardinetti
Ted Chudleigh, Mike Colle
Christine Elliott, Peter Kormos
Reza Moridi, Lou Rinaldi
David Zimmer
Committee Clerk / Greffier: Katch Koch

**Standing Committee on the Legislative Assembly / Comité
permanent de l'Assemblée législative**

Chair / Président: Bas Balkissoon
Vice-Chair / Vice-président: Yasir Naqvi
Bas Balkissoon, Steve Clark
Joe Dickson, Sylvia Jones
Amrit Mangat, Yasir Naqvi
Michael Prue, Mario Sergio
Maria Van Bommel
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent
des comptes publics**

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-président: Peter Shurman
Wayne Arthurs, Aileen Carroll
France Gélinas, Jerry J. Ouellette
David Ramsay, Liz Sandals
Peter Shurman, Norman W. Sterling
David Zimmer
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Président: Michael Prue
Vice-Chair / Vice-président: Paul Miller
David Caplan, Kim Craitor
Jeff Leal, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Lou Rinaldi
Tony Ruprecht
Committee Clerk / Greffière: Valerie Quioc Lim

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Shafiq Qadri
Vice-Chair / Vice-président: Vic Dhillon
Vic Dhillon, Cheri DiNovo
Rick Johnson, Sylvia Jones
Jean-Marc Lalonde, Ted McMeekin
Shafiq Qadri, Khalil Ramal
Elizabeth Witmer
Committee Clerk / Greffier: Trevor Day

CONTENTS / TABLE DES MATIÈRES

Wednesday 18 May 2011 / Mercredi 18 mai 2011

Notice of reasoned amendment

The Speaker (Hon. Steve Peters)..... 6113

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Hon. John Wilkinson..... 6113
Mr. Norman W. Sterling 6113
Mr. Michael Prue 6113
Mr. Yasir Naqvi 6113
Mr. Tim Hudak 6113
Mr. Rick Johnson 6113
Mr. Lou Rinaldi..... 6113
Mr. Ted Chudleigh..... 6113
Mr. Frank Klees 6113
Hon. Monique M. Smith 6113
Mr. Khalil Ramal 6113
The Deputy Speaker (Mr. Bruce Crozier)..... 6113

ORAL QUESTIONS / QUESTIONS ORALES

Executive compensation

Mr. Tim Hudak 6113
Hon. Harinder S. Takhar 6114

Executive compensation

Mr. Tim Hudak 6114
Hon. Harinder S. Takhar 6114

Political contributions

Ms. Andrea Horwath..... 6115
Hon. Kathleen O. Wynne 6115

Political contributions

Ms. Andrea Horwath..... 6116
Hon. Kathleen O. Wynne 6116

Electoral reform

Ms. Lisa MacLeod 6116
Hon. Kathleen O. Wynne 6116

Executive compensation

Ms. Andrea Horwath..... 6117
Hon. Dwight Duncan 6117

Clean technology

Mr. Rick Johnson 6117
Hon. Glen R. Murray 6118

Taxation

Mr. Norm Miller 6118
Hon. Dwight Duncan 6118

Coroner's inquest

Mr. Howard Hampton 6119
Hon. Kathleen O. Wynne 6119

Assistance to farmers

Mr. Lou Rinaldi..... 6120
Hon. Carol Mitchell..... 6120

Duty-free shops

Mrs. Julia Munro 6120
Hon. Dwight Duncan..... 6120

Electoral reform

Mr. Peter Kormos 6121
Hon. Kathleen O. Wynne 6121

Services en français

Mme Helena Jaczek 6121
L'hon. Madeleine Meilleur 6121

Animal protection

Mr. Frank Klees 6122
Hon. James J. Bradley 6122

Nuclear waste

Mr. Peter Tabuns 6122
Hon. Brad Duguid 6122

Driver licences

Mr. Khalil Ramal 6123
Hon. Kathleen O. Wynne 6123

Notice of dissatisfaction

The Deputy Speaker (Mr. Bruce Crozier) 6123

DEFERRED VOTES / VOTES DIFFÉRÉS

Supporting Smoke-Free Ontario by Reducing Contraband Tobacco Act, 2011, Bill 186,

Ms. Aggelonitis / Loi de 2011 appuyant la stratégie
Ontario sans fumée par la réduction du tabac de
contrebande, projet de loi 186, Mme Aggelonitis

Second reading agreed to 6124

Time allocation

Motion agreed to 6124

Occupational Health and Safety Statute Law

Amendment Act, 2011, Bill 160, Mr. Sousa / Loi de
2011 modifiant des lois en ce qui concerne la santé
et la sécurité au travail, projet de loi 160, M. Sousa

Third reading agreed to 6125

Events at Queen's Park

The Deputy Speaker (Mr. Bruce Crozier) 6125

Continued on inside back cover

Continued from back cover

**INTRODUCTION OF VISITORS /
PRÉSENTATION DES VISITEURS**

Mr. Pat Hoy.....6125

**MEMBERS' STATEMENTS /
DÉCLARATIONS DES DÉPUTÉS**

Thousand Islands Playhouse

Mr. Steve Clark.....6125

Hamilton Toy Museum

Mr. Paul Miller.....6125

Alliance for Equality of Blind Canadians

Mr. Dave Levac.....6125

Business Awards of Excellence

Mr. Ernie Hardeman.....6126

Emergency preparedness

Mr. Khalil Ramal.....6126

Wind turbines

Mr. John O'Toole.....6126

Glebe Centre

Mr. Yasir Naqvi.....6127

Brewing industry

Ms. Helena Jaczek.....6127

Ross Smith

Mr. Jeff Leal.....6127

**REPORTS BY COMMITTEES /
RAPPORTS DES COMITÉS**

Standing Committee on Public Accounts

Mr. Norman W. Sterling.....6127

Report presented.....6127

**Standing Committee on Regulations and Private
Bills**

Mr. Michael Prue.....6127

Report adopted.....6128

Standing Committee on Public Accounts

Mr. Norman W. Sterling.....6128

Report presented.....6128

Standing Committee on Public Accounts

Mr. Norman W. Sterling.....6128

Report presented.....6128

Standing Committee on Public Accounts

Mr. Norman W. Sterling.....6128

Debate adjourned.....6128

**INTRODUCTION OF BILLS /
DÉPÔT DES PROJETS DE LOI**

**Human Rights Code Amendment Act (Genetic
Characteristics), 2011, Bill 199, Mr. Colle / Loi de
2011 modifiant le Code des droits de la personne
(caractéristiques génétiques), projet de loi 199,
M. Colle**

First reading agreed to.....6129

Mr. Mike Colle.....6129

**Pregnancy and Infant Loss Awareness Day Act,
2011, Bill 200, Mr. Paul Miller, Mrs. Elliott, Mr.
Flynn / Loi de 2011 sur la Journée de
sensibilisation à la perte d'une grossesse ou d'un
bébé, projet de loi 200, M. Paul Miller, Mme
Elliott, M. Flynn**

First reading agreed to.....6129

Mr. Paul Miller.....6129

MOTIONS

Adjournment debate

Hon. Gerry Phillips.....6129

Motion agreed to.....6129

**STATEMENTS BY THE MINISTRY
AND RESPONSES / DÉCLARATIONS
MINISTÉRIELLES ET RÉPONSES**

Police Week

Hon. James J. Bradley.....6129

Mr. Garfield Dunlop.....6130

Mr. Peter Kormos.....6130

PETITIONS / PÉTITIONS

Highway safety

Mr. Garfield Dunlop.....6131

Éducation en français

M. Michael Prue.....6131

Paramedics

Mr. Jeff Leal.....6132

Dog ownership

Mrs. Julia Munro.....6132

Paramedics

Ms. Helena Jaczek.....6132

Multiple sclerosis treatment

Mr. Garfield Dunlop.....6132

Photo identification

Mr. Bob Delaney.....6132

Rural schools

Mr. Garfield Dunlop 6133

Paramedics

Mr. Joe Dickson..... 6133

Protection of minors

Mr. John O'Toole 6133

Paramedics

Mr. Yasir Naqvi 6133

Taxation

Mr. John O'Toole 6134

Cellular towers

Mr. Kevin Daniel Flynn..... 6134

ORDERS OF THE DAY / ORDRE DU JOUR

Electoral reform

Mr. Peter Kormos 6134

Ms. Lisa MacLeod..... 6136

Hon. Monique M. Smith..... 6136

Mr. Peter Kormos 6138

Ms. Lisa MacLeod..... 6138

The Speaker (Hon. Steve Peters) 6138

Hon. Gerry Phillips..... 6139

Mr. David Zimmer..... 6139

Debate deemed adjourned..... 6140