



Legislative Assembly  
of Ontario

First Session, 40<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 40<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

Thursday 1 March 2012

Jeudi 1<sup>er</sup> mars 2012

Speaker  
Honourable Dave Levac

Président  
L'honorable Dave Levac

Clerk  
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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

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Thursday 1 March 2012

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*The House met at 0900.*

**The Speaker (Hon. Dave Levac):** Please join me in prayer.

*Prayers.*

**ORDERS OF THE DAY**

SECURITY FOR COURTS, ELECTRICITY  
GENERATING FACILITIES  
AND NUCLEAR FACILITIES ACT, 2012  
LOI DE 2012 SUR LA SÉCURITÉ  
DES TRIBUNAUX, DES CENTRALES  
ÉLECTRIQUES ET DES INSTALLATIONS  
NUCLÉAIRES

Resuming the debate adjourned on February 29, 2012, on the motion for second reading of the following bill:

Bill 34, An Act to repeal the Public Works Protection Act, amend the Police Services Act with respect to court security and enact the Security for Electricity Generating Facilities and Nuclear Facilities Act, 2012 / Projet de loi 34, Loi abrogeant la Loi sur la protection des ouvrages publics, modifiant la Loi sur les services policiers en ce qui concerne la sécurité des tribunaux et édictant la Loi de 2012 sur la sécurité des centrales électriques et des installations nucléaires.

**The Speaker (Hon. Dave Levac):** Further debate? The member for Essex.

**Mr. Taras Natyshak:** Thank you, Mr. Speaker. With your indulgence, I'll be splitting my time with the member for Bramalea–Gore–Malton.

I'm happy to debate the repeal of the Public Works Protection Act and the proposed amendments to the Police Services Act in relation to court security and new security for electricity generating facilities and nuclear facilities. I think it's important to touch on some of the issues that came about during the application of the PWPA which are leading to its repeal. It's also important to discuss what happened in 2010, because these amendments are meant to ensure that it never happens again and that government has learned its lesson.

This bill is a direct result of the issues that many citizens' groups have raised and of the response of the government of Ontario during the G20 events in 2010. More than 1,100 arrests were made, the largest mass arrest in Canadian history. There was widespread denial of democratic rights and freedoms, and a secret law was enacted. There were less-than-transparent decision-making pro-

cesses between government and law enforcement. As a result, six separate reviews took place around G20 security. Yet none had the mandate or the jurisdiction to ask the most fundamental questions or provide Ontarians with answers they were seeking.

Andrea Horwath introduced a private member's bill, the G20 Public Inquiry Act. This bill would have established an independent commission that would have carried out a full public inquiry. Despite all the reviews that took place, a public inquiry is the missing and essential piece of the G20 puzzle. The public inquiry would have reported on the decisions and actions of the McGuinty government and law enforcement during the G20. It would have provided a fuller accounting of taxpayer dollars. However, this bill did not pass and Ontarians never got the answers that were owed to them from this failed security policy during the G20.

It comes as no surprise to any of us when I say there were serious issues with security during the G20. Civil liberties were trampled, and we all saw it on TV while it happened. The Canadian Civil Liberties Association had this to say about government actions during the G20:

"The conditions for some of the policing problems that were experienced during the summit were set during the preparatory stage ... For example, the lack of transparency surrounding the designation of the security perimeter as a 'public work' led to misunderstandings as to the scope of search and seizure powers and, in our view, to an inappropriate use of these powers. The large number of police officers during the week leading to the G20 generated both a suspicion of wasted resources and a sentiment of potential intimidation. June 26 represents a turning point. Widespread property damage was committed by a cohort of vandals in the downtown of Toronto on that day. We condemn this criminal activity and acknowledge that it warranted a response by police. The response which police provided, however, was unprecedented, disproportionate and, at times, unconstitutional."

From the many reports, it emerged that government had enacted regulations that increased the powers of police—except that nobody knew about them until people started getting arrested. CCLA asked for an apology from the government of Ontario on the way it handled G20 security, but that was never received.

As reports surfaced with their recommendations, it became clear that there was considerable reason for concern in the way that the government had handled the period before the G20 and the events itself. Stories circulated through the G20 weekend of citizens being stopped and searched at various locations in the downtown core only

because they were wearing an item of black clothing. A number of people also reported that police cited the Public Works Protection Act as authority to conduct searches and require identification, despite the fact that they were nowhere near the security fence.

Most importantly, regulation 233/10, passed to enhance security during the G20 summit, was viewed by many as an issue in and of itself. Ombudsman André Marin stated, "Regulation 233/10, passed to enhance security during the G20 summit, should never have been enacted. It was likely unconstitutional. The effect of regulation 233/10, now expired, was to infringe on freedom of expression in ways that do not seem justifiable in a free and democratic society. Specifically, the passage of the regulation triggered the extravagant police authority found in the Public Works Protection Act, including the power to arbitrarily arrest and detain people and to engage in unreasonable searches and seizures. Even apart from the Charter of Rights and Freedoms, the legality of regulation 233/10 is doubtful. The Public Works Protection Act under which it was proclaimed authorizes regulations to be created to protect infrastructure, not to provide security to people during events. Regulation 233/10 was therefore probably invalid for having exceeded the authority of the enactment under which it was passed. These problems should have been apparent, and given the tremendous power regulation 233/10 conferred on the police, sober and considered reflection should have been given to whether it was appropriate to arm officers with such authority. This was not done." The decision of the Minister and Ministry of Community Safety and Correctional Services was to sponsor.

Having said that, let us just assume for a second that regulation 233/10 was indeed appropriate for the circumstances involved. Since the regulation significantly changes the rules of the game, it would only be appropriate that the government would have done whatever was in its power to publicize the fact that the rules had changed. Why would it not notify citizens and groups involved in the protest of the extra requirements?

**0910**

Had they been properly notified, these groups would have known their rights and what was required of them. Their actions would have been different, and many of the police confrontations would not have occurred. The government failed in providing enough information, Mr. Speaker.

Of the notices that were placed in newspapers, none of them mentioned the PWPA. Full notification of citizens and groups involved in protests was not pursued by the ministry. Even worse, the police themselves were not fully briefed of the extended powers they really possessed. Minister Meilleur said it herself last week, that it was a problem of communication. Communication was definitely one of the major things that was severely wrong with the way the government dealt with G20 security, but it certainly was not the only issue.

Dave Vasey, a York University environmental science masters student, had probably never heard of the Public

Works Protection Act before June 24, 2010. How could he, of course? It was a secret act. Curious about the fence, which isn't a normal sight in downtown Toronto, Mr. Vasey stepped too close to it, to see what was on the inside. This was enough to make police officers suspicious and, armed with the rights that nobody knew about, they stopped Mr. Vasey and asked for identification.

Without knowing about the passing of regulation 233/10, Mr. Vasey refused to provide ID. He would have been well within his rights had the circumstances been different, but the situation was now changed and Mr. Vasey found himself under arrest by authority of the Public Works Protection Act. At least one other person was detained and charged under the act in connection with G20 summit security.

Like many of those stopped, Mr. Vasey was involved in peaceful protest, but the arrests were not confined to just protesters; they included people who were just walking by or who had legitimate business close to the security perimeter. The examples are many, like Rob Kittredge, a lawyer who worked just outside of the security perimeter, whose photographs were confiscated and who was banned from coming close to the security zone under this same act.

Nobody knew about the regulation until after Mr. Vasey was arrested, well after the protest had started. A number of complainants approached the Office of the Ombudsman afterwards. Over 1,000 people were arrested. These complaints gave first-hand accounts of the experiences with police officers during the G20 weekend.

A 57-year-old from Thorold, Ontario, who was an amputee, came down to participate in the labour march rally. After taking part in the march, he rested at the designated speech area here at Queen's Park. This was on Sunday, when the protest was winding down. A few minutes later, police arrived to disperse the crowd and yelled at him to move. Needing help to get up, this man was pushed to the floor by police. His prosthetic leg was removed from him, and he was dragged to the police van. I think we've all seen these pictures, Mr. Speaker.

Why would the ministry allow this important regulation to go under the radar and lead to so much chaos and uncertainty?

By Sunday, the ministry had issued a directive to police telling them that they did not actually have the powers they thought they had beyond the security perimeter of the fence. Even when it became evident that the rules had changed, and where it became evident that the officers did not have the rights that they thought they had, their course did not change.

On Sunday afternoon, Toronto police, acting on reports that criminals had infiltrated a group of protesters, surrounded and contained a crowd of up to 250 in a "kettling" manoeuvre at Queen Street and Spadina around 6 p.m. Over the course of the next few hours, protesters, journalists, casual observers and bystanders stood in the driving rain while some people were arrested, and we all watched these scenes on television. It was clear that by Sunday everything had wound down, but

police were still using their excessive rights to target a group of bystanders who had absolutely no involvement in the protest and who had done nothing illegal.

The process used by the Ontario government to pass regulation 233/10 under the Public Works Protection Act included the absence of public debate, the absence of transparency and consultation, a major problem that led to the many violations during the G20.

Citizens were stripped of rights they possessed and police officers believed they had power they actually did not have, and the Ministry of Community Safety was left to try to mitigate the vacuum.

We've all seen what happened then. Now, how is this government proposing to prevent the issues from happening again? The proposed bill before us today contains three schedules that I will discuss in order.

Number one: The bill would repeal the Public Works Protection Act, an act that was enacted in 1939, which gave police wartime powers. It should never have been used to deal with security during the G20 summit in 2010. It was an act that was taken under extreme emergency measures and, quite frankly, belongs in 1939, not in 2010 in downtown Toronto.

Security or peace officers were given the kind of power and authority that would be expected during an emergency circumstance, which certainly stretches to the point of transgression of constitutional rights for citizens. The G20 certainly did not merit such a response.

It's only normal that during an event of such importance as the G20, security concerns might go against civil liberties, but it should be about finding a balance. As the Ombudsman noted, regulation 233/10 worked to trip the powers of the Public Works Protection Act, thereby enabling the arrest and muting of protesters and others who had done nothing wrong. The impact of regulation 233/10 on freedom of expression was therefore almost certainly disproportionate. So we should all strive to ensure that there is no repeat of the trampling of civil rights that happened during the G20.

Security during the G20 could have been handled under different legislation, Mr. Speaker. The PWPA only dealt with structures and not people. Calling on this particular act to address the issues related with the security of foreign heads of state does not make any sense. Just a simple quote from the PWPA is indicative of the scope and the historical reality that government was faced with in 1939. I quote: "We meet today under circumstances of the utmost gravity. The possibility of war, in which we are now engaged, was fully realized and debated by you at the last session, when you passed unanimously a resolution calling, in such event, for the complete mobilization of all our resources." Quite drastic, Mr. Speaker, even to the point of being draconian in some of its implications.

It's that widespread concern of overarching rights, when it comes to policing powers and the trampling of civil liberties, that we did see during the G20—excessive powers that really put a black mark on certainly this province and this country.

I was thinking about this bill this morning and how really shameful it is—and it was, in light of our historical reputation as being peacekeepers, as being promoters of civil liberties and rights and freedoms.

Our charter: We hold it up; we are proud of it. But yet, when circumstances demand, when those who come into this country are given the red carpet rolled out, as we saw during the G20, the rules change and all measures are put forward to protect foreign nationals—multinationals—that come into our province. And at the expense of whom? At the expense of those who engaged in peaceful protest; at the expense of those who fight day in and day out to promote civil liberties in this country, who may not have been involved in the process, who may have been clear across the country but who saw those rights that they fight for each and every day trampled. What a shame it is.

**0920**

We will discuss this bill today. I think it is certainly an attempt on the government's part to make amends, to undo a wrong and to fix this issue. I certainly look forward to seeing it, in a complete way, through the process. But as I indicated in some of my opening statements, the biggest missing part of this debate is an apology, a sincere apology, something that comes from the government side that says, "We were wrong. We should not have done this, and we certainly should not have done it without consultation. We should not have done it under the cloak of secrecy, behind closed doors, and we realize that now."

It seems as though this government relies solely on hindsight. On every measure, whether we're talking about the G20 and the PWPA or Ornge helicopter, hindsight is 20/20 with this government, but their credibility is really zero when it comes to fixing the issue. I cringe at the thought that they would have a majority government. What would happen? Would these issues come to the light of day?

**Mr. John Vanthof:** Sweep it under the rug.

**Mr. Taras Natyshak:** Gone under the rug. So here we are today with a balance and, I think, a clear perspective—a balance that brings about truth, and is fighting for truth, and respect for those citizens that were unjustly attacked or identified or arrested during the G20. We think that this will provide some remedy to that.

Mr. Speaker, security during the G20 could have been handled under different legislation. The PWPA only dealt with structures, not people. Calling on this particular act to address the issues related to security of foreign heads of state does not make any sense. Just a simple quote—I have already given you this quote.

**Interjection:** Do it again.

**Mr. Taras Natyshak:** You want it again? It is a quote from 1939, when the original act was enacted. Canadians were under the threat of war. Circumstances being as they were, you can't blame them for wanting to protect their citizens from potentially unknown enemies. But I think to enact it today—I mean, who is the enemy? Right here, the enemy was the Nazis. In 1939, the enemy was

the Nazis and Hitler. Who were the enemies when this was enacted? Who were you afraid of? Were you afraid of peaceful protest? Were you afraid of Ontarians? Were you afraid of a gentleman who was an amputee? Is that who you were afraid of? It's quite pathetic.

**Mr. Rosario Marchese:** We couldn't find Rick Bartolucci then. It was unbelievable.

**Mr. Taras Natyshak:** He may have been an agent provocateur, as they say.

"Legislation calculated to give effect to the determination then expressed will be immediately submitted to you. You will be asked to pass measures designed to increase agricultural and industrial productions, and for the protection of our vital public works"—referencing again the initial enactors, those legislators in 1939, who brought about this measure.

So even though other provinces have legislation that defines public works for other purposes besides security, no other province—no other province—has regulations such as the PWPA. So Ontario has relied on this emergency act that was enacted in 1939 during war.

It's only normal that we would call such an act into question and think twice before using it in the context of 2010. However, that's precisely what the McGuinty government did in 2010. It used this act to deal with the security perimeter around the G20 area in downtown Toronto. It led to violations of civil rights, misunderstandings on the part of police as to the rights that were given by the act and ultimately, Ontario citizens' democratic rights to protest were curtailed.

It begs the question: Was that the intent? Because you did it. It actually worked very well. You curtailed democratic rights, you curtailed peaceful protest, you muted the voice of those who had dissenting opinions and you did it in a way that really is unprecedented.

So we'll see this act, we will agree that it is necessary, but again, I ask those across the way: an apology. We're two years out of this event; there's no statute of limitations on an apology. We'll take one today on behalf of the government of Ontario to the people of Ontario, that their rights were infringed.

This act led to violations of civil rights, and protest is a democratic right. The citizens of Ontario were entitled to protest and should have been free of unreasonable arrest and arbitrary search during the G20 summit. Only members of the Toronto Police Service knew that the rules had changed. The ministry did not inform the public and did not ensure that police officers even knew what powers they were being given. More than 1,100 people were arrested as 20,000 police officers patrolled the streets during the G20 summit in 2010.

The Ontario government, in 2010, was giving police powers that were designated as a war measure. So were they waging war?

**Mr. Rosario Marchese:** One billion dollars was spent for that.

**Mr. Taras Natyshak:** I mean, that's a good chunk of change. If you were going to war, you would want, as we ask at the federal level; to provide our military men and

women, our officers, with the appropriate resources, and spare no expense to ensure that they have the tools they need to wage war. It seems as though there was no expense spared on this measure: \$2 billion, fake lakes, gazebos, sound cannons—what else did they have? This was an all-in event. Massive fences that were erected. You turned this downtown core area into a war zone.

**Mr. Jonah Schein:** Why did it happen in Toronto?

**Mr. Taras Natyshak:** Why Toronto? Why not in the Muskokas? Why did you not bring that measure up to the Muskokas as well? They were safe in the gazebos, apparently. They were safe in the comfort of the gazebos. They were swimming in fake lakes and we'll never get an answer.

**Mr. Rosario Marchese:** They were swimming in the fake lake? I don't believe it.

**Mr. Taras Natyshak:** Were they swimming? I don't know. Well, they were reflecting by the fake lakes. Maybe they were reflecting on how much money they wasted, because we certainly were reflecting on it and continue to reflect on it.

Here was the Ontario government, in 2010, giving police powers that were designated as war measures. The powers under such legislation should not pre-emptively include all buildings. Instead, it should only protect necessary structures.

On top of everything, the PWPA does not have the authority to protect people or heads of state, as was the case during the G20. I'm sure that other legislation exists to this extent that would justify security measures such as a fence or a security perimeter around meetings of heads of state. I don't think the PWPA was that measure, though. So the government's intentions might have been good in principle, but are hard to justify in retrospect.

Therefore, it really is easy for us to support the repeal of the PWPA. Civil liberties groups have advocated for it. It was also one of the recommendations of the McMurtry report. André Marin expressed reservations about it. It's hard to argue for the continuation of such an act in general. The question then arises: If we are removing this act, do we have to replace it with something else?

### 0930

Here is where the government is proposing amendments to the Police Services Act which bring me to the second point. The act would amend the Police Services Act, but it's still aligned with the current powers granted to court security guards under the PWPA:

Require any person entering or inside a courthouse to produce identification and provide information to assess their security risk; give court security unnecessary powers that they do not need in their everyday job: There is no reason why court security should have the right to ask why a person is entering a court. What kinds of questions should be justifiable in assessing whether a person poses a security risk? The changes also call for searching a person who is entering, attempting to enter or in a courthouse, as well as the person's vehicle and other property. So does that mean that the parking lot of the courthouse is considered within the boundaries of such

powers? What if you're a visitor dropping someone else off at the court? Are you still subject to search by court security? Would these powers include the ability to search the car of a person entering the parking lot? What about groups or visitors to the courthouse? Would they be required to have ID with them while they're touring the courthouse?

Search, without a warrant, any person, property or vehicle entering or attempting to enter premises where court proceedings are conducted.

Search, without a warrant and using reasonable force if necessary, any person who is in custody where court proceedings are conducted or who is being transported to or from such premises, or any property in the custody or care of that person.

Mr. Speaker, the range of police powers conferred by the act which remain, in the case of the courthouse guards, should also be considered specifically. Will guards and peace officers be able to offer conclusive testimony about the location of the security boundaries, as was the case during the PWPA?

The legislation should strive to identify and distinguish between the different powers given to courthouse staff. A power to search may be necessary but not the power to detain or arrest or ask for identification. Each of these powers might be justified with the individual functions of the building. Not all courthouses, for example, need that much security. Not all courthouses are under that much threat. It is better to give these powers as need arises, instead of having to take them away or rely on the good judgment of those using them.

If we learned anything from the G20, Mr. Speaker, it is that when extra police powers are given to police officers, they tend to use them. I think that here we are giving court security staff wartime powers on a daily basis. I do not see how all courthouses in Ontario are under constant terrorist threat. These measures would only be justified if the risk of injury is extreme, and that is certainly not the case for a lot of courthouses. The default assumption should be that these powers are not available, and any additional powers should be specifically granted, rather than the proposal that all powers be granted and then taken away by regulation. The powers should also be time-specific.

Any random search power should be accompanied by a protocol to ensure that searches are truly random: for example, that all people are searched, or that only one third are searched. Any extension of search, detention or demand-of-identification powers should be posed so that individuals are provided with sufficient notice of the allowable procedures, should they decide to enter the premises.

The most troubling part, however, remains the fact that I see this as extending those same rights police had under PWPA to everyday courthouses in Ontario. This is not necessary and does not seem right.

We can then talk about the repeal of PWPA, because it clearly lives on in this current amendment. This is certainly troubling.

The third part of this act, Mr. Speaker, is the enactment of the Security for Electricity Generating Facilities and Nuclear Facilities Act. It narrows the list of public works even further. Unlike PWPA, the new bill covers very limited categories of infrastructure, and prescribing any additional categories of infrastructure would require amendments to the act.

First off, what are we designating as an electricity generating facility? Is it a solar farm? Is it a wind farm? Is it a nuclear facility? What context do we give those facilities?

The act designates security personnel at these facilities with the power to: request any person who wishes to enter or is on the premises to produce identification and provide information for the purposes of assessing the person's security risk; search, upon consent, any person, property or vehicle entering the premises; refuse to allow a person to enter or bring property into the premises and use reasonable force to prevent entry.

Guards could exercise the specific powers only on the premises, and these powers would not apply off the premises. Citizens are given the option to enter the premises or to leave. The powers outlined above no longer apply to the area approaching the facility. We certainly support that. We believe that people should be given the option to enter or to leave upon finding out what the requirements are for entry.

This was certainly not the case during the G20, when citizens were still required to provide ID, even after deciding they no longer wanted to enter. They were still arrested for wanting to do that. We're glad to see that provision go.

We do still have concerns about extending powers to security personnel at nuclear and electricity facilities. I repeat again that these are not police officers; they are privately trained security personnel. It's only normal that we should question and debate the extension of such powers given to them.

We look forward to seeing if the idea of the approach to a public works building is removed from the new act. It should not be left up to peace officers to determine what the approach to a building is.

While police have common law authority to conduct warrantless searches in specific situations, when warrantless searches are to be carried out on a regular basis, there should be specific statutory authority provided to give such powers.

Citizens were required to identify themselves and explain why they wanted to enter the security perimeter. Even if they changed their mind and no longer wanted to enter, they still had to provide ID and could be arrested or jailed.

The PWPA was enacted to protect public property and should not have been used to enact regulations to protect people, as was the case during the G20.

Other issues were at stake during the G20 beyond the outdated act. When the act was passed, the ministry had meant it to apply to an internal area around the security fence. The police understood it as applying to the entire

area around the security fence. As a matter of fact, they exercised the powers granted by the PWPA way beyond the security fence, even after the misinterpretation had been corrected. This certainly is a testament to the idea that police were granted powers that went beyond what was justifiable for the event.

Tempers flare as the situation escalates on both sides. The situation put more emphasis on the fact that government needs to be cautious of the curtailment of civil rights and of the powers it gives to police officers. It should be careful so that it can justify such powers. This was not the case during the G20.

Since Minister Meilleur herself admitted that it was an issue of miscommunication, I would look forward to seeing the Ministry of Community Safety and Correctional Services develop a protocol that would call for public information campaigns when police powers are extended. I would also like to see written notices at the entrance of courthouses and nuclear facilities listing the possible requirements for entry and the consequence of disobeying those requirements.

There also needs to be an accountability mechanism in those instances where things do not go as planned. Security guards and police forces need to fully understand what they can and cannot do. They also need to know the consequences that their actions could elicit.

To conclude, during the G20, the government failed to weigh the security associated with protecting heads of state against the constitutional rights of the citizens of Ontario. A vague law means that individuals are not given sufficient guidance as to what behaviour a law prohibits. It also means that police officers are not given sufficient direction on how to enforce this law, which inevitably leads to inconsistent enforcement.

We support the repeal of the PWPA but have reservations as to the extra powers that are being given to court security and security at electricity generators. Wartime powers are being extended to security within our courts and around our electricity and nuclear generators. We need to look closely at what effects this will have on civil rights and those wishing to enter courthouses as simple observers.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Bramalea–Gore–Malton.

**Mr. Jagmeet Singh:** Let's be clear when speaking on Bill 34: At its heart, it's an attempt of this government to rectify a mistake that this government made. Now, this mistake wasn't simply a mistake involving an omission; this was a commission. This was a clear choice made by this government to use the public works act to give special powers to police officers during the G20. These special powers were kept secret and were not disclosed to the public.

**0940**

As protectors and caretakers of this province, it is incumbent on the government to provide the citizens of this province with the knowledge so that they can engage in their democratic rights. What right? The right to dissent. This is a fundamental part of the fabric of society of

all free societies. We need this right to engage our community, to ensure that there's oversight, to ensure that the public has a say on the actions of the government.

During G20, concerned citizens wanted to raise their voice. Some citizens simply were curious to see what was going on. Curious citizens, citizens who had a stake and individuals who wanted to raise their voice were all caught up in one of the largest mass arrests in the history of this country and the history of this province. Over 1,000 citizens—1,000 Canadians—were arrested, and the vast majority of these Canadians were not held on any charges, were kept in custody, civil rights abrogated, violated, and released days later with no charge. This is a disgrace. This is a black mark on the face of a democratic and free society. This was a heinous violation of civil rights.

Now, I support the repeal of the public works act. That is an outdated law which was simply abused and which provided the government with unfettered rights to war-measure-type powers at any time. This was an example of a state repressing its people, and the strong language is necessary to hold the government accountable for their actions. It's important to note that the powers granted by the PWPA were simply one piece to the puzzle, simply one component to the reason why there were mass civil rights violations.

We also have to look at the fact that police officers were not properly trained. There is still not proper police officer accountability. In terms of a culture, we must recognize and respect the right to dissent, and our officers must also be trained accordingly to respect citizens who wish to engage in that right and provide them with the dignity and a safe space to do so, not to present themselves as an obstacle to dissent but to present themselves as facilitators, or people who would assist in democracy.

Now, when this government chose to do the right thing, which was to correct this mistake, I applauded the government for taking that step. But in correcting one mistake, let's not make another mistake. In repealing the public works act, that's a positive step, but now what we're doing with the proposed amendment is providing the police, through the Police Services Act and the act governing the facilities which produce electricity, permanent powers that extend beyond what a police officer has and which are clearly in violation of our Charter of Rights, section 8, which guarantees the right to be free from unreasonable search and seizure.

What does that mean? That's a fundamental part of our society, that we are guaranteed these rights. This gives us the peace of mind that we can exist in this society, that we can flourish in this society, knowing that there won't be an unreasonable encroachment upon our privacy interests; there won't be an unreasonable search of our privacy, property or of our space.

We can break down the proposed enactment into two particular areas: courthouses and facilities that produce electricity. Beginning with the courthouse: Now, this government should be put on notice. They made a heinous mistake during the G20. They violated the citizens of

this province's rights, so they should be particularly aware and sensitive to protecting these rights. When they enacted this new law they should have taken the precaution to ensure that there wasn't any future potential to breach civil rights and that there wasn't any future potential to violate the rights of their citizens.

Now, if you look at the components of the bill that relate to courthouses, and the concept of a courthouse: In a free and democratic society, it is essential that we have public hearings and that we have public participation in the form of spectators who can attend a courthouse, who can observe, who can engage in and see the justice system unfold, who can observe as unofficial checks and balances on the system. There are many examples when the public has an interest in attending a court. If there is a protest and a colleague, an activist, a professor who speaks out on an issue is arrested unfairly, his or her colleagues may want to attend the court to show their solidarity and show their support. Other members of society, other citizens, may want to attend the court to see the proceedings to ensure that it's fair, to ensure that their colleague's rights are being protected, that their colleague is not being mistreated. That is an essential part of society when we have open and free courthouses. We want to engage the public. We want to make sure that the public feels welcome, feels that they can access these courts.

If we recognize that this is an important part of a free and democratic society and we recognize that we need to have public courthouses so the public can be spectators, can act as an unofficial check and balance, then we must acknowledge that a court should be kept in that fashion, should be kept in a fashion where the public can openly and easily access it and engage in it. This law provides security at the courthouse with the power to deny entry on a number of criteria. The most troubling is that they're able to ask questions to assess the security threat, which is an open discretion; there's no clear set of questions they can ask.

The security officer is given certain rights. They can search the person entering—there's a reasonable level to that, so that's acceptable. They can search the car of the person. What's the connection between a person attempting to enter a courthouse and then providing the court security officer the right to have a warrantless search of his or her vehicle? There is no connection there, and that's simply a violation of our section 8 rights.

Furthermore, this bill also allows security personnel to search the vehicle if an individual is a passenger in the vehicle. What's the connection to a friend of mine dropping me off at the courthouse, giving the court security the right to then search my friend's vehicle? Again, another violation of our section 8 rights.

What's the most troubling is that this bill provides court security with the right to ask questions to assess the security risk of an individual. What does that really mean? On the face of it, it seems quite simple and maybe not very troubling. But if we analyze this one step further and look at it with a critical lens, what does this mean?

Security personnel can say, "Why are you coming?" and any series of questions beyond that to assess their security risk. "What are your political beliefs? Do you believe that police are doing their job properly or not?" What if the person indicates that, "I'm here because I'm concerned with police powers, I'm concerned that there should be an independent body reviewing the police and I'd like to see if there is a case study to be made."

**Mr. Rosario Marchese:** Kick them out right away.

**Mr. Jagmeet Singh:** They might get kicked out immediately, then.

What's even more troubling is if a citizen wants to exercise his or her right to question society, to question whether or not the police are using their powers appropriately—and many officers are using their powers appropriately, but there are some that are not—if an individual wants to create this case study just to engage in their rights, wants to observe as a silent observer, as a spectator, and they provide this information that, "I'm here to do so," and they're asked to leave. This individual wants to defend democracy, defend their ability to engage in the democratic system, to assess the qualities of the police or their powers, and says, "No, I want to do my duty as a citizen. I want to sit silently in the courtroom and watch and see what happens." They can be arrested. They can be charged and arrested simply for wanting to come into a courthouse to engage in this process, to be a spectator. That's offensive.

What's more troubling is, the same government that has been criticized for violating civil rights is opening the door wide to future civil right violations, and not just any type of civil right violations, but permanent, because they are giving permanent powers to court security personnel and electricity producing facilities to have permanent carte blanche power to deny entry based on security threat or risk assessment questions.

**0950**

**Mr. Rosario Marchese:** Perhaps it's unintentional. I don't know.

**Interjection:** Maybe they just didn't think about it.

**Mr. Rosario Marchese:** But committee hearings might deal with that, right? That's what I think.

**Mr. Jagmeet Singh:** I think there's going to be a lot of work that needs to be done in committee hearings on this issue.

Whether it's a government, whether it's media personnel, as soon as the word "security" is used, as soon as there's a threat to security, it immediately creates a response of "Give away all your rights." If security is involved, then rights no longer matter. That's simply the wrong approach. In fact, as soon as we see the word "security," we should be extra mindful that rights aren't taken away. We should be extra mindful that this is not simply an excuse to violate our civil rights.

When it comes to our civil rights, we must cherish them and protect them because they are very fragile. Slow encroachments on these rights will eventually result in an eradication of rights that we've worked so hard to ensure that we have in a democratic and free society.

As Ontarians and as Canadians, we should lead in civil rights. We should not be falling behind. We should be the example of what it means to be in a free and democratic society, not the example when people point out what not to do.

As soon as we see the word “security” being used, and if this government says, “There’s a security risk and we need to ensure that security is protected at courthouses. We need to ensure that security is protected at electricity producing facilities,” then at that point we must be even more cognizant that each and every letter of the law does not encroach on our rights, that each and every section and article does not limit the rights of individuals to dissent, to engage in democracy, to question, to participate or to protest. These are fundamental aspects of our society, and security does not trump them. Security may require us to be more sensitive. Security may require us to be sometimes more aware, but it does not mean we step away from our civil rights, that we limit them, that we abrogate them.

We’ve seen what has happened in society when we look at security. Just in the panic of assessing security risks, we give away all our rights. We’ve seen the Patriot Act in the United States and the civil liberty violations that occur due to information being disseminated and gathered.

We’ve seen very recently in Canada that Minister Vic Toews wanted to present a law that was essentially going to violate all sorts of Internet privacy and give police unfettered access to our personal information when we surf the Net. In fact, the language that was used was a simplistic dichotomy of, “You’re either with us or against us. You’re either with the people who want to protect society or you’re with those who are criminals.” That’s not how simple this matter is. It’s a nuanced issue, and those who want to simplify this are seeking to invade and to violate our civil rights. Those who are prepared to stand up for civil rights, stand up for our democratic freedoms, must approach this in a nuanced manner and not be scared into a panic.

We’ve seen that the community rose up in rejection of the minister’s bill and that through the democratic process of dissent, through individuals expressing their concern, their rejection of this bill, rejection of this notion of giving police unfettered powers to invade our privacy, now the minister has taken a step back from that position. But it’s important that we don’t commit the same mistake here in Ontario.

The G20 opened our eyes. It opened our eyes to the fact that when we look at countries across the world and see there’s no freedom in Egypt—when people try to protest, they’re attacked and put into prisons. There’s no freedom in the Arab Spring countries. There’s no freedom in Latin American countries when people try to dissent. It became very shameful that we turned our faces, looked at our own homes and saw that there was not freedom here in Toronto. There was not freedom here in the streets of Toronto. When innocent protestors tried to raise their voices and concerns about global issues, they

were placed into custody. They were arrested and their rights were taken away.

The impact of that summer didn’t end that summer, it didn’t end a year later and it’s not over today. The injury and the harm that was a result of what happened during that summer will stay in the minds of people for their entire lives.

Many people spoke out and said, “We thought this was not the face of Canada. This is not the Canada we wanted to live in. This is not the Toronto that we grew up in, and we’re deeply saddened and disgraced.”

**Interjection:** It was a war zone.

**Mr. Jagmeet Singh:** It was a war zone; the member’s absolutely correct. It was a war zone, and it was a war zone on our own citizens, our own people. It wasn’t a foreign invader; it was our own people. We treated our own people with disrespect, with disgrace. It was inhuman. The treatment of individuals, the way they were kept in temporary holding cells, in temporary holding facilities, was simply unacceptable. It was shameful.

And that’s why I highlight that concern: Because we have another G20 brewing if this bill passes without any regulations or without any committee hearing amendments. We have another G20 brewing if there is a controversial court case that may involve any number of issues, whether criminal, whether an environmental lawsuit, whether a lawsuit of concerned farmers. If these individuals want to protest, want to rally, and they go to the courthouse to show their solidarity, a G20 can occur again, because we have here in this bill a wide set of powers granted that would limit the ability of citizens to engage in this process, whether it’s at a courthouse or at an electricity producing facility.

Let’s turn our minds now to a power plant, for example. We’ve seen an example of this very recently, here in Mississauga. Citizens were concerned about a power plant being built in their backyard, a power plant that this government footed the bill for, spent millions of dollars on and now has backtracked on, but it was because of the people, who were not initially properly given an opportunity for assessment and for their input. What they did, the citizens of Mississauga—and I applaud them, first, for engaging in their rights, for protesting, for exercising their democratic freedoms. They were upset about the building of a power plant and they protested, and that’s their right. They put up a fight. They stood together in solidarity and they said, “We don’t want this in our backyard.” By doing so, their voices were heard, and this government listened to their citizens for once, listened to their residents, and said, “Okay, we’ll stop.”

Now, if this bill existed, if this power existed, what would happen with those people rallying? They would all be asked, depending on the definition of entry into this power plant—if they were at the front of it and they were standing in the parking lot, perhaps a parking lot would meet the definition of entry. If they were in the parking lot and they were asked by power plant personnel, “Why are you here?” and they said, “We’re here because we don’t want this power plant built,” that might have satis-

fied their minds that this was a security risk, because “They don’t want it to be built. They may be a security risk. Let’s ask them to leave.” The residents are saying, “Hey, this is our backyard. We’re here to protest. We don’t want to leave. We want to protest, because we don’t want this built.” They’re arrested and taken into custody. Another G20 occurs, another violation of the rights of citizens who want to protest, who want to raise their voice.

Mr. Speaker, that’s unacceptable. I won’t let that happen. I will fight for that, and I’m sure my colleagues will. I know my colleagues across the way will as well. We want to ensure that this is a free and democratic province; that people can protest; that people like the residents in Mississauga who protested against that power plant are able to do so, are not limited from doing so, are not placed in custody, are not arrested for doing so; that individuals who want to protest—actually, another great example: People who were improperly arrested in G20 are still going through the court process, are still currently involved in their trials.

Now, perhaps their colleagues want to show their solidarity and say, “Listen, this was completely unacceptable. My friend, my sister, my brother, my colleague was arrested while they were peacefully protesting. I want to be in the courtroom to show my solidarity, to show my support of my friend, to give them some courage, to show them that I care.” Now, if they want to attend the court and there’s this new bill enacted, and they indicate that, “Hey, I was there with my friend in G20, and I was against what happened. The police were wrong for what they did,” and if the security personnel says, “Hey, they were in G20. They must be some sort of radical that needs to be prevented from coming into the courthouse,” then they’ve precluded this individual. What if they want to be there? What if they really want to show their support? Again, we have another opportunity that our civil rights will be violated, and this is unacceptable.

**1000**

In closing, repealing the first part of the bill—I applaud the government for taking the right step. But let’s not forget: It’s this very same government that made the mistake in the first place, so they’re simply correcting their own mistake. That’s good, but it doesn’t deserve applause. That’s simply correcting a mistake.

But what’s very troubling is that we have to keep in mind that when they are correcting their mistake—which is good; you have to do that—let’s not make another mistake. Let’s have some foresight now. You’ve had it before you. You’ve seen what happens when you make mistakes. Let’s now be a little bit more cognizant of civil rights, be supportive of democracy, be supporters and caretakers of freedom and ensure that your bill does not create more civil rights violations. Let’s have that foresight now.

With respect to repealing the Public Works Protection Act, I completely support that, and I will vote in favour of that. That’s very important. But when it comes to courthouse security and electricity-producing-facility

security, those are two areas that need to be looked at very carefully.

I urge all members of the House to contact stakeholders who are civil liberty individuals who are aware of these rights and freedoms and consult with them—

**Interjection:** Who care about democracy.

**Mr. Jagmeet Singh:** Who care about democracy. Let’s ensure that they’re consulted properly because our charter rights are essential. People who are aware of the charter rights, perhaps some lawyers, can assess and we can have their input. It’s important that we protect these rights.

This is no laughing matter, no joking matter. This is a serious matter because I believe in these freedoms, and I believe everyone in the House should and does. Let’s ensure that we protect our freedoms moving forward and ensure that people are able to engage in the political process and keep our public courthouses free and open so that the community can observe as spectators. Let’s keep our power plants accessible to our communities so that they can raise their voices and their concerns if they see it so. Let’s ensure that we have a society that encourages democracy instead of stifling it.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Hon. Glen R. Murray:** This wasn’t the annual general meeting of the Camp Fire Girls going on in downtown Toronto. This was almost every vulnerable head of state with the highest vulnerability to terrorist attacks, bombings and assassinations ever in Canada. We saw what happened in Quebec City. We saw what happened in Seattle. We saw innocent people blown up in subways in London. We saw a government fall in Spain over the mishandling of bombings and terrorism. We saw 9/11. It was in that context.

The members opposite asked who the enemy was. They were terrorists, murderers and an international effort to undermine democracy. You want to see real problems with civil liberties? Look at the Patriot Act: rendition and racial profiling. The US has almost suspended amendment 4 of its own Constitution.

This was the worst-organized international event by the federal government. I was mayor of a city when we had War Child, 37 heads of state and the Pan Am Games—and the Tories are laughing. No government, I can say, was more incompetent. In Winnipeg, with the Pan Am Games and with the War Child International UN conference, we had a year of security planning.

I will tell you, as a mayor of a large city, there are things you don’t do. You do not put major international conferences in the downtown of cities like Toronto after the experiences of Spain and London, where there was no conference. Why? There’s more conduits and subways. There are more portholes in high buildings. If you wanted the perfect environment for terrorism, you had downtown Toronto. The mayor of the day said, if you’re going to host it in the city, why not put it over by the Ex where the water and the freeway exclude it? I will tell you, having been briefed by CSIS and by security people:

This was lunacy. It was forced upon the city and the province and a mayor who, I thought, showed great courage, and a police chief who scrambled for 60 days to make sure President Obama wasn't shot.

I am still fighting for civil liberties rights for my constituents because this happened in my neighbourhood, where police officers, with no control of this government, arrested a woman who left her children at home when she was going to pick up milk because she didn't have ID.

We don't need lectures from the opposition on this. Where were you? For 50 years of other parties in power, this legislation was on the books. This government was asked to act, and we were the party who brought in the Charter of Rights and Freedoms. The Conservatives took away the charter challenges act.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. John O'Toole:** I'll try to tone down the rhetoric a bit, because I find that is quite inflammatory. This minister of the McGuinty government is an embarrassment.

I'm responding to the two members from the NDP: the member from Essex and the member from Bramalea-Gore-Malton. What I'm trying to say is, they brought a couple of very good points. They emphasized the civil liberties parts of it. I thought they did a respectable job. But let's face it: The report is in response to both the Ombudsman's report as well as the work done by a former Attorney General for the province of Ontario, Solicitor General Roy McMurtry, a very highly respected person.

I think all of these things are being implemented as a result of an act that was in place, the Public Works Protection Act, as was said by the speakers, in 1939. We're, in a general sense, very supportive of that. But what I heard being said was blaming someone else for everything. It's a typical response from a McGuinty—especially from the leadership team. They blame somebody else for everything.

When I look at Ontario, and when you talked about security around power plants, in my riding, there are two nuclear plants in Durham: Pickering and Darlington. It's a very important issue. We support the idea of improved security and security processes and procedures. We commend the government for looking at that and updating the legislation. This is not about blaming.

But here is what they did with power plants: During the election, and basically just before it, to prime the area for their members, they cancelled two power plants in Mississauga. Those Mississauga plants saved a seat. We call them seat-saver decisions.

*Interjection.*

**Mr. John O'Toole:** No, but the fact is, this was brought up. Their decision about power today is another example of a government that is ruining the electricity system of Ontario. Energy is doubling in price for people who can hardly afford it. This is the real issue about this government, and I pay attention to what they say.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Trinity-Spadina.

**Mr. Rosario Marchese:** I was fascinated by the response from the member from Toronto Centre. He, in some ways, is correct in terms of attacking the federal government. He didn't talk about the billion-dollar expenditure which he got away with. He didn't talk about that, but he talked about a few other things. To some extent, I'm in agreement. But he takes absolutely no responsibility for his own government and deflects attention from himself and them, and then points the finger and says, "Where were you?" I just don't understand that. That was a fascinating pointing of fingers.

There was not one mention of what his government had done. It appears as if there is absolutely no remorse for the worst violation of human and civil rights here in Ontario committed by this government. There was not one mention of that and not one mention of the potential violation of civil rights that the member from Bramalea-Gore-Malton raises, along with the member from Essex, in terms of what this bill could do in the future. There was not one mention of that.

I anticipate that other members who are paying attention might speak to it—I don't know—but they will have an opportunity, when this bill goes into committee and while we have public hearings, to hear from people who might be concerned. Amendments will be introduced, because we will certainly have amendments, and hopefully this bill will be improved and can correct the injustices that the citizens of Ontario suffered but a mere two years ago.

I congratulate my friends from Essex and Bramalea-Gore-Malton for their critique of this bill.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Peterborough.

**Mr. Jeff Leal:** Thanks very much, Mr. Speaker. I did appreciate the thoughtful comments—and I want to recognize them as very thoughtful comments—from the members from Essex and Bramalea-Gore-Malton.

I just want to take the opportunity for a moment. I've had the opportunity to visit the three nuclear facilities in Ontario: Bruce at Kincardine, Pickering and Darlington. The Darlington site is about 50 kilometres from my riding in Peterborough. Obviously, this bill will go to committee. So I do hope that the committee would take the time to perhaps visit all of those three communities, or one or two of those communities, to seek the opinion of those individuals who are in those particular communities where we have nuclear facilities: Darlington, Pickering and indeed Bruce.

It was my information, when I took the opportunity to do it—I remember that actually the member from Trinity-Spadina toured Darlington with me as part of a committee on a piece of legislation.

**Hon. James J. Bradley:** He's a good man.

**Mr. Jeff Leal:** He is a good man, and I recall that that day OPG security were there, and they certainly indicated to us the potential threats that we might have to our nuclear facilities in the province of Ontario. I could

spend my time this morning talking about a litany of what those security risks might be. But I think it would behoove us all, when this bill goes to committee, to really take the opportunity to visit those communities, to understand what's going on in those communities and to really get an accurate risk and threat assessment when it comes to those three communities in the province of Ontario and, indeed, the communities that surround those three sites. That's what I believe the advantage of a minority government is. The committee can go there, and we can hear first-hand what the challenges are and, as we improve this bill, hear what those communities are saying.

**The Deputy Speaker (Mr. Bas Balkissoon):** Response?

**Mr. Jagmeet Singh:** I would like to acknowledge who spoke in response and continue this debate. Thank you for your input and for your responses.

Some of the remarks that were made—I think it's important to get community input, and so I acknowledge the member's remarks with respect to that. It's very important; it's essential. In a democracy, we need to hear from the communities that are affected, and they should be consulted. So that's vital.

Another issue that was raised—and I want to spend some time speaking on this issue—is, when I spoke of the word “security” and the fact that security is a word that's used to substantiate and to justify violations of civil rights, another word is also used for that, and that's “terrorist.” Immediately, just by invoking that word, it somehow justifies civil rights violation; it does not. Using the word “terrorist” does not mean that you can arrest innocent people. Using the word “terrorist” does not mean that you can violate civil rights. It's not acceptable.

There are real threats that exist, and they should be analyzed in a rational, reasonable way, not with fear-mongering, not with panic, not with an abrogation of rights. That's not the appropriate approach, and that's not the approach that should be taken in this House and that's not the approach that we should take as legislators.

We should be reasonable, we should be rational, and we should engage our critical thinking when any issue arises, particularly when it involves the rights of our citizens. There should be no catchphrases that can be utilized to justify giving away our rights, whether it's “security” or whether it's “terrorism.”

Again, I urge all members in the House to be very cognizant of the effect of every letter of every law in this House and assess whether or not it protects democracy or if it rejects, denies or suppresses democracy, because we stand here for freedom.

**The Deputy Speaker (Mr. Bas Balkissoon):** The time for the morning debate has come to an end.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** This House stands recessed till 10:30.

*The House recessed from 1014 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Garfield Dunlop:** A lot of you folks may know that my beautiful granddaughter Rachel is a page here. Today she's a page captain, and she's joined in the members' gallery by her dad, Derek Rynard; her sisters, Karley and Madison Rynard; her mom, Jill; and my beautiful wife, Jane Dunlop.

**The Speaker (Hon. Dave Levac):** We all know that the member is not old enough to be a grandfather.

Introduction of guests?

**Hon. Deborah Matthews:** I am delighted that the Registered Nurses' Association of Ontario is joining us in the Legislature today. We're joined by Doris Grinspun, the executive director; David McNeil, the president of RNAO; and president-elect Rhonda Seidman-Carlson. Let's give them all a big welcome to the Legislature.

**Mr. Jim McDonell:** It's with great pride that we have the opportunity to have, from our riding, page captain for the day Ryan Haley. To witness this, his parents, Joanne and Bob, are here today, along with his brother Derek and his cousin Andrew Stang. We welcome them to the Legislature.

**Hon. Charles Sousa:** I'd like to welcome to the Legislature today Mr. Dave Fletcher. He's the general manager of Holcim, and also the chairman of CASIA, a local environmental association of industry and resident associations. With him today is Sherry Fletcher. She's an attorney in the state of Georgia, and also a student of politics who pays great interest to parliamentary procedure. Welcome to the Legislative Assembly of Ontario.

**Mr. Jerry J. Ouellette:** I'd ask all of you to join me in welcoming Marianne Cochrane, who's a strong advocate of the faith and the nursing community, here to Queen's Park today.

**Mr. Yasir Naqvi:** I want to introduce some relatives of page Mariam who are here. Her grandparents Syed and Zahida Murtaza are in the gallery. Her sister Laila Vahed and her two cousins Sakeena and Manaal Syed are in the gallery. Welcome to Queen's Park.

**Ms. Laurie Scott:** I'd also like to welcome a constituent, Jill Staples, who's down here today with the RNAO.

**M<sup>me</sup> France Gélinas:** J'aimerais souhaiter la bienvenue à M. Paul-André Gauthier, qui vient de Sudbury et de Nickel Belt, et qui est ici dans le cadre de la RNAO. Ça me fait plaisir de lui souhaiter la bienvenue à Queen's Park.

**Hon. Deborah Matthews:** I would like to very much welcome to the Legislature some family friends: Dave Johnson—he'll be joined by his wife, Erin, and Erin's dad, Hugh. Dave had a life-threatening accident last September. He was airlifted by Ornge from Huntsville to St. Mike's hospital. He received superb care and is now receiving rehab at Royal Vic in Barrie.

**Mrs. Elizabeth Witmer:** Certainly, I want to join in the very warm welcome of Mr. David McNeil, the president of RNAO; also, of course, Dr. Doris Grinspun, the executive director; and the many, many dedicated, hard-working nurses who are here today on the RNAO's 13th

annual Queen's Park day. We look forward to meeting with you today.

**Mr. Yasir Naqvi:** I also want to introduce some members of RNAO from Ottawa, who are visiting Queen's Park today: Una Ferguson, Andrea Jewell and Cécile Diby. I look forward to attending their breakfast next Friday in Ottawa. Welcome to Queen's Park.

**The Speaker (Hon. Dave Levac):** Further introductions?

If I have this right, on behalf of the member from Mississauga–Streetsville, we have grandmothers Zubeda Vahed and Zahida Murtaza; grandfather Syed Murtaza; uncle Ziyaad Vahed; sister Laila Vahed; and cousins Sakeena Syed and Manaal Syed. They will be here in the members' gallery supporting the page. Welcome.

It is now time for oral questions.

## ORAL QUESTIONS

### AIR AMBULANCE SERVICE

**Mr. Frank Klees:** To the Minister of Health: The minister insists that she has acted decisively by requesting a police investigation into financial irregularities at Ornge, even though she ignored our warnings for months. She boasts of installing new leadership at Ornge, and yet the two key individuals who were responsible for decisions that compromised patient safety and wasted millions of public health care dollars are still in charge today of day-to-day operations.

Can the minister tell us: Are Mr. Rick Potter and Mr. Steve Farquhar still employed at Ornge today, and if so, why?

**Hon. Deborah Matthews:** Thank you to the member for the question.

What I can tell you, Speaker, is that we found some very serious problems at Ornge. When those problems came to light, we took decisive action. What have we done? We have replaced the leadership at Ornge. We have a new CEO in place: Deputy Minister Ron McKerlie. We have a very strong new board in place, headed by Ian Delaney. We have sent in a forensic audit team, who put in a very large team to comb through the books at Ornge. The results of that audit led us to having to take the very significant step of referring this matter to the OPP for further investigation.

We are moving forward on changes at Ornge—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. Frank Klees:** Well, Speaker, this is the very reason why front-line staff at Ornge have lost all confidence in this minister. They know the role that Mr. Potter played in destroying the reputation of our air ambulance service, and they also know what the minister knows now: namely, that in addition to his disastrous operational decisions, Mr. Potter falsified his own credentials and repeatedly lied about them. They heard the minister say

that she was appalled by Mr. Potter's representations and that she was hopeful that they would be acted on.

I ask the minister, how can she expect front-line staff to have confidence in her leadership when she stands by and allows Mr. Potter to remain in his very key role on the front line of operations at Ornge?

**Hon. Deborah Matthews:** Speaker, I have every confidence in the new leadership at Ornge. They are taking decisive steps that are making a real difference on the front lines.

I have now visited three Ornge bases. I have had wonderful conversations with front-line staff, who are telling me what it was like and telling me what it is like now. They are seeing the results of the changes that we have made at Ornge. The new leadership is doing its work.

What I can tell you is, the front-line staff, after my having visited three bases and spoken to many of those front-line staff, are very, very pleased with the changes that I have made in the leadership at Ornge.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Frank Klees:** It's precisely this kind of hands-off attitude that got us into the mess that we're in today. The reality is that those front-line people that the minister is meeting with have lost confidence in her because she is afraid to make a decision about things like Mr. Potter.

Yesterday, the minister was asked this question during the scrum following question period: "What would happen if this happened in your office, if someone in your office misrepresented their credentials?" The minister's response was this, and I quote from the transcript: "Uh, I would fire them."

1040

I ask the minister: If Mr. Potter would be fired from her office for lying, why is he not fired from Ornge?

**Hon. Deborah Matthews:** I have every confidence in the new leadership team that has come forward to serve the people of Ontario. The new board, which the minister opposite called a very strong board and a big important step forward when they were first announced—he is now determined to undermine the integrity of those very people who have come forward to resolve the challenges at Ornge. I stand by the board. They are doing their work. They are being very diligent and they are being very proactive. I have the deepest confidence in the leadership of the board, including Ian Delaney, Charles Harnick, Patricia Lang, Barry McLellan, Maneesh Mehta, Patrice Merrin, and Patricia Volker. These are very fine individuals who are determined to do what the people of Ontario have asked them to do.

### AIR AMBULANCE SERVICE

**Mr. Frank Klees:** Speaker, it's the same story over and again. The minister had confidence in the last board until she had to fire them all because she refused to take action. But that's why this Legislature has to take a leadership role.

This morning, at a joint press conference, the member from Nickel Belt and I called on this Legislature to strike an all-party select committee through which the Legislature would be empowered to conduct hearings into the circumstances that led to the scandal at Ornge.

Following her February 17 press conference on Ornge, the minister gave her commitment that she would cooperate if the Legislature wanted to strike a committee to investigate Ornge. Will the minister honour that commitment today and express her support for the all-party select committee that we called for this morning?

**Hon. Deborah Matthews:** I am fully supportive of any decision this Legislature makes. If it's the will of this Legislature that that happen, I will, of course, be totally supportive of that.

I can tell you, however, that I'm focused on making changes now. For me, what's important is that we continue to build a stronger Ornge. We are fixing the problems that existed and we are taking steps to ensure this does not happen again. We are developing a new performance agreement that will have much stronger oversight, that will have whistle-blower protection. It will allow us, the government, to appoint members to the board and it will give us much more oversight.

We will be bringing the force of legislation. I will be introducing legislation in fairly short order to entrench that sense of responsibility and transparency in law.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Frank Klees:** Speaker, we welcome the minister's agreement here in this chamber this morning to support the striking of an all-party select committee. Thank you. We look forward to that.

The reason, Speaker, that that is so important is that we continue to hear from front-line people—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from St. Catharines will come to order.

**Mr. Frank Klees:** Speaker, the member for St. Catharines has just stated that I have misinterpreted the minister's remarks. In that case, I will ask the minister one more time and I will ask for clarification: Will the minister support our call for an all-party select committee on Ornge?

*Applause.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Minister.

**Hon. Deborah Matthews:** Let me repeat: I support the will of this Legislature, and if it is the will of this Legislature, then I will be supportive. There will be committees that will have ample opportunity; public accounts will look at the Auditor General's report, for example.

I just want to be clear that I have been in conversation with the Auditor General and I have exercised section 17 of the Auditor General Act. I have asked the Auditor General to report back on this audit as quickly as possible.

We need to get all of the information. We need to move forward on cleaning up what was going on at Ornge, and the support of the Auditor General is a key part of that.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Frank Klees:** Speaker, I will not presume on the vote in this Legislature, but I can tell you this: There will come a time very soon when this Legislature will be voting to strike an all-party select committee of the Legislature, and unless I have miscounted, I believe that even if not one member of the Liberal caucus votes in favour of that, it will be the will of the Legislature that that all-party committee will be struck.

We look forward to the work of that committee, because under the terms of reference of that committee, employees both past and future will be able to come forward and tell their stories about the mismanagement and abuse, and they will have the protection of the terms of reference of that committee.

We look forward to holding this government accountable for their lack of oversight and their lack of accountability on this issue.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Please be seated.

Minister?

**Hon. Deborah Matthews:** I'm not sure I heard a question there, but let me reassure the member that we will fully participate. The will of the Legislature rules supreme, and I will not presume to predict the will of this Legislature.

Speaker, we've taken a lot of steps to get to the bottom of this—in fact, the rather extraordinary step of calling in the Ontario Provincial Police.

I'm still waiting for the member opposite to actually give me advice on what to do that I have not already done. The only advice he has offered is to maybe paint the helicopters a different colour and change the name.

#### AIR AMBULANCE SERVICE

**Ms. Andrea Horwath:** Speaker, my question is to the Minister of Health. Ontarians want to see their government confront the challenges that they're facing. In tough times, they want to see their priorities at the top of the government's list. What message are they hearing when they read in the news that executives at Ornge were paid seven-figure salaries to run an air ambulance service that often can't get helicopters into the air?

**Hon. Deborah Matthews:** Well, Speaker, I think the member opposite knows that it was when that salary figure was revealed—that is what triggered a series of events.

I think the people opposite know that we were trying very hard to get access to those salary figures. We were stonewalled. The Auditor General of the province of Ontario was stonewalled. The Auditor General was stonewalled.

It was then that I took action. I called the senior leadership of Ornge into my office. I told them that I fully expected them to co-operate with the requests from my ministry and from the Auditor General. It was then that things started to become very clear that there were deeper problems at Ornge than simply egregious salaries.

That matter is now in the hands of the OPP.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** Well, families should be surprised by this scandal, but the sad thing is, many aren't surprised. They watch an out-of-touch government that, year after year after year, asks them to pay more and expect less. They see well-connected insiders getting lucrative tax giveaways and sky-high salaries or, in the case of Ornge, they see widespread abuse of money that could have been put into hiring nurses, easing wait times and helping patients.

What does this Minister of Health have to say to those people?

**Hon. Deborah Matthews:** What I can tell you is that the people of this province want us to move forward on the elements of the action plan that I released just a few weeks ago. At the heart of that action plan is providing better care for our elderly people. There are too many people, many of them elderly, who are not getting the best possible care. That's why we need to reorganize our health care system so that it works from the perspective of the patient.

Our plan is to put significantly more resources into home care, into community care, to build the continuum of supports so that people get all the care they need and they get the best possible care in a far more coordinated manner.

I'm looking forward to implementing the action plan. It's what the people of Ontario want me to do.

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**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** Speaker, this minister is asking Ontario families to accept some tough choices in the budget, along with her finance minister colleague and the Premier of this province. That's what that group is doing. They're telling people there's going to be tough choices ahead.

Do you know what? The people of the province, I believe, are actually ready to step up to the plate. But when they're asked to pay higher user fees and unfair new taxes while at the same time they watch emergency rooms close, they watch wait-lists grow for things like long-term care, so that health dollars in this province can be spent on luxury hotels and executive chefs, their goodwill starts to go out the window, and rightfully so.

Is this government—is this Premier—ready to tell this minister that it's time for her to leave this post because she has made one heck of a mess out of it?

**The Speaker (Hon. Dave Levac):** Minister of Health.

*Applause.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order, please.

**Ms. Lisa MacLeod:** She thinks it's funny.

**The Speaker (Hon. Dave Levac):** The member from Nepean—Carleton, come to order, please. Thank you. Minister?

**Hon. Deborah Matthews:** Speaker, let me tell you that, no, I am not going to resign, and I am absolutely focused on the issues that matter to the people of this province. People in Ontario are receiving far better health care than they did when we took office.

The RNAO is here today. They remember the days when the other party was in charge, when 10,000 nurses left Ontario for jobs in the US. We have reversed that, Speaker; we are now hiring 14,000. We've got 14,000 more nurses than we had when we took office. We've got 3,400 more doctors working in this province. We've got more than 1,000 more nurse practitioners. We've cut wait times in half.

But I can tell you there is more to do, and that is what our action plan is all about. It's about strengthening supports for people in their community, in their home, so they get the care they—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

#### AIR AMBULANCE SERVICE

**Ms. Andrea Horwath:** Speaker, in this week's chapter—I'm sorry; this is back to the Minister of Health—of the Ornge saga, we learn that the government cannot account for \$25 million of public money.

For over a year, the government ducked and dodged tough questions about Ornge, and now they expect families to believe that they're going to actually clean up the mess.

My question is a simple one: Where are the consequences when these kinds of messes occur?

**Hon. Deborah Matthews:** I do want to clarify that that \$25 million has been accounted for. This whole matter is in the hands of the Ontario Provincial Police. That is where this matter belongs. I want to respect their investigation, and I will not get into any details about that investigation because I, Speaker, want justice to be done.

I can tell you that I am moving forward. The people on the front line are seeing the difference that the new management is bringing to Ornge. People are getting the care—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.

**Hon. Deborah Matthews:** —and that's what the people of this province expect.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** Speaker, at the very least, Premier McGuinty and his health minister turned the other way as executives at Ornge frittered away tens of millions of public dollars on for-profit private schemes.

Health care professionals, many of whom are in the room right now, deserve an apology for the squandering

of resources that could have funded vital public health care programs across our province.

Do you know who else needs an apology? The public deserve an apology. The public, who are told to expect longer wait times, fewer nurses and higher user fees, deserve much better than what they're getting from this health minister.

Do you know what? The Premier was ready to actually show that there were some consequences when the eHealth scandal broke. Why are there no consequences this time?

**Hon. Deborah Matthews:** Well, I would say there have been pretty significant consequences for the former leadership at Ornge: They no longer work there.

What I can tell you is that we did uncover a very problematic situation at Ornge, so we took decisive action. We took what is a very unusual step of sending in a forensic audit team. You will recall they were there for several weeks, a team of over 30 people. They did their work, and it got to the point where it was time to turn it over, because the people of this province should expect the highest possible value for the money they spend on health care. They were not getting the best value at Ornge, and that is why we have taken very strong steps to make sure that Ornge is able to provide the vital, life-saving services that it provides.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** Speaker, for over a year, the Minister of Health has avoided tough questions on Ornge. At every turn she has avoided the tough questions. Now, at a time when the government is asking families to accept health care changes that could lead to layoffs, ER closures and longer wait times, the Premier all of a sudden wants the same minister to lead the change. The people of Ontario, Speaker, are hungry for change that actually makes their lives better. Instead, the Premier has offered them change that hands a well-connected insider a seven-figure salary.

If the Premier really wanted to show change around here, he would show that there are real consequences by actually changing up the cabinet. That's what the Premier should do. Are they ready to change up the cabinet on that side of the House?

**Hon. Deborah Matthews:** I completely reject the prognosis of the member opposite. We are looking to improve the quality of care and continue to make progress on wait times.

I don't know where she's coming up with the idea of user fees, but they are not in our plan. Our plan is clear: Let's get better value with the money that we are spending on health care.

No one will say we are getting best value. Everyone says we can get much better value with the money that we are spending, and no one knows that better than the nurses that are here with us today. They know if we focus on prevention, they know if we focus on stronger primary care, they know if we focus on evidence, we can get much better care and better value for our money.

## WHISTLE-BLOWER PROTECTION

**Ms. Sylvia Jones:** Back to the Minister of Health: When Ron McKerlie threatened Ornge staff with jail time for anyone speaking out, it sent a very strong message that someone is more interested in suppressing information than shedding light on Ornge.

After that threat, we received an email from a former employee that states: "Given the article in the Star, I am reluctant to come to Queen's Park to meet." As a result, I've tabled a resolution that will be debated this afternoon calling on the Legislative Assembly committee to strengthen whistle-blower legislation to ensure that current and past employees are protected when they appear before committees.

Minister, will you support my resolution?

**Hon. Deborah Matthews:** Speaker, I think members of this House know that people appearing before committee do have immunity. They have the same exemption that we in this House have.

I do support whistle-blower legislation. In fact, that is why we will be incorporating whistle-blower protection in our new performance agreement as we go forward. We think it's important that people in organizations do have a voice, and we want to protect those whistle-blowers.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Sylvia Jones:** Minister, we're tired of waiting for you to act. Ethical Ornge employees who saw what was happening and quit in disgust were forced to sign confidentiality agreements, effectively muzzling them. Now, current employees are being threatened with jail time simply because they want to share what the problems are. Clearly, someone doesn't want these individuals to reveal the truth at Ornge.

Will you stand with the NDP and PC caucuses and reassure whistle-blowers that they will be protected when they speak up?

**Hon. Deborah Matthews:** Speaker, I'm disappointed that once again the members opposite are giving us only part of the information. What is important is that Ron McKerlie, the CEO of Ornge, did have a conversation with employees when the OPP investigation began. He wanted employees to understand that there was an OPP investigation under way and that they had a responsibility to co-operate with the OPP and not to jeopardize the investigation.

I support whistle-blower protection. We are going to be having whistle-blower protection in our new agreement with Ornge.

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## AIR AMBULANCE SERVICE

**Mr. Taras Natyshak:** To the Minister of Health: Transport Canada records show that helicopters operated by Ornge are owned by a numbered corporation, 7506406 Canada Inc. Bankruptcy records show that's a for-profit company. Why is a for-profit company still operating?

**Hon. Deborah Matthews:** Speaker, the member opposite, I'm sure, knows that one of the instructions that I gave to the new board was to wind down the for-profit entities that had been created under the previous legislation. That is a process that is under way. It cannot be done all at once. You can imagine there are significant legal, accounting—various things that have to happen in order for that to be done in a responsible way that respects taxpayer dollars.

I can reiterate that all for-profits are being wound down, but they're being wound down in a responsible, respectful way.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Taras Natyshak:** Transport Canada says that as of yesterday, 7506406 Canada Inc. owns Ornge helicopters. Why is Dr. Chris Mazza still listed as a board director on the numbered company? Does Mazza stay or does Mazza go?

**Hon. Deborah Matthews:** I can tell you that Dr. Chris Mazza is no longer affiliated with Ornge. I can also reiterate that we are winding down the for-profits. But I think the people of this province expect us to do that in a way that respects the value of their tax dollars. The new leadership at Ornge is moving to wind down those for-profits. Some have already been wound down and gone into bankruptcy. Chris Mazza is no longer affiliated with Ornge.

#### POST-SECONDARY EDUCATION

**Mr. Yasir Naqvi:** My question is for the Minister of Training, Colleges and Universities. Minister, as a member with Carleton University in my riding of Ottawa Centre and three other post-secondary institutions in Ottawa, I know that the bright young innovators who will pass through our universities and colleges are key to Ontario's future prosperity in a globally competitive and increasingly knowledge-based economy.

As we reposition Ontario's economy to leverage this new reality, Ontario's post-secondary institutions must play a role in fostering an environment of innovation and provide tools for students to take ideas and turn them into exciting new products. If you put the skills and knowledge that our system is equipping these young people with to work, we will see the next generation of home-grown innovators ready to take the world by storm.

Would the minister tell us how the government is helping to position post-secondary institutions to help our young people?

**Hon. Glen R. Murray:** In addition to adding 260,000 places in our universities and colleges and introducing the 30% tuition reduction, we realized that we had to do more.

My friend from Ottawa Centre has been leading something called the Ottawa Young Entrepreneurs initiative, which is a \$2-million initiative into Algonquin, La Cité and other post-secondary institutions. This is a program that hooks up business leaders as mentors and attaches young, promising students to them to create jobs. This is

responsible right now—4% of our businesses, which are our start-ups, are often being set up by young students coming out of high school with a company already started. They're creating over 40% of the new jobs in Ontario.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Yasir Naqvi:** Thanks, Minister, for sharing a very good example from my riding and the post-secondary institutions in Ottawa.

Being an entrepreneur is tough but rewarding, and it's the ideas and innovations developed in this type of environment that can lead to creating the next high-growth company, like OneChip Photonics in Ottawa.

Speaker, through you to the minister, can he tell us how we are supporting these successful hubs at our institutions and how they are creating the next generation of jobs in Ontario?

**Hon. Glen R. Murray:** I want to thank the member for Ottawa Centre. I also want to acknowledge the member for Cambridge, who also recently visited the Digital Media Zone at Ryerson, and I think complimented President Levy on it.

The Digital Media Zone is where students are graduating with their incorporation papers for their new business and their certificate at the same time, their graduation diploma. It has attracted major capital from the United States, from Silicon Valley, and has led to a series of spinoffs.

One of the graduates from the University of Ottawa and one of the graduates from the University of Waterloo, in both those members' areas, recently—less than five years ago—started a company called Xtreme Labs. Now, that was before there were iPhones, before there was Twitter and before there were Android phones. This company now employs 700 people in Ontario and is one of hundreds of new businesses generating some of our highest job growth in years.

#### AIR AMBULANCE SERVICE

**Mrs. Elizabeth Witmer:** My question also is to the Minister of Health. On Tuesday, you were caught unaware of the fact that Ornge helicopters do not have FAA clearance to enter the United States. That the minister was unaware of a public safety issue of that magnitude was shocking. However, my question today is: Now that that information has become public, does the minister agree that the public has the right to know about a public safety issue of this magnitude?

**Hon. Deborah Matthews:** When the member opposite had a document she revealed in this House earlier this week, it was a document that had not received signoff at the ADM level. It had not come to my office. So the fact that I was unaware of a document that had not come to my office—the member opposite, having been a former Minister of Health, would know that I would not be expected to have that information.

But I did get that information very quickly. What I have learned is that it is true that 10 new AugustaWestland

helicopters do have Transport Canada approval. They are in the process of getting FAA approval. All of the other fleets can move into the States. The fixed-wing airplanes can fly into the States. The old Sikorsky planes that serve in the north can go into the States. This is a process that is under way, and contingency plans have been put in place.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mrs. Elizabeth Witmer:** Mr. Speaker, again to the Minister of Health: That acknowledgment of the fact that you didn't know is an indication of your lack of ability to provide the oversight that is necessary.

However, I want to address an issue—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order. Member?

**Mrs. Elizabeth Witmer:** I want to address the consequence of raising that issue. We have become aware that in the two days since the issue was raised—in fact, everybody in the public service knows this now—there has been a witch hunt launched to find the person responsible for informing us and, by extension, the public. I want to ask you, Minister, can you tell this House who authorized the witch hunt?

**Hon. Deborah Matthews:** What I can tell you is that I did get the information that the member opposite raised. She might be interested to know that of the 19,000 patient transports that Ornge performed last year, one was a helicopter trip to the United States. We take this seriously. We take the issue seriously. We take patient safety seriously.

It's important that the people of this province—like Dave, my friend in the gallery, who got the care he needed when an emergency struck.

We are determined to make things stronger at Ornge. That work is under way, and I'm proud of the progress that's being made.

**The Speaker (Hon. Dave Levac):** Thank you. New question. The member from Nickel Belt.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Look, the yelling back and forth doesn't help me. It doesn't help anyone who needs to hear the question or the answer. Bring it down, please.

Member from Nickel Belt.

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#### AIR AMBULANCE SERVICE

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

Transport Canada records show that helicopters operated by Ornge are owned by a numbered company—7506406 Canada, if you're interested. According to information from Industry Canada, Chris Mazza is listed on the board of directors of that corporation. Can the minister tell us: Is Mr. Mazza still profiting from Ornge?

**Hon. Deborah Matthews:** I'm not sure how different that was, Speaker, from the question that was already

asked by the party opposite. Nonetheless, Ornge is winding down the for-profit companies that were established under the previous leadership. We think it's important to have a not-for-profit service at Ornge that is focused on air and land transportation of critically ill patients. The people of this province want that to be a not-for-profit entity, and that's what we are working towards.

**The Speaker (Hon. Dave Levac):** Supplementary?

**M<sup>me</sup> France Gélinas:** My question was specific as to: Is Mr. Mazza still profiting, making money, off of Ornge? The minister stood up in this House many, many times and told us that those for-profits are being wound down. But from this side of the House, it looks like they're being wound down at a speed to make sure that Mr. Mazza maximizes his profit rather than to serve the patients of Ontario. Can the minister answer: How much longer will Mr. Mazza benefit pecuniarily from Ornge?

**Hon. Deborah Matthews:** Speaker, I can provide this Legislature and the people of this province of Ontario that Dr. Mazza is no longer on the board. He is no longer affiliated with Ornge. Speaker, that has been done; that work has been done.

The new management at Ornge continues with their focus on patient safety, on winding down the for-profits and addressing the financial issues that have been raised in the audit. The work at Ornge is under way; it is moving forward.

The people of this province expect us to do that work, but they also expect us to do other things in the health care system to provide better care. That's why we're strengthening the work of Health Quality Ontario: so we get better value for the money we spend. It's why we're building the continuum of care in the community: so people can get the care they need outside hospitals.

#### NURSES

**Mr. Grant Crack:** My question also is for the Minister of Health and Long-Term Care. Today is a great day. Today is the 13th annual Registered Nurses Association of Ontario Day at Queen's Park. Welcome. I know that nurses do such remarkable work, and I'm proud to be part of a government who holds such high value for everything they do.

**Interjection:** They're not hula-hoop workers.

**Mr. Grant Crack:** No.

I also know that this government has taken steps to ensure that there are more nurses in places where they're needed. Minister, could you tell this House how the Ontario government is supporting the excellent work that nurses across this province are doing?

**Hon. Deborah Matthews:** Every year, I look forward to the RNAO Take Your MPP to Work Day. I always learn about the work that nurses do in different parts of our health care system. Today the nurses are here—today is “take your nurse to work” day for me, and I'm sure they're enjoying that today in the Legislature.

I want to take this opportunity to thank Ontario's nurses. Ontario's nurses are the best nurses in the world.

They are providing excellent care in this province, but their influence also goes beyond the borders of this province. In the mid-1990s, 10,000 nurses left Ontario to work elsewhere. We now have 14,000 more nurses working in this province than when we took office, because we value nurses, we value the work they do, and we want them to do even more.

**The Speaker (Hon. Dave Levac):** The member for a supplementary.

**Mr. Grant Crack:** Thank you, Minister; thank you, Speaker; and also, thank you to the nurses who are here today for all the hard work they do to support our patients across this great province of Ontario.

Minister, I know this government has taken a number of steps to improve access and quality of health care, but there's still much to do. The government's action plan for health care will make sure that patients get the right care at the right time and in the right place.

Speaker, I would like to ask what the government is doing to work with our nurses, going forward, to help achieve these goals and ensure the best possible care for Ontarians.

**Hon. Deborah Matthews:** We have partnered with the nurses and RNAO on several initiatives, and I'm very happy to share with this House some news that I shared with the nurses this morning. Our government is partnering with the RNAO in funding an initiative called the NQuIRE Initiative. NQuIRE will establish a central database of nursing-sensitive indicators for RNAO's clinical best practice guidelines. These guidelines have been translated into multiple languages and are improving care right around this planet.

This new program, NQuIRE, will play a significant role in understanding the full impact of RNAO's best practice guideline program on quality of care for the people of Ontario.

Speaker, we are very, very proud to work with our nurses. They are very strong partners with us and we welcome the partnership—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

#### AIR AMBULANCE SERVICE

**Mrs. Christine Elliott:** My question is for the Minister of Health and Long-Term Care. Minister, on Monday, you said, "the Auditor General—is advocating for a much stronger new performance agreement." Minister, you're clearly referring to something the auditor says in his special report on Ornge, a report that has yet to be tabled. I have a very simple, clear question for the minister: Will she follow the correct parliamentary protocol and table the Auditor General's report so we can get to the bottom of this scandal?

**Hon. Deborah Matthews:** What I have done is I have spoken to the Auditor General. I have sent the Auditor General a letter. I have asked them to table his report as soon as he deems it ready to be tabled. That is his choice. He will table that report. I've asked him to do it as

quickly as possible because, like all members in this House, I want all of the information related to Ornge available to us so we can continue to make the changes that are necessary there.

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mrs. Christine Elliott:** Mr. Speaker, the minister's slip-up on Monday clearly indicates that she has been given drafts of the Auditor General's report. She has been rehearsing all her answers. That's precisely why we need an all-party select committee to get to the answers on Ornge so we can ask the questions and get honest, unrehearsed answers that will allow us to get to the bottom of this scandal.

Will the minister acknowledge the will of the two opposition parties who hold the majority of the seats in this Legislature and agree to set up a select committee?

**Hon. Deborah Matthews:** I will not presume the will of this body. I will let this Legislature do its work and I will support any decision this Legislature makes. We are moving forward on making the changes at Ornge that the people of this province expect us to make. I have met with front-line staff. They are pleased with the progress that they are seeing, but they have lots of ideas about more that needs to be done. We need to get on with making those changes. If the will of the Legislature decides they want to undertake this exercise, of course, I will support that. But my focus is on moving forward.

#### YOUTH SERVICES

**Miss Monique Taylor:** My question is to the Minister of Children and Youth Services. The provincial—  
*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from St. Catharines, withdraw.

**Hon. James J. Bradley:** Withdraw.

**The Speaker (Hon. Dave Levac):** Thank you. Come to order, please. Member?

**Miss Monique Taylor:** Thank you. The Provincial Advocate for Children and Youth released a report on the need and economic benefit of modernizing the extended care and maintenance program for the former children in care. The personal stories illustrating this need are heart-wrenching and compelling. More than half of Ontarians aged 20 to 24 still live at home with their parents, yet the youth who face the greatest turmoil are left without any support at the age of 21.

Speaker, we've been calling for a change to ECM for years. Will the minister finally meet the needs of the youth and immediately extend the ECM to 25?

**Hon. Eric Hoskins:** Mr. Speaker, I want to thank the member opposite for raising this important issue. I know she's working hard on it, and it's an issue, as it should be, that's important to her party as well. I want to first thank the Provincial Advocate for Children and Youth for this report and for the hard work that he is doing each day on behalf of vulnerable children and youth in this province. I want to state that our government is, of course, commit-

ted to providing children and youth, particularly those who are receiving support and protection through our children's aid societies, with every opportunity to reach their full potential.

I will review the provincial advocate's report and its recommendations, and I look forward to receiving the final report as well from the Youth Leaving Care hearings that took place last fall and will be presented to the Legislature in the spring.

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I welcome the opportunity to continue to work closely with the advocate, as I have done, on issues that are of mutual and important concern.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Miss Monique Taylor:** This morning's report lays out a cost-benefit analysis that we can't afford to ignore. For every dollar that the province spends on caring for a youth on ECM, \$1.36 would be earned over that person's lifetime. This translates into millions of dollars of savings.

Providing these youth with the tools that they need to succeed is simply the right thing to do. This is one small change that can be made today. Will the minister commit to modernizing the ECM?

**Hon. Eric Hoskins:** Again, I'm grateful for receiving the question. Both the advocate and my ministry are committed to helping children and youth to be safe and to reach their full potential.

We know particularly that our crown wards face specific and challenging obstacles as they transition into adult life and into being full members of our societies, and that they require specific supports in order to do that.

Changes that came into effect by this government just last September, for example, allow 16- and 17-year-olds who were formerly crown wards, who have left the care of the children's aid societies and of the province, to actually come back and receive care from the ages of 18 to 21, including extended care and maintenance support and other financial support.

We have also provided the equivalent of the Ontario child benefit, actually, which we make available through the children's aid societies for the support of our crown wards.

So we continue to work hard on this issue. I look forward—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

#### CORRECTIONAL SERVICES

**Mr. David Zimmer:** My question is for the Minister of Community Safety and Correctional Services. Minister, there's a whole lot of concern here in Ontario about the federal government's recent introduction of its omnibus crime bill, Bill C-10. In fact, this week, the federal Parliamentary Budget Officer said that the bill is going to have significant financial consequences for all provinces in Canada, including Ontario.

I've heard from lots of residents in Willowdale. They are very concerned about these big costs being downloaded by the federal government with no discussion, no financial support, at a time when Ontario is trying to manage its heavy cost structure.

Minister, what are the financial impacts of Bill C-10? What's it going to cost us? What's it going to cost us to allow the federal government to get away with this unilateral action?

**Hon. Madeleine Meilleur:** I want to thank the member from Willowdale for his very important question.

Ontario supports initiatives to make communities safer and to protect our children and families from crime. The Parliamentary Budget Officer has released a report which says that the federal Bill C-10 will cost the provinces an extra \$137 million per year. We know that this report does not factor in the costs of a new prison, which would be \$900 million to build and \$60 million per year to operate.

Our analysis shows that Bill C-10 may cost Ontario taxpayers more than \$1 billion and may add as many as 1,500 additional inmates to provincial prisons, which may require a new facility to be built.

Ontario families cannot be expected to pay the cost for federal anti-crime initiatives when the federal government won't even discuss—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. David Zimmer:** The facts are, the federal Conservatives are forcing this legislation on Ontarians, who don't have a say in the matter, and then they're forcing Ontario families to foot the bill. That's not fair. That's how federalism should not work.

Minister, what are you going to do to push back and get the federal government to do the right thing, to cover the cost of their own promises? Members of this Legislature want to help you in this pushback, Minister. What can we do, as a member of this party? What can the other parties do to help you push back and get a fair deal for Ontario?

**Hon. Madeleine Meilleur:** At the recent meeting of the federal, provincial and territorial justice ministers in Prince Edward Island, all provinces and territories called on the federal government to enter a discussion. We have received no response from the federal government.

On February 21, I wrote a letter to the Senate telling them Ontario's families cannot afford the \$1 billion as a result of Bill C-10. Ontario supervises more than 50,000 individuals each day. We estimate this would increase by 1,000 under Bill C-10, increasing caseloads for probation and parole officers. Additional inmates to provincial prisons may require a new, costly facility to be built.

Ontario families want the Conservatives and the NDP to stand up to Harper and tell him we cannot afford this bill.

#### AIR AMBULANCE SERVICE

**Mrs. Jane McKenna:** Mr. Speaker, my question is for the Minister of Health and Long-Term Care. On

Friday, February 17, just before the Legislature returned, you were quoted in media saying, "If the Legislature wants to strike committees to look at Ornge, then I will of course co-operate."

The Ontario PC and NDP caucuses have taken you at your word. This morning we came to the table with the terms of reference for an all-party select committee whose sole mandate is to get to the bottom of the problems at Ornge that we all want to fix.

You've had time to consider your answer. Mr. Speaker, will the minister step up to the plate and do the right thing and support an all-party committee for Ornge?

**Hon. Deborah Matthews:** Speaker, my viewpoint has not changed in the 10 minutes since I was last asked the very same question. If it is the will of this Legislature that a select committee be struck, I will be supportive of that. I will be supportive of this Legislature exercising its authority to look at whatever it looks at.

So, yes, of course I will support that if indeed it is the will of the Legislature.

**The Speaker (Hon. Dave Levac):** Supplementary question?

**Mrs. Jane McKenna:** Mr. Speaker, the minister's remarks to media were not the only time she said she would advocate for a select committee if the majority of the House wanted it. A week later, she said in the chamber: "If it is the will of the Legislature that they look at Ornge, I will be nothing but supportive of that decision."

The NDP and PC caucuses have presented you with terms of reference for an all-party committee to get to the bottom of the problems at Ornge. Now is the time for the minister to get back to her word. Minister, again I ask you: Will you support our call for an all-party select committee to be formed to get to the bottom of what needs to be done at Ornge?

*Applause.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Be seated.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order, please. Order, please. Thank you.

Minister?

**Hon. Deborah Matthews:** Speaker, my opinion has not changed in the one minute since I answered the last question, and that is, if it is the will of this Legislature that a select committee be struck, I will be nothing but supportive.

My focus is on moving forward. My focus is on making the changes at Ornge so that it is as strong as it can be, providing the best care and the best value to the people of this province.

#### NURSE PRACTITIONERS

**M<sup>me</sup> France Gélinas:** Ma question est pour la ministre de la Santé et des Soins de longue durée. This morning we are joined by 150 nurses and nursing students. Many of them are in the galleries with us today.

Nurses understand the need for innovation and the need for excellence in primary care. Nurse-practitioner-led clinics have both of those, and much, much more. Yet today, nurse-practitioner-led clinics are unable to work to their full potential because the ministry has failed to properly support this model. What is the ministry's plan for addressing the ongoing structural issues in nurse-practitioner-led clinics so that they can best meet the needs of their communities and the needs of their clients?

**1130**

**Hon. Deborah Matthews:** Ontario's nurse-practitioner-led clinics are the envy of the rest of Canada. In fact, other health ministers come to me and ask me, "What are you doing? How can we learn from what you have done?" I am enormously proud of the nurse-practitioner-led clinics that are opening up right across this province, the very first one in Sudbury. We now have another 20 open and more opening that will take us to 26 nurse-practitioner-led clinics.

This is a new model of care, a promising model of care. I can tell you that the patients at nurse-practitioner-led clinics are very supportive of this model of primary care. It's another option for the people of Ontario. We will continue to strengthen the nurse-practitioner-led model of care.

**The Speaker (Hon. Dave Levac):** Supplementary?

**M<sup>me</sup> France Gélinas:** I would like the minister to answer this question. The minister knows that nurse-practitioner-led clinics need a collaborative physician. Yet so far, she has refused to address the ongoing issue with physicians' collaboration and supporting the interdisciplinary care. These are serious issues, and they impact the ability of nurses to deliver top-quality care. The ministry must make sure that nurse-practitioner-led clinics are structured to be able to work to their full potential.

Will the minister agree to finally address those structural problems so that the model is strengthened, the health of Ontario is improved and the collaboration with physicians is settled?

**Hon. Deborah Matthews:** I can absolutely undertake to work with RNAO and with the Nurse Practitioners' Association of Ontario, as we have done in the past, to continue the work to strengthen this new model of care.

As I say, this is a new model of care in the province. We are still in the process of opening these new nurse-practitioner-led models. But Speaker, from Thunder Bay to the shores of Lake Erie, right across this province, patients are benefiting from the care provided by nurse practitioners.

Will we need to continue to improve that model? Absolutely, Speaker. Are we enthusiastic partners? We sure are.

#### WATER QUALITY

**Mrs. Teresa Piruzza:** My question today is for the Minister of the Environment. My question is with respect

to water, which we all know is fundamental to life and to health for all our communities.

In Ontario, we have the privilege of being co-stewards of the largest supply of fresh water in the world: the Great Lakes and their tributary rivers. Being from Windsor, I'm very familiar with that waterfront, as I drive by it every day when I'm home. Protecting this resource has been a key priority of this government for the past eight years.

Speaker, through you, would the Minister of the Environment share with the House what steps our government has taken to protect our drinking water and preserve our Great Lakes?

**Hon. James J. Bradley:** You will know that in the throne speech, it was indicated that the government wishes to pass a Great Lakes protection act if the Legislature deems that appropriate. I have actually contacted the critics from the Progressive Conservative Party and the NDP to ask them to submit any ideas they might have—or other members of the Legislature—in this regard.

Even though there has been some considerable progress made in terms of the environmental condition of the Great Lakes, there are still some challenges that are there like invasive species; for instance, the blue algae that we see.

At the recent meeting of the rural municipalities of Ontario, many of them talked about the work that they are doing at the present time with their source protection committees. I want to commend them, and I want to commend all of the organizations that have been involved in this, bringing forward the recommendations which we wish to see implemented—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mrs. Teresa Piruzza:** Thank you, Speaker. Again, my question is for the Minister of the Environment. I'd like to thank the minister for providing the House with an update on all the hard work this government has done to protect our Great Lakes. I know that there's a lot of great research and good work being done in our communities through our universities and through the University of Windsor as well. I know my constituents, along with the rest of Ontario, will be pleased to hear these results.

Access to safe drinking water plays an important role in our quality of life. Communities need to be aware of any and all potential risks to local water supplies. According to Justice Dennis O'Connor's findings in the 2002 Walkerton report, "The first barrier to the contamination of drinking water involves protecting the sources of drinking water." Minister, would you be able to elaborate on what our government is doing to protect our drinking water sources so that Ontarians can continue having access to clean drinking water?

**Hon. James J. Bradley:** Well, I can tell the member that we allocated some \$653 million to waste water infrastructure upgrades in the Great Lakes basin since March 2007. I think that's a very appropriate investment.

But people in the environmental community and people in the various organizations that are involved with municipalities will tell us that source protection is exceedingly important. That's why I'm so pleased that members of the farming community, individual municipalities, environmental groups and those involved with natural resources have gotten together to try to identify the problems that are there and the best possible solutions to them. They have come to me and said that there has been considerable progress made. What we have to do now is implement each and every one of the recommendations which is practical. That way, we can protect the water sources that go into the Great Lakes and, indeed, water sources across Ontario.

**The Speaker (Hon. Dave Levac):** Thank you. There being no deferred votes today, this House stands recessed until 1 p.m. this afternoon.

*The House recessed from 1137 to 1300.*

## INTRODUCTION OF VISITORS

**Mr. John O'Toole:** Welcome, this afternoon, to everyone. I'm very pleased to introduce constituents of mine whom I've just met with, who will be here shortly: Ola Aderinboye—"ola" means hello, of course—Roshani Fiorito, Marianne Cochrane, Ines Jowlett and Cynthia Harris, members of the RNAO of Ontario. I'm very proud that they are my constituents and very proud to meet with and represent them.

**The Speaker (Hon. Dave Levac):** Introduction of guests—even if they're not here.

**Ms. Tracy MacCharles:** There is a great group of kids here from Glengrove Public School, grade 5, from my riding of Pickering-Scarborough East. They're from the Scarborough side. They're very enthusiastic to be here. They're just taking their coats off and getting settled. I'd love to be able to acknowledge them later, if that's possible, Speaker.

**The Speaker (Hon. Dave Levac):** Thank you. We welcome the guests who are going to be in the gallery shortly. Introduction of guests?

**Mr. Gilles Bisson:** I've got people coming next week.

**The Speaker (Hon. Dave Levac):** Go right ahead, my friend.

Members' statements.

## MEMBERS' STATEMENTS

### VALLEYS 2000

**Mr. John O'Toole:** In a few moments, I'll be reading my statement.

This Friday—that's tomorrow—it's my privilege to join Bowmanville and area residents in support of the Valleys 2000 fundraising gala. The gala has been launched as a new initiative called A River Runs Through Us. Our keynote speaker of the evening will be

General Rick Hillier, former chief of defence staff and an avid sports fisherman.

Valleys 2000 is dedicated to the restoration and stewardship of two important river systems in Bowmanville: the Soper Creek Valley and the Bowmanville Creek Valley. Before the settlement of the community of Bowmanville, the creeks wove their way through the heart of the area; in fact, there were mills there.

This project will enhance the Bowmanville Creek Valley with a new fish bypass channel, viewing platform and a bridge. This will preserve fish population and habitat, as well as educating future generations.

I want to extend my sincere thanks and congratulations to the Valleys 2000 project team and funding committee as well: Reverend Frank Lockhart has been a tireless worker, voluntarily rehabilitating the valley himself; Bill Huether, Jack and Jackie Hampsey, Gail Rickard, Kevin Anyan and Ron Robinson. I'd like to thank Al Strike and others.

I'd also like to recognize the youth who are involved—Steve and Tori Kay, Amy Logan Holmes, my son Erin O'Toole—and the volunteers, a hard-working group that's put this gala together.

I'm proud of the project, and I support it myself.

#### RIDING OF LONDON–FANSHAWE

**Ms. Teresa J. Armstrong:** I'm also pleased to be able to share with the members of this Legislature the excellent work organized by the dedicated and community-focused people in my riding of London–Fanshawe.

As you know, this past February 20, people across the province celebrated Family Day. In a riding with 9.5% unemployment and the devastating incident with Caterpillar still lingering, one could only imagine there is little inspiration to be found or little to celebrate. However, that is not the case here. The people of London–Fanshawe have shown constant courage and tenacity to move our community forward.

This past Family Day, many dedicated volunteers organized the first Argyle Amazing Race and Winter Festival. This inaugural community celebration, led by the Child and Youth Network and the local BIA, was a fun, exciting opportunity to bring families together. It also serves to remind us what an amazing place we live, work and play in, that we all share.

In particular, I want to recognize Tosha Densky from the Child and Youth Network for her passion and perseverance. Tosha, on behalf of the constituents of London–Fanshawe, we thank you for your commitment to our community. This event coordinated local residents, business members and community leaders to offer a fun-filled race that took participants to four different neighbourhood locations throughout London–Fanshawe.

Mr. Speaker, I could go on and on about the generosity and the great things my constituents are doing, but today I want to say thank you to them for their compassion and care for each other.

#### PETER ADAMS

**Mr. Jeff Leal:** Mr. Speaker, I rise today to pay tribute to an individual from our riding who recently was honoured with the Order of Ontario.

Dr. Peter Adams has, during his lifetime, worn many hats. He was an esteemed member of this place, the Ontario Legislature, from 1987 to 1990. He then went on to serve as the federal member of Parliament in the House of Commons in Ottawa from 1993 until his retirement in 2006.

These are only a few of his accomplishments. Prior to his political career, he was the director of the subarctic research laboratory in Schefferville, Quebec. He then moved on to Trent University in my riding, where he taught as a professor of geography and was the coordinator of northern studies. He was vice-president academic during his tenure and currently today is a professor emeritus in the field of geography.

Peter's knowledge of ice is recognized at the global level. Peter has written too many books and articles to list. He co-edited a local history named Peterborough and the Kawarthas, a book that I've given to many visitors to my riding of Peterborough. In 1981 he was named Peterborough's citizen of the year.

Mr. Speaker, Peter Adams is my friend and mentor. We've spent many hours together discussing politics, past and present. It was a proud day for Peter, Jill, his family and friends and our community when he was honoured with the Order of Ontario, an honour that was very richly deserved.

#### RAIL ACCIDENT

**Mrs. Jane McKenna:** Last Sunday, Via Rail train 92, carrying 75 passengers from Niagara Falls to Toronto, derailed in Burlington. Three crew members, including two experienced engineers, were killed and a dozen passengers were injured.

Our thoughts and condolences go to the families of Ken Simmonds and Peter Snarr, both from Toronto, and Patrick Robinson of Cornwall, Ontario. Both Mr. Simmonds and Mr. Snarr had more than 30 years of service as locomotive engineers. Mr. Robinson was a new Via employee who was on board as an observer as part of his familiarization program.

I would like to extend my heartfelt thanks to Burlington Fire Chief Shayne Mintz and the entire Halton emergency medical service team, which worked tirelessly and professionally to ensure that the rescue operation was orderly, calm and effective.

On behalf of the people of Ontario, I also want to recognize the work of the Burlington police and Joseph Brant Memorial Hospital, where several of the passengers were treated. The people of Burlington rely on their dedication and commitment to excellence 24 hours a day, seven days a week. Last weekend's tragic event gave us all a reason to express our gratitude for the important work that they do.

## FIRE SAFETY

**Mr. Gilles Bisson:** Mr. Speaker, again I rise in the House in order to call on the government to get the coroner to do a coroner's inquest in regard to the fire that took the life of Rose Levesque, an 88-year-old resident in our community at Rainbow Suites. I had asked this question earlier to the minister responsible, Madame Meilleur. She has since given me a response, which I accept at its face value because it was only part of what should be, in my view—the investigation. This was the fire marshal's office investigation, that essentially said that there were a number of things that needed to be done by the city of Timmins and the fire prevention services in order to try to ensure that these types of tragedies don't happen again.

I am sure that the fire marshal's office will be working with the city of Timmins in order to get them to do what needs to be done, but the question still needs to be put. This is just scratching the surface. The fire marshal's office, yes, did an investigation, but I think that the family and others who were involved in that fire need the opportunity to stand before a coroner's inquest to be able to talk about what it is to them that they want to insert in this particular discussion.

1310

Coroner's office inquests are very different than what a fire marshal does in scope, by which the coroner is able to make recommendations that are far more sweeping and sometimes far more binding than what a fire marshal is able to do when it comes to their investigation.

We thank the fire marshal for the investigation—we thank the minister for doing that—but when we want is a coroner's inquest so that, in the end, the people of the city of Timmins and the family of Madame Levesque and the fire services and others can present to that coroner's inquest so that we can get to the bottom of this and never have it happen again.

## GOVERNMENT'S RECORD

**Mr. Mike Colle:** I want to make a statement about choices.

Difficult times call for difficult choices. With the recent recession and with the continuing global economic downturn, Ontarians have faced challenges together. Throughout this, our government has led thoughtfully. Our choices are putting hundreds of thousands of Ontario men and women to work. Provincial gross domestic product has grown 5.8% since the depth of the recession, and our economy is bigger now than it was when the recession hit. Some 121,000 jobs were created in our province in 2011. That's almost half the jobs created in all of Canada. We will continue to make difficult choices to protect services and build a better economy.

On the other hand, the Conservatives are taking a different route. They railed against tax reform, which is creating jobs. They call our support for the auto workers—they called that corporate welfare, the Conserva-

tives did. Yet, we've created those jobs at General Motors and Chrysler. Sadly, they oppose investments in clean energy jobs—more jobs they oppose. Most recently, they voted against the healthy homes renovation tax, where they voted against jobs and against seniors who want to stay in their homes. How could they do that, Mr. Speaker? I ask you: How can they do that?

## PREMIER'S COMMENTS

**Mr. Ted Arnott:** I rise this afternoon as our party's critic to the Minister of Intergovernmental Affairs to point out the folly of the Premier's regrettable statements this week, which have strained our relations with the province of Alberta and indeed all of western Canada.

According to published reports, the Premier suggested that our Canadian currency is a "petro dollar" and that he favours scaling back the development of the oil and gas industry in the west. These comments overlook the fact that there are almost 300 Ontario companies that supply or manufacture equipment to the oil patch. What's more, the Canadian Energy Research Institute projects that the oil sands will generate \$63 billion in economic activity and over 65,000 jobs in Ontario in the coming years.

Premier McGuinty has correctly observed that a Canadian dollar trading at par with the US dollar represents a competitive challenge. But today, Jayson Myers of the Canadian Manufacturers and Exporters indicated that the biggest challenge is the drop in US demand, not a Canadian dollar trading close to par.

Where was the Premier in 2006 when I repeatedly called for committee hearings on the competitiveness of our manufacturing sector with a view to developing strategies to support manufacturing? He was oblivious, even as more than 300,000 manufacturing jobs evaporated.

During his tenure, we've become a have-not province. His excessive spending threatens our credit rating and the prosperity of future generations.

If the Premier is unwilling to provide the kind of leadership we need today, he needs to contemplate his future and he needs to apologize to our fellow Canadians in the west.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.

Members' statements? Member from Etobicoke North.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Could I have order, please?

## CANCER COLORECTAL

## COLORECTAL CANCER

**M. Shafiq Qadri:** Comme médecin et aussi un député de l'Assemblée législative, j'ai le plaisir et la responsabilité de parler d'un sujet très important : le cancer du côlon et aussi du rectum.

Speaker, it's an important issue that I raise, both as a physician and a parliamentarian, to mark National Colorectal Cancer Awareness Month. In 2011, approximately 8,100 people in the province of Ontario were diagnosed with colorectal cancer, and unfortunately, approximately 3,250 actually succumbed to that illness and died.

We know that it's absolutely critical for people, when it comes to colorectal cancer, to be diagnosed early. As a physician, I can tell you that we have something in the order of a 90% survival chance with early detection and early cure.

That's why, of course, the government of Ontario has created ColonCancerCheck, our screening program that is now in its many years of being rolled out across the province. This program recommends that all Ontarians aged 50 to 74 years be screened for colorectal cancer. Often, there are no symptoms in the early stages, but screening can, of course, detect the colorectal cancer if it's done appropriately.

I rise, Speaker, through you to the people of Ontario and to all members of the assembly, to encourage you to make Ontarians aware of National Colorectal Cancer Month.

#### ACCOUNTABILITY

**Mr. Rod Jackson:** As the critic for accountability, along with my colleague the member from Durham here, I'd like to remind the government and Premier McGuinty what accountability truly means. It's quite a simple concept that this government has found quite hard to understand. Accountability is the acknowledgement and the assumption of responsibility for actions.

We've seen little of this from this government. The fact is that rather than accept responsibility, this government has chosen to blame those around them.

The scandal at Ornge? Blame the public servants.

No disclosure of the Pan Am budget? Blame the federal government. Blame everybody else around: the secretariat, or the number of other organizations that are involved with Pan Am.

Failing economy? Blame Europe and Greece; never mind that we came out on the bottom of that in our country. We're on an equal footing with every other province in our country, yet we still came out at the bottom of that global recession.

Failing health care system? Blame Ottawa.

The pattern is simple to see. When presented with the consequence of his actions, the Premier has skirted his responsibility. He has chosen to ignore responsibility and ignore his duty to the people of Ontario and be accountable.

Our great province deserves more, a more accountable government. Our people deserve better than Dalton McGuinty and the Liberal government that has given us zero accountability and has not stood up for the people of Ontario as they have been elected to do.

#### VISITORS

**Mr. Jeff Leal:** On a point of order, Mr. Speaker: I'm not sure what school they're from, but I just noticed a number of our youngest citizens coming into the visitors' west gallery. We just want to give them a warm welcome this afternoon. I think it would be appropriate—

**The Speaker (Hon. Dave Levac):** The member knows that that's not a point of order.

#### CORRECTION OF RECORD

**Mr. John O'Toole:** On a point of order, Mr. Speaker: I'd like to correct my record from my statement this morning. I should have mentioned—I hope I mentioned correctly—the names Al Strike and Harold Hammond, who are the chairs of the Valleys 2000 gala tomorrow evening.

**The Speaker (Hon. Dave Levac):** As the members know, to correct your record is a point of order. Thank you for your point of order.

#### VISITORS

**Ms. Tracy MacCharles:** On a point of order, Mr. Speaker: Thank you to my colleague the member from Peterborough for recognizing the kids here. I'd love to introduce to you all the children from Glengrove Public School, grade 5, in Pickering, from my riding of Pickering-Scarborough East.

We got to meet downstairs and have a photo, and seeing the folks from Glengrove reminds me, and I'm sure all of you, why we're all here. The kids are our future—

**The Speaker (Hon. Dave Levac):** Thank you. I will remind the member that that is not a point of order, but we welcome your guests.

Time has been set aside for introductions, and we would hope that everyone would do that as best as they possibly can. Thank you very much.

It is now time for petitions.

#### PETITIONS

##### WIND TURBINES

**Mr. John O'Toole:** Thank you, Mr. Speaker, for your patience while I get these petitions out. It's appreciated.

This one reads as follows:

"Whereas industrial wind turbine developments have raised concerns among" Ontario citizens from one part of the province to another "over health, safety and property values"—the list goes on;

"Whereas the Green Energy Act allows wind turbine developments to bypass" local "meaningful public input and municipal approvals;

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

“That the Minister of the Environment”—Mr. Bradley—“revise the Green Energy Act to allow full public input and municipal approvals on all industrial wind farm developments and that a moratorium on wind” farm “development be declared” immediately “until an independent, epidemiological study is completed into the health and environmental impacts of industrial wind turbines” on the people of Ontario.

This is a public safety issue, and I’m pleased to sign and support it and give it to William, one of the new pages.

1320

#### KIDNEY DISEASE

**Mr. Jeff Leal:** Today I’m very pleased to have a petition from Heather Holland, who lives at RR 3 Lakeview at 1754 Westview Point Road. I know that area extremely well. It’s a great part right on the lake, Stoney Lake, I believe. It says:

“To the Legislative Assembly of Ontario:

“We, the undersigned residents of Ontario, Canada, draw the attention of the Legislative Assembly of Ontario to the following:

“Whereas kidney disease is a huge and growing problem in Canada;

“Whereas real progress has been made in various ways of preventing and coping with kidney disease, in particular the development of a bioartificial kidney;

“We, the undersigned, call on the Legislative Assembly of Ontario to make research funding available for the explicit purpose of conducting bioartificial kidney research as an extension to the research being successfully conducted at several centres in the United States” of America.

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

#### WIND TURBINES

**Mr. Jim McDonell:** I have a petition to the Legislative Assembly of Ontario, and I would like to read it. It says:

“Whereas industrial wind turbine developments have raised concerns among citizens over health, safety and property values; and

“Whereas the Green Energy Act allows wind turbine developments to bypass meaningful public input and municipal approval;

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

“That the Ministry of the Environment revise the Green Energy Act to allow full public input and municipal approvals on all industrial wind farm developments; and

“That the Minister of the Environment conduct a thorough scientific study on the health and environmental impacts of industrial wind turbines.”

I agree with this petition, and I will be signing it.

#### DOG OWNERSHIP

**Ms. Cheri DiNovo:** This petition is to the Legislative Assembly of Ontario and reads as follows:

“Whereas currently the law takes the onus off of owners that raise violent dogs by making it appear that violence is a matter of genetics; and

“Whereas the Dog Owners’ Liability Act does not clearly define a pit bull, nor is it enforced equally across the province, as pit bulls are not an acknowledged breed;

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

“That the Legislative Assembly pass Bill 16, the Public Safety Related to Dogs Statute Law Amendment Act, 2011, into law.”

I couldn’t agree more. I recommend Thomas Walkom’s article. I will sign this and give it to Mackenzie to deliver it to the table.

#### KIDNEY DISEASE

**Mr. Jeff Leal:** I have another petition today. This one is from Bernice Jacobs, who lives at 184 Clifford Road in Warsaw, Ontario, which is in the municipality of Douro-Dummer. She was very kind to deliver this petition to me.

*Interjection.*

**Mr. Jeff Leal:** Well, I am.

“To the Legislative Assembly of Ontario:

“We, the undersigned residents of Ontario, Canada, draw the attention of the Legislative Assembly of Ontario to the following:

“Whereas kidney disease is a huge and growing problem in Canada;

“Whereas real progress has been made in various ways of preventing and coping with kidney disease, in particular the development of a bioartificial kidney;

“We, the undersigned, call on the Legislative Assembly of Ontario to make research funding available for the explicit purpose of conducting bioartificial kidney research as an extension to the research being successfully conducted at several centres in the United States” of America.

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

#### RURAL SCHOOLS

**Mr. Jim Wilson:** “Petition to Save Duntroon Central Public School and All Other Rural Schools in Clearview Township.

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

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

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

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

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

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

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

I agree with this petition and I will sign it. Thank you.

#### RENEWABLE ENERGY

**Mr. Rod Jackson:** I have a petition here to the Legislative Assembly of Ontario.

“Whereas Solray Energy Corp. has given notice of its proposal for a class 3 solar power facility known as Epsom Solar Farm to be located in the township of Scugog; and

“Whereas the site is on prime farmland that has been in production for many generations; and

“Whereas we consider productive farmland to be of vital importance to farm and rural communities by providing healthy, locally grown food and ensuring the sustainability of Canada’s food supply; and

“Whereas class 1 to 5 farmland and land that is zoned rural or agricultural should be protected from the current proposal and similar projects that may be considered in the future; and

“Whereas other sites of less value to agriculture are better locations for solar power developments;

“Therefore we, the undersigned, petition the Ontario Legislature not to allow large, industrial solar farms on prime agricultural land, and we further express our support for giving local communities, through their elected municipal councils, the power to control and approve large-scale renewable energy developments.”

I agree with this petition, Mr. Speaker. I affix my name and I will give it to page Grace Zhou to bring down to the table.

#### KIDNEY DISEASE

**Mr. Jeff Leal:** I have another petition. This one is submitted, actually, by the cousin of the member from Durham, Brian O’Toole, who lives at 950 Valleyview Drive in Peterborough, Ontario. He always speaks highly of his cousin John on many occasions.

“Petition to the Legislative Assembly of Ontario:

“We, the undersigned residents of Ontario, Canada, draw the attention of the Legislative Assembly of Ontario to the following:

“Whereas kidney disease is a huge and growing problem in Canada;

“Whereas real progress is being made in various ways of preventing and coping with kidney disease, in particular the development of a bioartificial kidney;

“We, the undersigned, call on the Legislative Assembly of Ontario to make research funding available for the explicit purpose of conducting bioartificial kidney research as an extension to the research being successfully conducted at several centres in the United States” of America.

Mr. Speaker, I agree with this petition, will affix my signature to it and give it to page Kriti.

#### RENEWABLE ENERGY

**Mr. Jeff Yurek:** I have a petition here.

“Whereas Solray Energy Corp. has given notice of its proposal for a class 3 solar power facility known as Epsom Solar Farm to be located in the township of Scugog; and

“Whereas the site is on prime farmland that has been in production for many generations; and

“Whereas we consider productive farmland to be of vital importance to farm and rural communities by providing healthy, locally grown food and ensuring the sustainability of Canada’s food supply; and

“Whereas class 1 to 5 farmland and land that is zoned rural or agricultural should be protected from the current proposal and similar projects that may be considered in the future; and

“Whereas other sites of less value to agriculture are better locations for solar power developments;

“Therefore we, the undersigned, petition the Ontario Legislature not to allow large, industrial solar farms on prime agricultural land, and we further express our support for giving local communities, through their elected municipal councils, the power to control and approve large-scale renewable energy developments.”

I agree to this petition, I affix my signature to it and give it to page Jason to take down.

#### RENEWABLE ENERGY

**Mr. John O’Toole:** I’m pleased to also present a petition on behalf of my constituents in the riding of Durham. It reads as follows:

“Whereas Solray Energy Corp. has given notice of its proposal for a class 3 solar power facility known as Epsom Solar Farm to be located in the township of Scugog; and

“Whereas the site is on prime farmland that has been in production for many generations; and

“Whereas we consider productive farmland to be of vital importance to farm and rural communities”—in fact, people of Ontario—“by providing healthy, locally

grown food and ensuring the sustainability of Canada's food supply; and

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"Whereas class 1 to 5 farmland and land that is zoned agricultural or rural" must "be protected from the current proposal and similar projects that may be considered in the future" and continuing into the future; "and

"Whereas other sites of less value to agriculture are a better location" and better sites "for solar power developments;

"Therefore we, the undersigned, petition the Ontario Legislature not to allow large, industrial solar farms on prime" class 1 "agricultural land, and we further express our support for giving local communities, through their" locally "elected municipal councils, the power to control and approve large-scale renewable energy developments."

I'm pleased to sign in support of this for my constituents and give it to one of the pages, Katelyn.

### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** I have this petition from the people of northeastern Ontario, and it reads as follows:

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

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

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with" Health Sciences North, "its regional cancer program and the Northern Ontario School of Medicine;"

They "petition the Legislative Assembly of Ontario to make PET scans available through" Health Sciences North, "thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, Mr. Speaker, will affix my name to it and ask our page Ryan to bring it to the Clerk, while he's waving at the camera.

### KIDNEY DISEASE

**Mr. Jeff Leal:** I have another petition from an O'Toole in Peterborough riding today. This one is from Sandra O'Toole, from 1809 Crowley Line of Peterborough, Ontario. She gave me this petition to read. It says:

"To the Legislative Assembly of Ontario:

"We, the undersigned residents of Ontario, Canada, draw the attention of the Legislative Assembly of Ontario to the following:

"Whereas kidney disease is a huge and growing problem in Canada;

"Whereas real progress is being made in various ways of preventing and coping with kidney disease, in particular the development of a bioartificial kidney;

"We, the undersigned, call on the Legislative Assembly of Ontario to make research funding available for the explicit purpose of conducting bioartificial kidney research as an extension to the research being successfully conducted at several centres in the United States."

Mr. Speaker, I agree with this petition, will affix my signature to it and give it to page Shirley.

### RENEWABLE ENERGY

**Mr. Jeff Yurek:** A petition to the Legislative Assembly of Ontario:

"Whereas Solray Energy Corp. has given notice of its proposal for a class 3 solar power facility known as Epsom Solar Farm to be located in the township of Scugog; and

"Whereas the site is on prime farmland that has been in production for many generations; and

"Whereas we consider productive farmland to be of vital importance to farm and rural communities by providing healthy, locally grown food and ensuring the sustainability of Canada's food supply; and

"Whereas class 1 to 5 farmland and land that is zoned rural or agricultural should be protected from the current proposal and similar projects that may be considered in the future; and

"Whereas other sites of less value to agriculture are a better location for solar power developments;

"Therefore we, the undersigned, petition the Ontario Legislature not to allow large, industrial solar farms on prime agricultural land, and we further express our support for giving local communities, through their elected municipal councils, the power to control and approve large-scale renewable energy developments."

Mr. Speaker, I agree to this petition and affix my signature to it, and I will give it to Grace to take down to the table.

### CORRECTION OF RECORD

**Mr. Jeff Leal:** On a point of order, Mr. Speaker: Earlier today when I introduced one of my petitions, I said "Stoney Lake." I should have said "Buckhorn Lake." They run into each other. I wanted to make sure that I got the geography absolutely precise with this petition.

And I want to acknowledge that Mike Colle had a birthday on February 1. I know we're a month late but, Mike, happy birthday.

### MEMBER FOR OTTAWA CENTRE

**Hon. Glen R. Murray:** On a point of order, Mr. Speaker: I think it would be disorderly not to recognize the fact that our friend from Ottawa Centre was recently married to Christine, and I would like to congratulate him and thank him for the extraordinary efforts he's made to advance marriage for all Ontarians. Thank you.

## VISITORS

**Mr. Mike Colle:** On a point of order, Mr. Speaker: I know that the member from Durham would like to know that we have a very special school here from my riding. Bais Bracha elementary school is here with their teacher. I would like to welcome them to the Legislature and say, shalom and welcome to Queen's Park.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member knows that's not a point of order, but we'll carry on with business.

## COMMITTEE WITNESSES

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Willowdale has given notice of his intention to raise a point of privilege concerning statements he claims were made by the members for Newmarket–Aurora and Nickel Belt at a press conference in the Legislature's media studio earlier today.

I'm prepared to rule on the point of privilege without hearing further from the member for Willowdale, as standing order 21(d) permits me to do.

The member alleges that certain statements made during the press conference could serve to raise doubt and uncertainty in the minds of potential witnesses before legislative committees, resulting in a possible unwillingness of witnesses to offer their testimony and thereby undermining the full effectiveness of our committee system.

While there may exist a difference of opinion between him and other members about the nature and extent of protections available to witnesses of parliamentary committees, I cannot find a head of privilege that has been offended. The member's disagreement with the statement of certain other members does not rise to the level of a prima facie case of privilege or contempt.

What the member raised is, in fact, a good subject of debate which, coincidentally, is set down for a segment of this afternoon's consideration of private members' public business. I suggest that it will be a better and appropriate forum for the member for Willowdale to make his case to the House at that time.

PRIVATE MEMBERS'  
PUBLIC BUSINESS

## COMMITTEE WITNESSES

**Ms. Sylvia Jones:** I move that, in the opinion of this House, the Standing Committee on the Legislative Assembly should, as part of the Standing Orders study, consider the necessity of amendments to the Standing Orders or Legislative Assembly Act that would extend the protections, immunities, rights and remedies of witnesses and participants in public inquiries to witnesses and participants in committee hearings, including any witness or participant subject to a confidentiality agree-

ment who has information that is in the public interest for the committee to receive.

**The Deputy Speaker (Mr. Bas Balkissoon):** Ms. Jones has moved private members' notice of motion number 11. Pursuant to standing order 98, the member has 12 minutes for her presentation.

**Ms. Sylvia Jones:** Thank you, Speaker. It was a wordy resolution, but it's an important issue. I rise today to debate an important motion and an issue that I feel very strongly about, and one that has come to the fore because of the recent actions at Ornge, and before that, eHealth, and before that, the OLG. That is, of course, the need to protect whistle-blowers.

My motion is designed to ensure that when people do the right thing and come forward with information that is in the public interest, this House does the right thing and guarantees their protection from future persecution.

I wanted to bring forward this motion today because of the many issues that it seems have been happening almost daily and that continue to happen at Ornge, including, I might add, \$25 million that is still unaccounted for.

Speaker, it takes guts to come forward and voice concerns about superiors' misdeeds. It takes guts to do what is right, even when you're told you could suffer greatly by doing so. When scandalous activity occurs, those who are party to it will always attempt to silence those who witness it. It falls on this House to ensure that those who do the right thing are protected.

Under the excellent leadership of our colleague from Newmarket–Aurora, we have been raising question after question about the issues that are happening at Ornge. Speaker, many of the terrible stories of wasted money and wasted resources have come from former employees who left in disgust when there were concerns raised and they were ignored by management at Ornge and the Ministry of Health.

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It is the responsibility of every member here to stand up for the brave whistle-blowers and ensure that the House is on the side of truth, not convenience. This is especially true when it comes to public service. Every employee must feel free to stand up and voice their concerns without fear of repercussion or punishment, particularly when there's a scandal that significantly warrants the full attention of the public. Indeed, I think the questions in this chamber over the last number of weeks prove the importance of this matter.

The situation at the province's air ambulance service, Ornge, has deteriorated tremendously. To say that the agency is mired in scandal would be an understatement. Speaker, the agency has become the epitome of scandal and incompetence, and this is in spite of the exceptional pilots, excellent nurses and all of the other dedicated front-line employees at the agency.

We've all heard about the dubious web of for-profit entities created by the former president of Ornge. We've all heard about the alleged financial impropriety of such enterprises. We've all heard of the unprofessional and

inappropriate way the agency was run by its senior leaders. And worst of all, we all know about the serious and frankly tragic patient safety issues at Ornge.

Questions have been raised in this chamber every single day since the House resumed sitting, as it should be, yet it seems that every day, fewer and fewer questions are being answered by the government. Speaker, both parties in opposition have diligently questioned the minister on Ornge, and both parties have received virtually the same non-answer to every question. Therefore, it stands to reason that there are only two possible explanations for this continued course on the part of the minister. Either she is utterly out of her depth and is therefore unable to answer any of the perfectly clear questions posed by the opposition benches, or the minister is intentionally avoiding answering the questions. Whichever it is, I suppose only the minister knows. However, I do know that the answers provided by the minister on this issue are simply insufficient. They do not satisfy the Ontario taxpayers whose money was carelessly jeopardized. They do not satisfy the front-line workers at Ornge, who were left at the mercy of incompetent management for far too many years. And they most definitely do not satisfy the people whose well-being and, in some cases, lives depended on the air ambulance service.

Speaker, while it remains unclear if the minister really understands the gravity of this situation, what is clear is the need for answers surrounding Ornge. This is why, earlier today, the NDP health critic and the PC member for Newmarket–Aurora called for a select committee to be formed to investigate the Ornge fiasco and get the truth for the people of Ontario.

Former House of Commons Speaker Peter Milliken's Afghan papers ruling demonstrated that parliamentary privilege is an important convention in holding the executive to account. A select committee would review the history and operations at Ornge and report back to the Legislature with recommendations, thus upholding this standard.

Speaker, my experience at the Select Committee on Mental Health and Addictions showed me how effective select committees can be in analyzing complex issues and bringing forward recommendations. Committees have the ability to drill down and get to the bottom of a problem and come up with solutions. More importantly, a committee would provide a forum for people to voice their concerns and raise awareness about the troubling happenings at Ornge.

Speaker, I want to, for the record, submit that I personally do not believe the minister willingly authorized the disgraceful misconduct at Ornge. I do, however, believe that as minister she must be held accountable for the actions at Ornge and lack of oversight provided by her ministry.

It has now become painfully obvious to every member in the House and every resident of this province that such misconduct did occur, and we, members of the Legis-

lature, have a responsibility to provide Ontarians with answers.

I believe that a select committee is the best way to ensure that the full extent of misconduct at Ornge is both determined and documented. I believe that for the select committee to do their job, witnesses will want assurances that the information they share with the members of the committee will not put them in jeopardy. My motion would give witnesses the comfort they need to make sure that their doing their civic duty does not mean that Ornge can prosecute them.

It is very important that the witnesses who testify to the committee have their livelihoods protected. Indeed, it pains me to say that their very freedom needs protection as well, because as recently as last week, the employees at Ornge have been told by the agency's interim boss that they could go to jail if they continue revealing the problems at the agency. Is it coincidence or a bad case of irony that the very people who sounded the alarm at Ornge are now being told to stop talking by the very man the government appointed to fix the agency? I certainly hope that all members would understand the importance of encouraging people to speak out about wrongdoing, not threatening them with jail time.

Given the severity of the recent revelations at Ornge, I think it's safe to make two logical assumptions: first, that if there are more unreported incidents of misconduct at Ornge, they are probably of an equally disturbing severity; second, that due to the severe nature of such instances, there is most likely pressure on those who could inform the public to remain silent. That is why we, as legislators, must move to establish very strict, very strong and very clear protections for witnesses so that we make very certain that those with crucial information have no reason to fear bringing it forward. Moreover, every action must be taken to ensure that every possible misdeed at Ornge is brought to light, fully investigated and ultimately answered for.

A number of the misdeeds at Ornge have been discussed at length, but I feel it is appropriate to cite the following specifically, as they have all been brought to the public's attention by employees or former employees of the service who were brave enough to blow the whistle on this misconduct.

In one instance, an Ornge helicopter was sent to the wrong hospital and, due to a three-hour delay, as a result, the patient had then needed to be transported to the US.

At one point, one helicopter was inbound to Toronto and attempted to establish communication with the helipad but was told to call back because a shift change was taking place. Shame, Speaker. A helicopter—

**Mr. Bob Delaney:** On a point of order, Mr. Speaker: I respect the freedom of the member from Dufferin–Caledon to speak about her private members' resolution today—and indeed her resolution sets out a general principle I wish she would address in her remarks, because I think the general principle deserves debate—but I point out to you, Speaker, that pursuant to standing order 23(b), she is not in fact discussing her resolution but is discussing a specific instance.

**The Deputy Speaker (Mr. Bas Balkissoon):** I don't believe that's a point of order.

The member from Caledon.

**Ms. Sylvia Jones:** You have to put it in context, so keep listening.

At one point, a helicopter was inbound to Toronto and attempted to establish communication with a helipad but was told to call back because a shift change was taking place. It's shameful, Speaker. A helicopter was sent to a helipad that had a NOTAM—and for non-pilots in the room, a NOTAM is a “note to airman”—saying that the helipad was closed and the lights were out. One helicopter captain requested instructions from the Ornge communications centre, and they replied that they had no idea he had a patient because they had no idea the helicopter was even out of the hangar.

There was one occasion where the crew of an air ambulance and the patient in their care were sent to the totally wrong hospital.

Through it all, the front-line employees at the service continued to try to carry out their duties admirably.

The reason I mention these few occurrences—and there are many more—is because it demonstrates the indispensable value of the whistle-blowers who brought these misdeeds to light. For if the inept management at Ornge had been more successful—and thank goodness they weren't—in their attempts to silence these whistle-blowers, these acts would have almost certainly gone unreported.

You see, one of the many tragedies in this sorry affair is that an agency whose reputation should be defined by the dedicated service of its employees has now instead begun to be defined by the scandalous dealings of its appointed managers. It should come as no surprise then, Speaker, that the very same people who serve at Ornge, day in and day out, are the ones who decided enough was enough. They decided something had to be done. They decided to stand up for the people they serve, the people of Ontario, and voice their concerns with the very serious misdeeds at Ornge.

The employees and former employees at Ornge who have spoken about the gross misconduct need to be protected, and my motion would do that. I would hope that we would have the support of all members of this House to ensure that we can continue.

1350

*Applause.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. Order. Could I have everybody sitting?

Further debate?

**Mr. Gilles Bisson:** I rise in support, along with our caucus, on this particular motion, but I want to not so much set the record straight but make sure that witnesses out there understand: There is some protection when it comes to the ability for witnesses to come forward now. I think what the member is trying to put forward is that we clarify, in some way, our standing orders so there's no ambiguity; so that it's clear and it's transparent and people understand what the rule is.

So let me try to work my way through this in the 12 minutes that I have. What the member is essentially asking is that if a committee was to call a witness, or a person decided on their own volition to come to committee in order to depute whatever their evidence is that they want to give us on any matter, there would be no way that, one, the information that is being supplied to the committee could be used against them in court; and two, that their employer could take reprisals for them having gone and blown the whistle, as they say.

I just want to go through these two things and talk about the current protections that we have under our standing orders and the Legislative Assembly Act and under the precedents, because currently the public does have that right. But I think what the member is trying to get at: We need to clarify it so that in the end, there's no grey area.

First of all, under standing order 21, it says, “Privileges are the rights enjoyed”—

*Interjection.*

**Mr. Gilles Bisson:** Just let me explain, please.

**The Deputy Speaker (Mr. Bas Balkissoon):** Order.

**Mr. Gilles Bisson:** If you want to participate, Minister, you will have a chance.

Under standing order 21, it says, “Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom.”

Let's go to the Legislative Assembly Act, because it refers to it. What it says there is:

“Privilege....

“A member of the assembly is not liable to any civil action or prosecution, arrest, imprisonment or damages, by reason of any matter or thing the member brought by petition, bill, resolution, motion or otherwise, or said before the assembly or a committee thereof,” and it gives you the statute.

I think what the member is getting at is that, although this does confer that the witness before the committee has the same privilege and the same protection, it doesn't explicitly say it. I think what the member is trying to get at is: How are we able to make sure that what is a convention is properly reflected in the standing orders and in the Legislative Assembly Act?

Here's the scenario: We know that, under what's happened so far with Ornge, there have been people who have been calling our offices in the opposition—and I've got to believe they're also calling government members as well—in regard to talking about what has happened under Ornge. I don't want to get into the debate of Ornge, but the point is, people are afraid to give their names because they say, “If I say my name is John Smith or Mary Smith and somebody finds out, (a) I'm going to get in trouble with my boss and I might lose my job; and (b) there may be a question that if I put something in writing and give it to you and it's found to be not quite factual, or maybe I've got the facts maybe a little bit wrong, that could be used against me in a civil or criminal action.”

I think people—rightfully so—fear that. But I want to say to those people who are watching this particular debate now: Our standing orders, the Legislative Assembly Act and the precedents actually do give you protection. I think what the member is trying to do, and I applaud her for that, is to make it completely transparent, because if I was a member of the public and I was to read what it says in the Legislative Assembly Act—it speaks about members of the assembly. But we understand, and I understand—all of us in this assembly, hopefully—that the rights conferred upon us as members are not just about us as members; it's about the assembly; it's about Parliament. It's in order to give Parliament the ability to do its job.

How could we, as members of a committee, being able to call the public to the bar, as we have the right to do here in the assembly, be able to do our jobs if we couldn't call the public to give testimony at committee, and worry that the person says something, he can be taken to court, and there would be some action taken against him? It would be impossible for a committee structure to function. That's why the British parliamentary system, over the years, adopted rules and adopted precedent that essentially says the rights conferred on members are the rights also conferred on Parliament, meaning to say that if a person comes and gives testimony in one of our committee structures or at the bar of the Legislature, they are also able to enjoy the same privilege that we have.

But what the member, I think, is saying is that we need to make that clearer because if you're the whistleblower wherever in Ontario, if you want to pick up the phone and blow the whistle on wrongdoing or you want to come to a committee to give testimony, people only believe what they see in black and white. They don't quite understand the nuances of law. If they read the law and it says "members," well, it tends to indicate that the public may be omitted.

I think it's a very fair point the member makes in being able to clarify that the rights enjoyed by the members of the assembly are also the rights enjoyed by the general public.

I want to go on to great reading that all members should do. They should all get the latest edition, 2009, of the House of Commons Procedure and Practice, some of the best bedtime reading you can get if you want to fall asleep. I assure you that reading a couple pages of this will do a very good job if you're an insomniac, which I am. So here we go. Page 93 of the precedent reads as follows:

"Importance of freedom of speech.

"Freedom of speech permits members to speak freely in the chamber during a sitting or in committees during meetings while enjoying complete immunity from prosecution or civil liability for any comment they might make."

This is the point. The public wants to know that they have the same. They want to know that, when they come to our committees, that particular privilege that's given to

the assembly or Parliament, as it's also referred to federally, they are able to enjoy the same privilege. My understanding is they do, but if I read that, it talks about members, and again we need to clarify so that people understand that this also applies to the public.

It goes on to say: "This freedom is essential for the effective working of the House. Under it, members are able to make statements or allegations about outside bodies or persons"—right? We can talk about various individuals out there—"which they may hesitate to make without the protection of privilege." We as members enjoy that right. You can stand in the House and say, "I understand that so-and-so profited from such-and-such a thing." If I went outside the House and said that, then I'm open to prosecution, depending on if the person wants to take on a court case. But if I say that in the House or I say it in committee, I am, as a member, protected from being prosecuted and sued as a result of what I've said in the chamber or within the precinct of the assembly.

It goes on to say, "Though this is often criticized, the freedom to make allegations which the member genuinely believes at the time to be true"—and this is the case in the case of Ornge. We're not making this stuff up. I'm sure if the government was in opposition and it was the NDP or the Conservatives in government, they would be making the same allegations. I've been in this House long enough to know that is the case. But it goes on to say, "or at least worthy of investigation, is fundamental." So they're saying it is a fundamental right of Parliament for members to be able to stand to hold a government to task and ask those questions.

What the member is saying is that the public should have the same right or understand that it has the same right if they appear before a committee. If an employee of Ornge happens to come before the select committee that we're proposing, that person in the public would know that if they sit at committee, and they give evidence, they're not going to be prosecuted by a lawyer and that, in the end, they're not going to be fired by the employer.

"The House of Commons could not work effectively unless its members were able to speak and criticize without having to account to any outside body. There would be no freedom of speech"—and that's important—"There would be no freedom of speech if everything had to be proven true before it was uttered."

So yes, the public has to have the same rights. The public has to have the right to say, "Here's what I know. Here's what I saw. Here's what I heard," to come to a committee and put it before us. It may be, as we say, the gospel truth. It may be close to the truth. Who knows? But it'll be up to the committee to decide, based on the evidence, how much of that evidence we can take as fact and how to act upon it when it comes to a decision in the committee.

**1400**

It goes on to say, "There would be no freedom of speech if everything had to be proven true before it were uttered. In ruling on a question of privilege in 1984,

Speaker Bosley affirmed that ‘the privilege of a Member of Parliament when speaking in the House or in a committee is absolute, and that it would be very difficult to find that any statement made under the cloak of parliamentary privilege constituted a violation of that privilege.’

“This right is also extended to individuals who appear before the House”—and this is the point that I make: The public has this already, our precedents, but who out there owns a copy of this book? Who in here owns a copy of this book? I’ve got three. I’ve got one in my home, I’ve got one in my apartment and I’ve got one here. As I told you, I am really, really an insomniac, and I love reading this stuff.

But the point is this: Our standing orders don’t say that. The standing orders and the Legislative Assembly Act speak about members, but it’s clear that the precedent—and I’m saying this for a reason. I don’t want the public to fear, if they appear before a committee now, that they’re going to be prosecuted. You do have that right, but we want to make sure that it’s crystal clear.

Let me read again: “This right is also extended to individuals who appear before the House or its committees in order to encourage truthful and complete disclosure, without fear of reprisal or other adverse actions as a result of their testimony.”

This is what we’re asking for. We want the public to be free to come and hold us accountable and the decisions of their government or this assembly, and they should have the freedom to be able to do so and explicitly understand that they are covered by our rules of parliamentary privilege. But again—

**Hon. James J. Bradley:** Well, they are.

**Mr. Gilles Bisson:** I agree with you, Mr. House Leader of the government. I agree with you. The problem is, it doesn’t explicitly say that in the Legislative Assembly Act nor in the standing orders, but it is conferred and it says that exactly, under precedent.

I think what the member is trying to do is move what’s in precedent and put it as part of the Legislative Assembly Act or the standing orders.

I just want to finish, and I’ve only got a couple of seconds.

It goes on to say, “In 2005, the Federal Court of Appeal ruled that the testimony of parliamentary witnesses fell within the scope of parliamentary privilege because it is necessary for the functioning of Parliament for three reasons: ‘to encourage witnesses to speak openly before the Parliamentary committee,’” and to allow committees to function.

This has also been held up in the courts, so what we’re trying to do here is take what is the practice, and take the practice and put it into our standing orders so that it’s clear to the public.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. David Zimmer:** It’s my privilege to speak to this important matter.

Let me first say, by way of introduction, that when committees are sitting, members have all the protections that we’ve heard about. Citizens and other non-members who appear in front of those committees share and have the same protections that members do. I want to speak about just what those protections are and how they’re effective.

But first, just let me refer to the ballot item and quote from a section of it.

It goes on to say that the ballot wants to “consider the necessity of amendments to the standing orders or Legislative Assembly Act that would extend the protections, immunities, rights, and remedies of witnesses and participants in public inquiries to witnesses....”

The operative word there is to “extend” the rights. But Speaker, those rights already exist. They exist; they’re set out in the standing orders. Then the courts have expanded and commented on just what those rights are.

In addition to the courts expanding on what those rights are and confirming what those rights are, there are a number of distinguished academic parliamentarian and legal writers who have also commented on what those rights mean and how they extend to non-MPPs, or non-MPs, in the federal parliamentary sense.

So let me just walk the House through three or four of the authorities.

The groundwork authority is set out by Joseph Maingot in *Parliamentary Privilege in Canada: Second Edition*. He says this: “... witnesses, petitioners, and others who take part in proceedings of Parliament are protected from”—he lists several things here—“molestation, threats, or legal proceedings on account of what they may have said or done in either House or a committee thereof.”

Let me just parse that for a second. What that tells us is that a witness before a committee has got protection from any fallout from anything that he says in front of the committee. It’s protection from legal proceedings—for instance, libel, slander and that sort of thing—based on anything he said in front of the committee.

But it also goes further and says that that witness has protection from molestation—harassment, if you will—after he or she leaves the committee, and threats of various sorts, for instance, a threat of dismissal: “You’ve been before the committee, and you’ve said things. I’m your boss, and I don’t like what you said. You’re fired.” That’s molestation and threat. It’s broader than just protection from being sued in the courts for something you may have said in the committee. So that’s the underlying principle.

The author then goes on to say: “Under these circumstances, witnesses, counsel and petitioners have ... the same privileges as the member”—things that have gone on before the committee. The important point here—because the member from Timmins–James Bay has implied that the protections are only from legal proceedings that may arise out of something you’ve said—is that it’s much broader than that. It covers the situation that, frankly, an employee might be concerned about: “Well, I’m

not going to get sued, but I'm going to get fired"; "I'm not going to get sued, but I'm going to get harassed at work"; "I'm not going to get sued, but I'm going to get a transfer in my job and I'm going to be sent to some godawful place to work for the next three or four years." That's molestation and threats. So it's a broad protection, not just this narrow legal protection that the member from James Bay said.

That issue eventually came before the courts. The Federal Court of Canada, in a 2007 decision called *George v. the Attorney General of Canada*, talking about the extent of this privilege, if you will, said:

"First, although witnesses before a parliamentary committee are not members of Parliament, they are not strangers to the House either. Rather they are guests who are afforded parliamentary privilege because, as with members, the privilege is necessary to ensure that they are able to speak openly, free from fear that their words will be used against them in subsequent proceedings.

"Second, without the power to protect witnesses, Parliament's investigative function would be seriously compromised, because witnesses would be less forthcoming."

Another textbook that comments on this is Arthur Beauchesne, in his *Rules and Forms of the House of Commons of Canada*. Again, he makes the point: "Every witness attending before the House or any committee thereof may claim the protection of the House in respect to evidence given."

Another text, Lee, *The Power of Parliamentary Houses to send for Persons, Papers and Records*—there was some issue that had developed about just what the authority or the power of the committee was to compel people and to get documents and records and so on: "It should be remembered that parliamentary privilege protecting witnesses is not a privilege of the witness but of the House, in that evidence given by witnesses forms part of the proceeding of Parliament," and those protections go way back to the English Bill of Rights, 1689.

So the member's motion is really redundant in the sense that what the motion is asking for is already clearly set out in the rules; it's clearly set out in the case law; it's clearly set out in all of the commentary supporting the case law. The key point here is that anybody who appears in front of a committee is protected on two broad fronts: from any formal, technical, legal proceedings that someone may institute against them because of what they said at the committee; and on a more general level, on a more comprehensive level, they're protected from molestation and threats and harassment because of anything they said. That's something broader than just protections from legal suits, but it's intended to protect people from, as I said earlier, threats, harassment, getting fired, getting a different sort of job that you don't like. So those protections are already in there; the motion is redundant.

1410

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Rob Leone:** I want to congratulate the member for Dufferin–Caledon for her motion. I think it's a very

important motion. I'm going to support it wholeheartedly, and I would ask the members of this House to do the same thing.

One of the words that we hear often from that side of the House, Mr. Speaker, is the word "balance." Several months ago, earlier in this session, the NDP proposed a motion to roll back the corporate tax cuts; on the government side, they voted against it. Yesterday, when our Leader of the Opposition proposed a motion to keep the plan for corporate tax cuts, the government decided to vote against that, too. I'm not sure how that strikes anyone as having any semblance of balance. To me, it's more on the verge of teetering on the side of chaos.

We don't know where that side stands, and I think the same thing can apply to what we're talking about in this case. They want to get to the bottom of a scandal at Ornge—right to the bottom—and they know how to dig their holes. We have a \$16-billion deficit. We haven't even uncovered the scope of what's happening at Ornge. So they say that on the one hand, but on the other hand, they're not going to support a motion—potentially not support a motion—that would ask and protect the very people who allow them to get to the bottom of this problem. I find that very strange, Mr. Speaker. I'm not sure why they wouldn't support a motion that actually helps them get toward their desired goal.

I kind of have an answer to that question. I know one of the famous Liberal heroes on that side of the House is former Prime Minister Mackenzie King. When asked about why and how successful he was in politics, he told the interested biographer that he never let his left hand know what his right hand was doing, if you believe that, Mr. Speaker. They don't understand what this left hand is doing because they're not understanding what this right hand is doing. Well, that's pretty interesting. It's about either keeping people informed, which is what they say on the one hand, but not allowing us to get that information on the other. It's the key to the Liberals' success. I think I've just uncovered it and I think what happens inevitably is that Ontarians suffer.

The member for Willowdale says that members of the public who appear before committees have an implicit protection when they speak at committees. The member for Dufferin–Caledon's motion is asking for an explicit protection—explicit in the sense that when a member of the public comes before the committee, they are secure and they are protected from any information that they're willing to provide to members of this House in that committee and members in this House.

So my question is, why wouldn't you support that? It's just codifying, in essence, what already exists, according to the member from Willowdale. Frankly, people would be much more open to coming forward if they felt more secure from being punished.

I also want to quote some words from Shaun Young, who did some work on whistle-blowing. He suggests that, "At its root, the act of whistle-blowing is concerned with responsibility and accountability"—and it italicizes those two things—"with ensuring that those charged with

acting on behalf of the best interests of others do so, and that their failure to satisfy effectively that duty will generate negative consequences for them.”

He then goes on to quote Fred Alford, who defines a whistle-blower as “anyone who speaks out in the name of the public good within ... [an] organization.”

Young continues: “More precisely, ‘whistle-blowing’ is typically understood to refer to the act of disclosing information about a ‘wrongdoing’ to someone who can help ensure that the wrongdoing ceases and that its perpetrator is held accountable for his or her action(s).”

Mr. Speaker, that’s what members on this side of the House want. They want to hold the perpetrators to account so that we can hold them responsible for what they’ve done if any wrongdoing does in fact exist.

Thank you, Mr. Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate? The member from Mississauga–Streetsville.

**Mr. Bob Delaney:** Thank you very much, Speaker. I’m pleased to join this. I want first of all to thank my colleague the member for Willowdale, a very esteemed lawyer in his own right, who I think, more than anyone else, actually spoke to the subject of today’s resolution. I also want to acknowledge the contribution of my colleague from Timmins–James Bay, and if he has got three of those books, perhaps we should put in a collection and buy him a television.

A moment ago, my colleague from Cambridge suggested that this motion would make explicit that which is implicit. I would just like to, in response to that, say, how much more explicit do you want?

Let me quote again from Joseph Maingot’s *Parliamentary Privilege in Canada*, Second Edition: “... witnesses, petitioners, and others who take part in proceedings of Parliament are protected from molestation, threats, or legal proceedings on account of what they may have said or done in either House or a committee thereof.”

“Under these circumstances, witnesses, counsel and petitioners have much the same privileges as the member because they are both required to attend.”

Again, to quote from Arthur Beauchesne’s *Rules and Forms of the House of Commons of Canada*: “Every witness attending before the House or any committee thereof may claim the protection of the House in respect of the evidence to be given.” If that’s not explicit, please, someone, tell me what is.

Now, the member for Dufferin–Caledon, in her resolution, about which she didn’t talk a great deal, raises a subject that I think properly belongs before the Standing Committee on the Legislative Assembly and a duly constituted motion to review the standing orders. She is of course welcome to raise it here, but in the normal course of the Standing Committee on the Legislative Assembly, she could, as has been done in the past, raise it during the process of a standing committee meeting. She has herself served on the Standing Committee on the Legislative Assembly and arguably ought to know about it.

The resolution in and of itself is simply incorrect. It really restates the status quo. Indeed, witnesses appearing before all Ontario legislative committees are fully protected against any threats or legal proceedings that might be started on the basis of evidence that they give at a committee. The Canadian Constitution says it and so do centuries of parliamentary precedent and tradition.

We recognize her freedom to bring it up. We also recognize the fact that, as the member from Willowdale said, while she’s welcome to bring it up, it is in fact redundant. The members are of course free to support it or oppose it. What the opinion of the House is on a matter that represents the status quo anyway—that represents the way business is done—I’m sure will be instructive to the member but, I put it to her, is unlikely to change much if it serves to reinforce for her, or for anyone else planning to appear before a standing committee, that the evidence or statements you give before a standing committee or a select committee are completely covered by privilege. Then perhaps the member has done a service.

Thank you very much, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. The member for Dufferin–Caledon—

**Ms. Sylvia Jones:** We still have time.

**The Deputy Speaker (Mr. Bas Balkissoon):** You still have time? Okay, sorry.

Further debate? The member from Northumberland–Quinte West.

**Mr. Rob E. Milligan:** Thank you, Mr. Speaker. I’m pleased to join in the debate today and speak in favour of the resolution offered by my colleague the member for Dufferin–Caledon.

Maybe the root of the problem is that government has become too big, too complex and too unwieldy, and has general disrespect for taxpayers and their money.

**1420**

Mr. Speaker, as a highly respected EMS technician in my riding put it just yesterday, “Ornge is only one colour in the rainbow of Ministry of Health and Long-Term Care of waste, mismanagement and abuse of public trust.”

I would love to credit this conscientious paramedic by name, but his efforts to promote a safe workplace, due care for patients and respect for the taxpayers’ purse have consistently been met by management opposition and harassment. This paramedic is proof, if ever it were needed, of the requirement for whistle-blower protection for anyone with information on waste, inefficiency or flawed decision-making within the broadest possible definition of the public sector and in any forum, including committee hearings here at Queen’s Park.

This paramedic has supplied an unbelievably long list of examples of waste and mismanagement within the Ornge air ambulance and land-based ambulance services. Here’s just a sample of the specific items he can substantiate: redundant retraining programs that have wasted over \$100 million in the past eight years; the consistent practice of having EMS services buying new vehicles

and, within two years, quietly transferring those vehicles to other county departments and buying another new fleet of essential ambulances; and ambulances that have been subject to unnecessary expenses, such as an ambulance in the riding of the member from Peterborough that was repainted with a mural of the Kawartha Lakes on the rear doors.

But these pale in comparison to many of the other examples he has brought to me. In one inspection of the drugs on board an ambulance, he discovered that virtually every drug had either passed its expiry date or had been exposed to excessively high or low temperatures. What a sobering state of affairs. And I haven't even touched on his comments related to Ornge.

I ask the Premier to do the honourable thing and ask the current Minister of Health to resign in order to permit a thorough, objective investigation of Ornge and other operations within her ministry. The very lives of Ontario citizens depend on rooting out our systemic defects in the management of resources in this essential ministry, and I can only hope that when they put partisanship aside, the Liberals recognize that their responsibilities as MPPs demand the creation of a select committee on health care management to determine, once and for all, how we can collectively make the health care system more efficient and better. The only way we can expect those with detailed knowledge of the system to participate is to promise them complete protection from recriminations and harassment.

People like the paramedic in my riding want to help. They want to be part of the solution. I call on all members of this Legislature to ensure that there are no barriers to finding the truth and rooting out all waste in the health care system.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Jeff Yurek:** I will be quick—to have the member from Durham to speak. I do support the motion from our colleague from Dufferin–Caledon.

The government's handling of the Ornge scandal and the culture of intimidation that has developed shows me how important this motion is to get to the truth. The member from Newmarket–Aurora has already brought to our attention that this new management installed at Ornge by the Minister of Health has told whistle-blowers to stop talking or risk going to jail. Although the new management has recanted, I can imagine the culture of intimidation that continues to discourage current and past employees from coming forward to tell the truth. We need to have the ability to find out the answers as to what really went on at Ornge so that we can hold those accountable and so that the staff at Ornge can begin to develop trust within their own organization. The first step is to put in place protection from reprisals for these people coming forward with information.

We need to have these provisions in place so that the Ornge scandal, and the other scandals that will come up during this government's tenure, will be there to protect those who want to come forward and bring out the truth.

Speaker, our own Ombudsman, André Marin, has said a few things about whistle-blowing: “And let's be clear, the fact that information might embarrass government—for example, in cases of ill-advised conduct or spending—should never be seen as a legitimate reason for keeping it secret.” Lastly, he says, “In my own work as the Ontario Ombudsman, whistle-lowers have served as a source of crucial information in many of the systemic investigations we have conducted.” These words speak to the importance of this motion.

Speaker, I support this motion so that protections are put in place for those who want to come forward and help us uncover the truth about the Ornge scandal and other scandals that have put the lives of Ontarians at risk.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. John O'Toole:** I too will be standing in support of the motion by the member from Dufferin–Caledon.

I think it's best to sort of summarize here by saying that even the senior public servant Ron McKerlie at Ornge said recently in a public meeting, “If any of you leak information, you can be held criminally liable for obstructing a criminal investigation.” This kind of muzzling, right from the leadership, is quite frightening.

This is why I support this motion. All of us, on all sides, use these terms rather casually: accountability, openness, transparency. But really this is a litany of evidence that this current government—for instance, they've known about the \$25 million that's unaccounted for; a \$1.2-million interest-free loan to the CEO, Chris Mazza, who's now fired; the numbered company Chris Mazza is still a member of, not disclosed without questioning from Frank Klees; illegitimate procurement methods; helicopters which aren't permitted to fly in US space; a mysterious \$6.7-million payout to Ornge for a profit company; EMBA's paid for by people who should be at work. The company is telling people they're afraid of reprisals.

This is the climate of openness that we have in the McGuinty government, and it comes after three or four other similar events, one more recently: eHealth. Even the Auditor General has cautioned us to be wary. Don Drummond has basically said the same thing. The Auditor General has said the same thing.

I would expect members on the government side would support Ms. Jones's motion—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. The member for Dufferin–Caledon, you have two minutes to reply.

**Ms. Sylvia Jones:** Thank you to the NDP member from Timmins–James Bay; I really appreciated your comments.

I want to go back to the member's comments about no grey area. We've had ethical Ornge employees who have quit in disgust and were forced to sign confidentiality agreements. We have an opportunity with this resolution that we can send a very clear message that we want to hear those voices, we want to hear those stories and we

want to get to the bottom of what has been happening and continues to happen at Ornge.

With this resolution, we can send that clear message. It is disturbing that while the members who chose to speak from the Liberal Party have sent a message that we don't need it, clearly we do. We have someone who sent an email, very shortly after the article appeared in the Star, that said, "Given the article in the Star, I'm reluctant to come to Queen's Park to meet." Clearly there are people who need to tell their story, who want to share what has been happening at Ornge and feel that they are muzzled and cannot do that.

We have an opportunity with this resolution to bring that forward and to ensure that it is clearly set out in the standing orders and the Legislative Assembly Act. I quite frankly don't understand what you're afraid of. If you believe that that protection is there, then enshrine it in the standing orders. Make sure it's standing in there in the Legislative Assembly Act so that we can show the people who need to have the voices heard and need to have those stories shared, and have the confidence that they may come forward and not be persecuted—or further persecuted, I would add.

As I say, it's unfortunate that it seems the Liberals are going to go on the side of intimidation when we could be opening this up and ensuring their voices can be heard.

**The Deputy Speaker (Mr. Bas Balkissoon):** We will take the vote at the end of private members' business.

#### NORTHERN ONTARIO

**Mr. John Vanthof:** I move that, in the opinion of this House, a committee of the Legislative Assembly, with authority to meet at the call of the Chair, should be established as follows;

That the membership of the committee be comprised of every member of the Legislative Assembly whose electoral district lies north of the French River; and

That the committee be empowered to consider and report to the House its observations, opinions and recommendations on all policies and legislation of the province that directly impact northern Ontario; and

To which any bills whose principal focus and impact affect northern Ontario may be referred.

1430

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Vanthof has moved private member's notice of motion number 9. Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. John Vanthof:** Thank you, Speaker. Northern Ontario: 6% of the population and 90% of the land mass. One of the places you can appreciate that, in the rest of the province, is on the big map on the east side doors. That's one of the few places outside of northern Ontario you can actually appreciate it, because when you use a road map, it's a different scale. And that's an important point to remember.

A few weeks ago, I was at a hockey game, on a Friday night. The New Liskeard Cubs lost to the Nickel City

Sons. But I was speaking to Terry Willard. Terry's the owner of a local bus line. He survived. But when they changed the bus procurement rules, what you are fighting now in the south, they didn't bother with a study or a moratorium. We found out about the moratorium after we lost all the bus lines. And there's a big difference there. On that one, we were like the canary in the coal mine, the big 48-seat canary.

Terry talked to me a long time about that, and as our conversation ended, Terry said, "You know, John, when are we going to do it?" And I said, "Do what?" He said, "Separate, before they kill our way of life."

Now, Terry is not a separatist. He's a Canadian. He's a proud Canadian. He's a father, a businessman, a community volunteer, but he's frustrated. He's more than frustrated; he's alienated, like many of us. And there's a big difference, because being frustrated and disagreeing with government policies—you know what? That's part of democracy. We don't always agree on the same things. That's part of democracy. But the difference between frustrated and alienated is when, deep down, you don't believe that you have any impact, any possible impact on government policy; when you, deep down, don't believe that you matter. That's the problem that a lot of us face in northern Ontario.

The first time I felt it personally: Probably some of you were in this House when we fought Adams mine, and in this House, the Adams Mine Lake Act was passed. There was a huge fight. It split my riding completely in two, and those scars are still there. But you know what? That was democracy. It was a bit dirty at times, but it was democracy.

Now I know, Speaker—I'm new here, I'm still learning, but now I know that between the second and third reading, you have a hearing where you're supposed to hear the people's views. Perfect. For the Adams Mine Lake Act, which was the name of it, the closest hearing—there were two hearings, actually: one in Windsor and one in Milton, seven hours away from the Adams mine. That was when the people on both sides—

**Interjection:** Did they Skype?

**Mr. John Vanthof:** There was no Skype.

The people on both sides, for and against the Adams mine, were all alienated. That was the first time I felt it personally.

But that was long enough ago, and so you say, "Oh, well, has it gotten better?" No, it hasn't, and I will name a few examples.

The Far North Act: You'll have a hard time finding someone in northern Ontario, be they First Nation or non-aboriginal, in favour of the Far North Act or portions of it.

The Endangered Species Act: Once again, good ideas, some of them, but in northern Ontario—and not just in northern Ontario—there are some threats in that act. I was at a public meeting a while ago, and it wasn't funny, but in a way it was: The only endangered species they forgot in the act was the northern, and that is a big point.

This isn't a partisan thing, because there's lots of blame to go around. We all remember the cancellation of the spring bear hunt. Once again, whether you agree or do not agree, the fact that northerners had nothing to do with it, that was alienating.

Now, there are those who are going to scoff and say, "Oh, come on. We have consultations with you guys all the time. We've had round tables, technical tables. We've had conferences, summits. We've had one-year plans, two-year plans, three-year plans." The last one, folks, was 25 years. How can we not be satisfied with a 25-year plan? And each time, northerners dutifully prepare comments, and we prepare good ones. I was president of the Federation of Agriculture when we did the 25-year plan, and we did everything we could, because we think, "You know what? We've got to be at the table, just in case this time it's for real; this time, they're going to listen."

What happens? We do our best, and then we wait. And then when they do come around—and usually it's in the four-year election cycle—most of the things we put in are somehow changed or moulded so that they appear that they're what we wanted, but when you try and make it work on the ground, it doesn't work.

A couple of weeks ago, I was at a meeting sponsored by the Timiskaming First Nation. They had a speaker there who was one of the main speakers in the conference, David Nahwegahbow, and he was describing the problem that First Nations were having with consultation. To the First Nations, consultation is two parties having a serious dialogue, and based on that dialogue they move forward on action. What the First Nations were feeling was that there was lots of dialogue, but the actions weren't based on the dialogue.

You know what? It hit me. That's what's happening to non-aboriginal northerners too. We do lots of talking, and we do everything we can, but by the time that the policies come out of the bureaucratic meat grinder that's down here, they don't look anything like what we started with. And that is a very, very big problem.

*Interjection.*

**Mr. John Vanthof:** That's one of the reasons, honourable colleague, you should vote for this.

But one of the things that I've often heard—and this is not a partisan thing. I've often heard Minister Gravelle say, a few times already, that one of the problems we're facing is the problem of balance. I fully agree. We have to return the balance, and one of the ways to do that is to create a committee of northern MPPs who would have the power, after second reading of a bill that impacts northern Ontario, to look at that bill, hold hearings if necessary with the stakeholders, and return some of the balance. Not change the bill—we're not talking about a veto. It's up to this Legislature to come up with good legislation. But it would be up to that committee to make sure that the legislation works on the ground, because having legislation that sounds really good here and works very well in the press and works very well on paper—if it doesn't work on the ground, what good is it going to do? It's not going to do any good.

With this committee, one thing we're looking at—because we realize it's not just northern Ontario that's facing these problems. I think we've faced them maybe longer because we are far more isolated, but if we did this as a pilot project, if this worked, it's a way of bringing government back to the people. It really is. I really believe that.

At the end of the day, I think the most important thing we have to realize—and I'm maybe going to step out of bounds here. But with the Endangered Species Act, people in northern Ontario are fully in favour of protecting endangered species, but the way the act is written, in some cases, you're making the species more endangered, because it works on paper, but it doesn't work in practicality.

I truly believe that if you had a committee made up of all the MPPs from northern Ontario—and once again, this isn't partisan, because I don't think anyone in this House runs other than to help their people, to work for their people. Certainly, I don't know any MPP in northern Ontario, with the miles and the hours and everything that we have to put in it—I'm just learning this—who runs for the fun of it. I truly believe they run for their people. And if you put those people in a room—and not on every act. One thing is really important here: We're not proposing this to slow things down. I truly believe that if we had a committee like this, we would actually speed things up, because northerners, aboriginal, non-aboriginal, would have a place to go where they truly believed that they would have a say at the end of the process.

**1440**

Once again, we don't want to have the only say, but we want to have a say to make sure that when legislation is proposed, we can look and say, "You know what? It's a good idea, but how is this going to work on the ground?"

There are going to be people who say, "Oh, this is not what we need." But what we are doing now is not working.

Since I've been elected and since I've sat in this great House, I've only heard northern Ontario mentioned a few times, and it has been with three words: Ring of Fire. And do you know what? It's a great opportunity for this province; it's a great opportunity for the north.

My colleagues in the north from all sides know we're going to run into trouble if the people of the north feel that, once again, they're being talked to but being ignored, because we've been through all this. We've been through it all before, and the First Nations have been through this all before. They've been through it for a lot longer than us.

It's time that we looked at a model of government—and the goal of this committee—that would not only make northern Ontario stronger—because, yes, I'm from northern Ontario; I want to make northern Ontario as strong as possible. But you have to realize that a strong northern Ontario can be the cornerstone of a better, stronger Ontario.

We want to be part of this province. A lot of us feel like we're a colony. We don't want to be a colony. We want to be a partner. We want to be a part of this province and help rebuild it.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Liz Sandals:** I'd like to congratulate the member from Timiskaming–Cochrane for the support that he's showing for his region of northern Ontario, for the work that he's doing to advocate for the families in his region. I truly do think that he's sincere in that advocacy.

Quite frankly, our government does recognize that northern communities face unique challenges. I think for many of us who just were at ROMA this past week or so, we've actually spent the last week talking directly to communities in northern Ontario about the challenges that are quite unique to northern Ontario, saying that we do understand that we need to work with northerners so there will be a stronger north. We totally get it that a stronger north helps build a stronger Ontario.

We do, obviously, have northern members who, unfortunately, aren't here today, because we actually tend to let our northern members go home on Thursday afternoons and try to get back into the community. We recognize it takes a bit longer to get there than it does for some of the rest of us. So, unfortunately, our northern members—which is why I'm talking, because if they were here, they would love to talk. I'm the adopted northerner or something today.

With respect to the actual motion, though, I do have some concerns. The first is, just from the point of view of making it a standing committee of the Legislature, that the membership of the committee, the way it's structured, does seem to sort of violate one of the principles on which standing committee membership is normally structured, which is proportional representation, rep by pop, within the parties that are represented here in the House. As far as I can figure out from your motion, which says ridings "north of the French River," there would be four that right now happen to be Liberal. If it had been a year ago, it would have been different, or if it had been nine years ago, it would have been different again. I recognize that, so I'm just using the situation as it happens to be right now.

There would be four Liberals on your committee, the way you've described it, because the Minister of Natural Resources—actually, he's Northern Development and Mines. Anyway, there is Superior–Greenstone, or is it Thunder Bay–Greenstone? Speaker, you've got the list of ridings there. I have a feeling I've got the riding name wrong.

**Mr. John Yakabuski:** Thunder Bay–Atikokan, Thunder Bay–Superior North.

**Mrs. Liz Sandals:** Thunder Bay–Atikokan. It is Superior–Greenstone. Okay. And then Sudbury and the Soo. There's four, so four Liberal.

It appears to me that there would actually only be one PC because the wording in the motion says members of the Legislature "whose electoral district lies north of the

French River." Part of his riding lies north of the French River, so I'm assuming the member from Nipissing is in. It would appear that the other two members that I would think of as somewhat north are out, because for the member from Renfrew–Nipissing–Pembroke, his piece of Nipissing is south and east of the French River. I have been looking at maps very carefully today, I would like you to know. For the member for Parry Sound–Muskoka, I didn't actually have to look at the map; I knew Parry Sound was south of the French River. It would appear that we've sort of magically only got one PC member.

The NDP has five members: Timmins–James Bay, Kenora–Rainy River, Timiskaming–Cochrane, Nickel Belt and Algoma–Manitoulin. It's a good sort of gimmick. You're going from third party to first party on this committee—a good trick if you can get away with it. I'm not sure that it's quite appropriate, but I do recognize that—

**Ms. Cheri DiNovo:** It's not a trick. It's a genuine motion.

**Mrs. Liz Sandals:** I understand that it's a genuine motion. What I was going to say was that perhaps the way to try and get at what I understand is a genuine request for how we get these issues discussed is that maybe where we start is with something more informal with the members from northern Ontario from all parties getting to have a discussion and looking to see if there are areas of common interest in which they work.

I want to challenge you on a few things. One was the idea that the only thing that has ever been discussed in here, in mention of northern Ontario—I know the member from Timmins–James Bay has actually mentioned on a number of occasions the northern Ontario heritage fund because as we've been discussing creating southwestern Ontario and eastern Ontario development funds, the member has actually been quite enthusiastic about telling us about the success of the northern Ontario fund that you already have there. In fact, if you actually look at it—

**Mr. Gilles Bisson:** Created by northerners. It was created by us.

**Mrs. Liz Sandals:** That's okay. That's okay. It was a good idea. We agree you had a good idea. If you look at some of the ridings like Algoma–Manitoulin, it's provided \$70 million in direct investment, leveraging about \$263 million; \$90 million into Kenora–Rainy River, leveraging \$239 million; \$69 million into the member's riding of Timiskaming–Cochrane, leveraging over \$186 million; \$66 million into Timmins–James Bay, leveraging over \$160 million. There has been tremendous job growth that has been created, about 18,000 jobs in northern Ontario. We actually agree that that was a great idea, creating that fund, and have been investing in it.

I hope we can find another way to address what I agree is a genuine need to discuss northern issues. I don't think the idea of a formal standing committee is quite how we get there, because the rules are so unlike those of normal standing committee membership. Thank you, Speaker.

1450

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Norm Miller:** It's my pleasure to join in the debate today on ballot item number 14. The motion would require that a northern committee report its observations, opinions and recommendations to the House on anything that directly impacted northern Ontario.

As the PC critic for northern development and mines, I've travelled by car from Parry Sound–Muskoka to Kenora, to Kapuskasing, to Sault Ste. Marie, to Kirkland Lake, and I've flown to many of the most remote places in the province, including Webequie, Fort Severn, Pickle Lake and Attawapiskat.

Without exception, people in northern Ontario told me that they want the government to stop using a one-size-fits-all approach to policy and regulation. Time and again, we see that what's good for southern Ontario is not necessarily good for northern Ontario, and the member from Timiskaming–Cochrane mentioned a couple of different acts. Certainly the Endangered Species Act—you could spend a lot of time talking about how it affects northern Ontario; or the Far North Act. We have this continuing Toronto-centric decision-making coming from this government, and we have many pieces of legislation that come, frankly, from environmental lobby groups, and it's not suiting the best interests of northern Ontario.

This motion is really about a disconnect between the government and bureaucrats in cubicles who write those policies and regulations and the people in the real world, who have to live with their impact. The unintended consequences of red tape and regulation, as we have seen, is crippling. Ontario is suffering from its effects, and it points to a flawed approach to policy. It's time the province moved from risk-based to outcomes-based regulations and policy.

Personally, though, I support the principle behind this motion, and I agree with a lot of what the member from Timiskaming–Cochrane said. I cannot support this motion because, once again, a member of this Legislature has elected to exclude my riding of Parry Sound–Muskoka. It's been eight years since the last time that was done, and it was done by the current Minister of Northern Development and Mines. It was an underhanded and mean-spirited move at that time. I would like to believe, in this instance, that it was an accidental oversight on the part of one of this House's new members. Nonetheless, it's an attack on Parry Sound–Muskoka, and I cannot and will not support the motion for that reason.

To enlighten the member, Rick Williams, the commissioner of social services at the district of Muskoka says that the increase in Ontario Works welfare cases is among "the most dramatic in the province." The district reports that there was 931 cases in Muskoka in December 2011 alone, a 12.3% increase over the number of cases in November and 13.7% higher than in December 2010. Simply put, these are the highest numbers in 15 years in Muskoka, and the district anticipates further increases in

the coming months as business closures announced before Christmas—Tembec and Grandview Resort, for example—unfold this year.

Muskoka's median average income places it well behind Thunder Bay, Sault Ste. Marie and Timmins, and it has become a black hole where there are no government programs. Whereas the government creates a south-western program and has an eastern program and has the NOHFC, Muskoka, despite its lower average incomes, is not benefiting.

The district of Parry Sound also struggles with lower than Ontario average incomes and high unemployment. If you look at all the northern ridings, Parry Sound has the lowest median household income in the north, at \$50,921, according to 2006 Statistics Canada numbers. That's \$19,000 below the provincial average. That's lower than Algoma at \$58,800. It's lower than Sault Ste. Marie at \$63,377. It's lower than Timiskaming at \$55,551. It's well below every other region.

The district of Parry Sound also features—it has many similar qualities to the north. It has five First Nations. It has unorganized territories. It has very large spaces in terms of the geography. And Parry Sound, I might point out to the member, is considered part of northern Ontario for provincial funding programs.

I know there are some other members who would like to speak to this. I simply would say that I'm disappointed that my riding is not included. I think the idea of a committee is a good idea but, unfortunately, I will not be able to support this motion today.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Andrea Horwath:** It's my pleasure to get up in this chamber and support the motion brought forward by the member for Timiskaming–Cochrane. I have to tell you, I have spent many, many days in the north for the last couple of years, and everything that he speaks about in that motion, everything that he talked about in his remarks, is reflective of the sentiment that I hear from northerners every time I travel to the north, Speaker.

I'm going to talk a little bit about that, but I first want to say how shocked I am that the member from Guelph made the remarks about the northern members from the Liberal benches not being here to speak to this motion. I think that's endemic to the problem that we're trying to fix with this motion: putting an actual forum together where northern members have an opportunity to talk about the legislation that comes through this House and the impact that it has on northerners. I'm utterly disappointed—maybe not surprised, but utterly disappointed—that the member from Guelph can talk about this being a gimmick. How dare that kind of language come up when this is an extremely serious situation that northerners have been facing for so long now that they are actually contemplating breaking away from the province and joining Manitoba? That's how serious it is. So to be so flippant about this problem shows that there's a real lack of understanding on the government benches about how problematic the situation is in Ontario when

northerners don't feel like their voices are being heard in the halls of this Legislature by the government or the by bureaucrats who draft legislation.

I have to say that the idea that this is somehow a power thing and somehow a gimmick to get power is, again, extremely distasteful. Unfortunately, once again, the Liberals fall into their old pattern of everything being about them and their own power instead of about doing the right thing and doing the job that needs to be done for the people in this province and, as far as this motion goes, the people of the north. Very disappointing.

I have to say that the member for Timiskaming–Cochrane spoke about some of the very specific areas of legislation that he has been concerned about. There are many, many more. I agree with him on everything that he said. The biggie, if you will, the biggest example of the north not being heard, not being spoken to, not being listened to, was in the Far North Act. Holy smokes. We had a Far North Act rammed through this Legislature, and everybody in the north was against it. The chambers of commerce in northern communities were against the Far North Act moving forward. Every First Nation community across the north was against, opposed to, the Far North Act moving forward. The heads of municipalities and all of the elected officials in all of the municipalities in northern ridings were against the Far North Act going forward. What did the Liberals do? They rammed through the Far North Act. So if there's one thing that's very symbolic about how northerners are not having their issues dealt with by this Liberal government, it's the Far North Act. It is symbolic of the problem that has been ongoing for a long time—as we watch the forestry sector fall apart in the north and lose over 40,000 good-paying jobs, by the way, Speaker.

I just want to say one last thing, because I know there are other members in my caucus who want to speak about this. It's not just the big policy pieces; it's the implementation, as the member from Parry Sound–Muskoka was indicating. It's the implementation; it's the regs. In northern Ontario, for example, if you work for a social services agency, you have to travel sometimes 40 minutes between clients, sometimes two hours between clients, sometimes three hours between clients. If you're delivering home care services, that's the kind of travel time that you have between clients. When I go to the north and I talk to the people who sit on the social services boards there, the mayors and the municipal representatives, they are beside themselves because they get the same amount of administrative cost coverage as is happening in the south, when it is a completely different situation. They simply cannot afford to provide the kinds of services that need to be provided and that should be provided equally to all Ontarians on the same kind of dime that gets allotted in the south.

**1500**

It's that cookie-cutter approach that is simply not working for the north, that hasn't worked for the north for a long time and that we need to address, and the only way to seriously get at it is to get serious about putting a

committee together that will be a lens on these kinds of problems and bring forward not partisan suggestions but practical, pragmatic suggestions of how we can start fixing the real problems that northerners are facing.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Jeff Leal:** I'm pleased to have the opportunity to participate in the discussion this afternoon on the motion that's been put forward by the member from Timiskaming–Cochrane. I recall a number of years ago, when I think the International Plowing Match was held in Timiskaming–Cochrane for the very first time. I believe the current member was very involved—and I know that his uncle, the member from Oxford, has just helped me here to verify the historical record that indeed he was instrumental in the organization. I know from people in my riding of Peterborough who were up to that International Plowing Match that they still have many fond memories of the great hospitality that was shown by the people of the north and, indeed, the people from that particular riding.

You know, it's interesting that when you divide lines in northern Ontario, it's always been the subject of some interesting debate. I heard the member from Parry Sound–Muskoka articulate very well some of the concerns that have always been put forward when we start delineating on the map. Indeed, his former federal colleague from Parry Sound–Muskoka, a very good friend of mine, Andy Mitchell, who served so ably as a federal member and federal cabinet minister—we've always had discussions about delineating that line in northern Ontario and the impact that has on programming for northern Ontario. I think that inherent in this motion today is an opportunity, if this committee does get established, to look at ways we can be perhaps a touch more flexible and certainly give the opportunity to include the riding of Parry Sound–Muskoka, because I think good arguments can be made for the inclusion of Parry Sound–Muskoka with this particular motion.

There have been a number of key initiatives in northern Ontario in the last number of years. I certainly want to give the official opposition credit. During their term in government they established the northern medical school, and I always believe in giving credit where credit is due. During our time in government, of course, we developed an architectural school in northern Ontario and, indeed, a law school in northern Ontario to provide the academic training for those professional areas, along with the medical school, to assist the north in many areas to have those professions in place, which many of us in the House would agree are the building blocks for a very successful future.

We also, of course, have the Ring of Fire development, which I'm told has the largest deposit of chromite in the world, a material that's going to be in increasing demand. Particularly, evolving communities and economies—China, India, Brazil and other nations—are certainly going to demand chromite for a wide variety of steel processing and other manufacturing activities. So in

future, like nickel, copper and other minerals, we certainly believe the Ring of Fire has unlimited potential for northern Ontario.

This forum that has been proposed here this afternoon can bring individuals together, and I'd just like to encourage the member for Timiskaming–Cochrane—I just happen to have an article here from the Thunder Bay Chronicle-Journal, and I think what's described in this article is a need for a little more outreach for other members in northern Ontario, indeed, to be kind of fully briefed on what the intent of this legislative committee is all about. I know that in my case, some of my colleagues have not had the opportunity to take a look at this legislative committee, and it's an opportunity that they would like to have before this committee is in place.

I think there are some very good elements in what's being proposed this afternoon. I think it needs to move forward. But I would actually include the riding of Parry Sound–Muskoka.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Victor Fedeli:** I rise today to thank the member from Timiskaming–Cochrane for what I consider to be a very thoughtful motion.

There are areas of improvement that are needed, as you've heard about, but nonetheless, the very fact that you had to bring something like this to the Legislature speaks to the fact that there's a demand for a northern Ontario voice.

As a former mayor of the city of North Bay for seven years, I can tell you that we looked at the government and thought, like you, "They believe that Ontario ends at Steeles Avenue." As we travelled a little bit, and as the province developed, we think—we believe—they now think it ends at Vaughan. But nonetheless, they absolutely do not take a northern Ontario lens to anything at all.

I'm going to give you perhaps only one example today of why I believe in what you're doing today. I'll give you the story about Bill 26, oddly enough named the Strong Communities Act.

Now, here I am, as the mayor of the city of North Bay at that time, and I read about this Bill 26 coming, and I think, "Do they not have a clue about what is northern Ontario?" It is one that pretty much closed off the \$40-million industrial park in North Bay because there are wetlands, and this Strong Communities Act stops you from building where wetlands are. I can understand why that's so important here in the GTA; I understand why. But in northern Ontario, our exemption is that if you need to build on a wetland, you can re-create that equal amount of wetland elsewhere in northern Ontario.

So in North Bay, the provincial government, the federal government and the municipality spent tens of millions of dollars to build an industrial park and, yes, it was built on a wetland years ago. But now today, under Bill 26, you cannot build in our industrial park. So we now have a \$40-million industrial park with fully serviced streets. We've got paved roads, fire hydrants,

utility poles, high-speed Internet—it must be the only wetland park that has Internet access.

It's unbelievable that the members of this government would pass a bill, not understanding that northern Ontario is built on rock and swamp. Sadly, those are the words we use: We're built on rock and we're built on swamp. There's nothing else. We have built beautiful cities on our rock and on our wetlands. We have built remarkable cities.

As mayor, I was so thrilled to be able to take 100 acres of wetland and turn it over to our conservation authority. We were able to take a wetland and build a huge retail complex at the entrance of the city, but replicate that wetland that we covered and move it and rebuild wetland in another area of the city, with wooden boardwalks, signage—it's a nature preserve. It's beautiful. We made something beautiful, because that was what we needed to do.

So here we are, with this \$40-million wetland that we can no longer build on in northern Ontario, and that's because we do not take a northern Ontario lens and shine it on what this bill does for Toronto and area and the rest of Ontario, and what kind of impact this bill will have on northern Ontario. Had they only taken this approach that the member from Timiskaming–Cochrane is suggesting, they would have realized it's not good for northern Ontario.

So I commend you on this approach. It needs a little finessing to correctly satisfy the member from Muskoka and the member from Renfrew–Nipissing–Pembroke. But I commend you on your bill, and I thank you for it. And I thank you for shining the lens on northern Ontario, even if it's only for these few short minutes this afternoon. Congratulations to you.

1510

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. Further debate?

**Ms. Sarah Campbell:** Whether it's jobs, the cost of living or what northerners do in their spare time, it's clear that governments are always trying to tell northerners what to do and how to do it. It's very paternalistic, and I think today it's clear for the people in the northwest, if they were ever unsure, that the Liberals just don't care about us in the north.

I'll be honest when I say that I was extremely offended by the comments made by the member from Guelph—to let some of the northern members go home early because their ridings are so far away. Well, I can tell you that nobody in Ontario has a larger riding than I do, at about 300,000 square kilometres, and I live the furthest away—

**Mr. Gilles Bisson:** And here you are.

**Ms. Sarah Campbell:** Yeah, and I'm here. I'm here doing work. I think it's sad and it's telling that the Liberal members would rather go home than stay here, engage and do some meaningful things for their constituents.

There are a few other things. I wanted to talk about hydro. Again, the lack of consultation about our hydro-

electricity system has resulted in an unfair hydro system for people living in the north, where the people living in the north actually subsidize the cost for people living in the south. Despite having our own grid and producing electricity at about 2.5 cents a kilowatt hour, despite having colder and longer winters, despite the fact that a person in Kenora pays about \$50 more a month for electricity than they would if they lived a couple of hundred kilometres away in Winnipeg, and despite the fact that a large industrial operation in Ontario in the northwest pays about \$1.1 million more a month for electricity, and this is about twice as much as a company would pay if they were operating in Manitoba or Quebec—and we wonder what’s happened to our mills and our forest industry? It also begs the question of what will happen, with the ridiculous and prohibitive electricity costs—what that will do with the Ring of Fire.

I wanted to talk about a few other things, but all I want to leave you with is the fact that life in the north is different. We need people at the table who understand the north. We’ve seen what kind of solutions we get when we have people at the table making decisions that affect us and who don’t understand our culture, values or needs. It’s time that we put northerners at the table too, and I’m proud to support this motion.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. Further debate?

**Mr. John Yakabuski:** It’s a pleasure to join the debate on the motion from the member from Timiskaming–Cochrane today, and I commend him for bringing forth the motion. However, I’m in the same boat as my friend from Parry Sound–Muskoka with regard to this motion. I would have liked to hear at some point during the debate the member say that he includes all areas that are currently within northern Ontario. My riding is Renfrew–Nipissing–Pembroke, so a very small portion of my riding is actually in northern Ontario: the townships of South Algonquin, which include the hamlets of Whitney and Madawaska, nothing big.

When my friend from Parry Sound–Muskoka talks about low incomes, well, the incomes in Renfrew county are the second-lowest of any county in the province of Ontario. The only county that’s lower is the county of Haliburton. The lowest in my riding is not within the county of Renfrew; it’s actually in the townships of South Algonquin. There is nothing to sustain economic development. We’ve got two major businesses there, both of them lumber mills, and we know what the McGuinty government has done to the lumbering and forestry industry in this province.

So my section of northern Ontario is, I’m absolutely certain, the poorest in northern Ontario, yet it is excluded from the benefit of this committee. For that reason—and as I said, we were waiting for the member to include all parts of northern Ontario that are currently within northern Ontario by definition, and all of the district of Nipissing is part of northern Ontario. My riding would be excluded from this committee as it is written right now. So, for that reason, I have no choice but to stand with the

people that I represent in the townships of South Algonquin and vote against this motion.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Algoma–Manitoulin.

**Mr. Michael Mantha:** I’ll be very brief, Mr. Speaker, and thank you.

Nothing more, nothing less is what we’re asking for for northern Ontario—just a voice.

I will argue with you that this will bring the relationships between north and south, rural and urban, a lot closer. It will give us that opportunity to engage with the rest of the province.

Nothing more, nothing less is what we’re asking for. We just want to be part of the decision mechanism. We want to be there at the table. We want to be involved. We want to have a voice. We want to have a say. We want to participate in building Ontario to become the province that it should be and will be, but we need to be part of it. Nothing more, nothing less.

All we want is basically to be part of the solution in building Ontario—nothing more, nothing less. No games, no partisanship—we just want to be part of it. We want to be there with you. We want to be amongst this province in order to build it to where it should be.

Interviews in northern Ontario communities are not consultation with municipalities and our mayors and our First Nations. Sitting and having interviews over at the local shop is not consultation. We want to be engaged, we want to be at the table, and we want to be sitting there, is the message that we’re trying to convey to this government and our friends across the way.

Bring us together, establish this committee, and let’s build Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**M<sup>me</sup> France Gélinas:** In the last Parliament, the one before, many bills came forward that absolutely made no sense for northern Ontario. I’d like to start with the Narcotics Safety and Awareness Act. Is there a problem with narcotics in this province? Absolutely. Is there any geographical area of the province where narcotics are prominent? It is in northern Ontario. But the narcotics problem in northern Ontario is very different from what’s happening in southern Ontario.

I begged, I pleaded, I put out a motion. I said, “Come to the North, because we’re putting forward a solution. I’m all in favour. It will do great work for some of the people down south, but the people up north need help too, when we have 50% of a community addicted to narcotics. Those people need help.” But they never came.

We now have a bill that helps some of the people some of the time if they live down south, but the narcotics epidemic has gotten worse in northern Ontario, not better.

Then we have bills like the Excellent Care for All Act. It looks good. I get it, Mr. Speaker. If somebody does a thousand surgeries, they will be better, faster and get better outcomes. I get all of this. But what does that mean for the 34 little hospitals in northern Ontario? That means

that you pick at the programs and services they offer until there's nothing left in there and they self-implode. The people in northern Ontario still need access to health care. They still need access to their hospitals. Sometimes the hospital is the only show in town. But we have this idea that better, bigger, faster, gives better outcomes. I get that. But it comes at a cost, and the cost is always borne by the people of northern Ontario who lose their access.

This committee will help everyone in this Legislature understand that the reality of northern Ontario counts.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Timiskaming–Cochrane has two minutes to reply.

**Mr. John Vanthof:** Thank you, Speaker. First off, I would like to thank all the members who had comments. As far as a test of who is and isn't in northern Ontario, I think we have to have a passion meter, because the passionate speakers were from northern Ontario.

I am not partisan on this issue at all, but there are two comments that I take some exception to. One is the word "gimmick." This is not a gimmick. Anyone who has known me in my past—I don't do gimmicks. That's one comment I take exception to.

As a new member, sometimes I don't read my stuff, because I just get too much stuff. But I don't buy that some of the people across the way knew nothing about this when it's published. I don't buy that it's totally new. One other thing—do you know what? The heritage fund is a great thing, but it's always used whenever we bring something up about northern Ontario. It's always, "Oh, but we give you so much from the heritage fund." Do you know what? This city was built on Kirkland Lake's gold. Just hold it a minute here. Once again, this province will be built on the back of the Ring of Fire. So let's build it together and let's build it so this time northerners and First Nations all benefit from it, because riches have come out of northern Ontario—billions of today's dollars—and we have people living in squalor. So while we argue who is or isn't, let's get this committee on the road and start fixing it. It's what we have to do. I ask for your support. Thank you.

1520

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. We'll take the vote at the end of private members' business.

#### REGISTERED HUMAN RESOURCES PROFESSIONALS ACT, 2012

#### LOI DE 2012 SUR LES PROFESSIONNELS EN RESSOURCES HUMAINES INSCRITS

Mr. Zimmer moved second reading of the following bill:

Bill 28, An Act respecting the Human Resources Professionals Association / Projet de loi 28, Loi concernant l'Association des professionnels en ressources humaines.

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. David Zimmer:** Thank you, Speaker. First, I'd like to thank my co-sponsors, the member from Whitby–Oshawa and the member from Beaches–East York, for supporting this initiative. As always, I appreciate their support in co-sponsoring this private member's bill. I would also like to acknowledge the presence of the leadership of the Human Resources Professionals Association: the CEO, Bill Greenhalgh; the chair of the board, Daphne FitzGerald; the vice-president of regulatory affairs and registrar, Claude Balthazard; and last but not least, Scott Allinson, the vice-president of public affairs.

I'd like to start off my remarks with a reference to a study that HRPA carried out last year. As we all know, every Ontarian is touched by work. It gives us dignity, it gives us purpose, it sustains our family and it creates wealth and growth for this province. But how happy, how satisfied and how safe we are in our work depends largely on organizations that implement the various laws that govern the Ontario workplace.

An organization that is lax in its applications of the Occupational Health and Safety Act jeopardizes the health and well-being of its workers and the bottom line of business; while an employer that complies with the Employment Standards Act is doing its part to ensure suitable workplaces in Ontario. HRPA looked at Ontario businesses that were convicted by the ESA employment standards tribunal between October 2008 and January 2010. There were 489 convictions in this period. The essential finding was that of the 489 ESA convictions, none—none—of those businesses convicted an employer who had an HRPA member. That's right, none.

Although there are many explanations that might explain these findings, it is clear that the presence of HRPA members in organizations is linked to workplace issues. As most of you are aware, HRPA regulates the human resource profession in Ontario and issues the certified human resources professional designation. That's the national standard of excellence in human resources management. HRPA is committed to advancing the human resources profession to ensure that HR is a full partner in developing and executing organizational strategy and the creation of equitable workplaces.

The 20,000 members of HRPA work in over 8,000 organizations in Ontario that employ more than two million workers, in all industries and all sectors of our economy. They are committed to building fair and equitable workplaces for Ontario workers. HR professionals are the bridge between employee and employer to ensure both parties are aware of the rights and responsibilities under the province's workplace rules and regulations.

Since receiving their 1990 act, HRPA has regulated the HR profession in Ontario by setting standards of practice to protect the public interest. In sum, its regula-

tory framework seeks to ensure that human resources professionals are competent in their work and behave in an ethical manner. HRPA determines for its members, for instance, the right to set standards for who may enter the profession; the right to set standards of practice for those working in the profession; the right to create rules for when and how members may be removed from the profession; the power to regulate the practice of members; the power to establish a professional liability insurance requirement; the power to establish requirements for membership and certification; and the power to discipline members.

Mr. Speaker, some have asked what this bill will do for members of HRPA. The bill provides HRPA members the long-sought recognition as true professionals. As business practices, economic conditions, workforce composition and employee expectations are all becoming more complex and interrelated, so have the demands of the professionalism of HRPA members. The function of HR—

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Order.

**Mr. David Zimmer:**—professionals now has many of the aspects of a profession, including—

*Interjections.*

**Mr. Gilles Bisson:** Thank you, Speaker. I got your warning.

**The Deputy Speaker (Mr. Bas Balkissoon):** There are a couple of discussions going on, not just yours. So I would just ask everybody to lower their voice.

**Mr. David Zimmer:** Thank you, Speaker.

The function of HR professionals now has many of the aspects of a profession, as I was saying, including a representative professional organization; a published code of ethics and professional conduct; benchmark performance standards to ensure professional competence; ongoing skills development requirements; and finally, a growing public perception of HR as a profession, as a result of HRPA's efforts to promote HR's essential and strategic role as a critical business partner in Ontario's economy.

I believe it is vital that HRPA members have a vehicle to evolve and deliver credible HR management that will create and foster success in the Ontario workplace. It will enable HRPA to ensure the quality of the HR profession in Ontario, more control over their own destiny as a profession, the ability to command a premium in the marketplace, increased ability to influence public policy, increased attractiveness of HR as a career choice, and controlling the use of unauthorized individuals of the CHRP designation.

What this bill will provide is more regulatory teeth for HRPA to better protect the public, employers and their employees. This is acknowledged when the public becomes aware of the fact that there are trained professionals in the field who follow appropriate standards. The continuing professional development of HRPA members provides reassurance that people are treated fairly and

legally by practitioners. This bill will assist HRPA and its members to evolve into a strong and credible tier-one profession.

Bill 28 will update their existing act to provide checks and balances for the public and members of HRPA. A few examples will be: ensuring that the statutory procedures act, 1990, will protect the rights of members; HRPA would be required to abide by the fair registration practices code, which is section 2 and 3 of the Fair Access to Regulated Professions and Compulsory Trades Act; and the application of the powers are subject to the bylaws which must be ratified by the membership.

**1530**

Another distinction would be that HRPA's board would include three individuals who are not members of the association or a self-regulating human resources body and who are appointed by the Lieutenant Governor in Council. These board members would, in effect, represent the public interest and would, along with the board's elected and appointed members, be charged with implementing a regulatory regime that contemplates HR members' certification requirements, the complaints process, the discipline process and the professional standards.

The legislation will also add HRPA to the Fair Access to Regulated Professions Act, which it has voluntarily adopted already—two years ago—as a testimony to its commitment to the transparent, objective and impartial standards that they're going to apply to all.

Individually, when an HR professional joins the association, they agree to abide by the professional code of conduct that commits them to professional competence and legal requirements, dignity in the workplace, balancing interests between employee and employer, confidentiality, conflict of interest, professional growth and the support of all other professionals.

I'd also note that Bill 28 has a lot to offer Ontario business. As business practices, economic conditions, workforce demographics and employee expectations all become more complex, HR professionals are at the centre of this rapid change. Its members make significant contributions to the productivity and success of the business community and organizations of all types. Members possess a high level of professionalism. They provide human capital and management know-how. It creates huge value for the organizations that employ them. The bill will make sure that as the world of HR is changing, so are the needs of employers to have qualified HR staff to ensure their compliance with government regulations.

Let me say a few words about the support that the bill has garnered since it was introduced. HRPA sought an independent expert opinion on the bill from Richard Steineke, a legal expert. He has supported it fully.

In general, Bill 28 supports a modern professional regulation statute. It addresses various gaps in the current profession. It provides many advantages to the public in support of the profession. In short, this is good for employers, this is good for employees and this is really, really good for Ontario's economy.

Mr. Speaker, I've gone over my time again today.

**Interjection:** No, you haven't.

**Interjection:** You've got a minute and half.

**Mr. David Zimmer:** I have a minute and a half? I'll leave some time for you. Thank you.

I know there is another member on this side that wants to speak to it. But in summary, let me make this point: Ontario's economy is at that very sophisticated point. It's at that point where its size, it's at that point where its complexity, require a highly professional human resource professional cadre to work with sophisticated management; to work with sophisticated things that government is doing; to ensure that Ontario has the finest possible workplace environment. That attracts business. That sustains business. That sustains employees. That is good for everybody in Ontario: man, woman and child.

I urge my colleagues in this House from all sides of the Legislature to follow their members' lead—to follow the Conservative member who will be speaking to the bill, to follow the lead of the NDP member who will be supporting the bill—and to follow my lead and ensure the passage of this legislation.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Whitby–Oshawa.

**Mrs. Christine Elliott:** Thank you very much, Mr. Speaker. It is a pleasure to co-sponsor and speak to this bill, and also to welcome our guests to the gallery today.

As you might be aware, the Human Resources Professionals Association, or HRP, has almost 20,000 members in the province of Ontario, and I'm proud to say that almost 1,000 members are in my riding and the surrounding area. I had the pleasure of meeting with Tracy Starrett from the HRP Durham chapter just last week to speak to Bill 28, and assured her of my support for it.

As my colleague has stated, a regulated human resources profession is obviously in the interest of employees, but the bill also has much to offer Ontario's businesses as well as to the public. Human resource professionals are often seen as champions of change as organizations continually assess and seek to increase their operational effectiveness. They know how to link this change to the strategic needs of the operation while getting employees on side. As you know, Ontario businesses are in the midst of great change as business practices, economic conditions, workforce demographics and labour law all become more complex and inter-related. Human resource professionals are at the centre of this rapid change. HRP recently completed a study that verifies what HRP has felt strongly for some time: that there is a correlation between the certified human resources professional, known as the CHRP, designation and the continuing professionalization of human resources, as well as the velocity and trajectory of the members' career growth.

The public can place greater confidence in accredited professionals such as those human resource practitioners who hold the CHRP designation. The updated regulatory powers resulting from Bill 28 would enable HRP to better protect the public interest from incompetent or

unethical human resource practitioners, help prevent abuse of corporate positions and, if abuse should occur, provide the public with an effective means by which to seek recourse. Quite simply, Mr. Speaker, Bill 28 is good for the public and employers here in the province of Ontario.

HRPA members make huge contributions to the success and productivity of the business community and organizations of all types. As regulated professionals, HRP members specifically possess a high level of professionalism and human capital management knowledge that creates enormous value for the organizations that employ them. Human resource professionals provide value by first of all identifying workforce trends and forecasting changes before they happen, discovering potential problems before they materialize and adversely impact the organization, identifying key talent for retention and leadership development and forecasting changes in human capital resources within the organization and in the changing economic environment. To sum up their key role in Ontario organizations, human resource professionals put the right people in the right place at the right time.

One specific area where I personally believe that human resource professionals can be of great assistance is with respect to the employment of people with disabilities. Many people with disabilities are currently receiving Ontario disability support payments not because they want to, or maybe not even need to, but because they're simply unable to find employment. Many employers are still reluctant to hire people with disabilities, particularly people with mental health challenges, due in large part to a lack of knowledge and associated stigma.

This is not merely a challenge but an economic challenge. As Dr. Rick Miner indicated in his 2010 report *People Without Jobs, Jobs Without People*, within the next five to 10 years Ontario is going to be facing a significant shortage of skilled workers, so we need to ensure the placement of as many people as possible into the labour market, including women, people with disabilities, aboriginal people and older workers. Human resource professionals are key to this transformation of our workplace. Regulated human resource professionals commit to career-long learning that keeps them at the leading edge of human capital management. Human resources, or people, as any business person knows, are an organization's greatest competitive advantage.

They also commit to a human-resource-specific code of professional conduct. These rules provide assurance to both employers and employees that there are clear guidelines defining the professional conduct of all HRP members. The rules cover areas including competence, legal requirements, dignity in the workplace, balancing interests, confidentiality, conflict of interest and professional growth and support of other professionals.

Some have said that the bill will be a burden to employers. Mr. Speaker, I would say to you that this is simply false. One has to keep in mind that membership in

the HRP is voluntary, and the CHR designation is also voluntary. Nothing forces human resource professionals to be members of the association or forces human resource professionals to obtain the CHR designation. The same is true with employers. This bill does not force them to hire CHRPs for their firms and businesses.

Some stakeholders have indicated that the impact of Bill 28 for employers, especially the part on investigations and entry without warrant, puts businesses at risk if they hire a CHR. You could call this a Trojan horse concern; that is, by hiring HRP members, employers open their businesses to investigation by HRP.

**1540**

Employers need not be concerned about this for the following reasons. First, any investigation conducted by HRP would need to relate to specific allegations of professional misconduct on behalf of a member. HRP investigators would not simply be allowed to go on a fishing expedition. All information sought would need to be relevant to the allegations.

It's also the case that any disciplinary actions taken by the association can only be directed at members and firms registered with HRP. HRP has no independent jurisdiction with respect to employers.

It's also worth noting that all 39 public acts governing professions in Ontario include sections that deal specifically with powers of investigation. Although there are differences in the details, the powers of investigation are very similar across regulated professions.

In closing, Mr. Speaker, I would like to say that in the 20 years HRP has been in existence, the CHR has been very successful in demonstrating its value. If anything, Bill 28 will increase the value of the CHR designation.

Between HRP members' commitment to professional excellence, their unique role as a bridge between employers and employees, and the key business role in getting the right people in the right place at the right time, I believe Bill 28 is a win-win for everyone.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Beaches–East York.

**Mr. Michael Prue:** It is my privilege, my honour, to stand here today on this human resource professionals bill.

I would like to thank my colleague from Willowdale and my colleague from Whitby—Ajax–Whitby now, isn't it?

**Interjection:** Whitby–Oshawa.

**Mr. Michael Prue:** Whitby–Oshawa now. Okay, Whitby–Oshawa. I'm just happy to co-sponsor this bill.

It has been a long time coming. It is a bill that is going to better regulate the HRP and is going to serve, I think, the people of this province well, not only the people who work in that profession but all of the people who work in industry, in commerce, in businesses across this entire province.

Twenty-some years ago, the province recognized a need to regulate the industry. We looked upon it in the early 1990s and said, "This is an industry that needs to be

self-regulated. This is an industry that is up and coming." The first efforts were made to do the right thing.

I remember, going back some 20 years, my own dealings with HR people. My dealings in those days were with the federal government. We had HR people who worked throughout the federal government. I was on the union side. I often had to deal with them; I had to negotiate with them. They were there during grievance hearings; they were there during consultations on contracts; they were there when people got hired or fired; they were there even to run the training programs.

I must say that I have nothing but the highest respect, from those days, for the people who worked in this industry, because although it was fledgling, at least to many places—the federal government was there. There were not a lot of industries or businesses that had them.

Although there was some suspicion from amongst us lefty union types at the time, I have to say, over my many years of relating with them and beside them, that they were always honest and they always showed an immense integrity. So, when they gave their word, when they said something was going to happen, when they sat down to try to change the rules and the regulations under which we worked, it was always done in a way that was fair.

In fact, my wife, who was at that point a federal public employee, decided that maybe she wanted to get into the HR business, and she left the safe sinecure of public life, working for the immigration department—she worked there for a brief period with me after she left the anti-inflation board—and went off to become an HR person herself. She worked for more than 20 years, starting first of all with Employment and Immigration, and later ended her career at Service Canada.

I got to know, not only through what she was doing, but all the people with whom she worked: people who devoted their lives to the service of the people of Canada, to the government of Canada, to their employer, but also to the people who had to have their problems resolved. Throughout that entire period of time, as I can say, it went from almost a transactional activity to one that was seen to be part and parcel of what you did every day in the business of serving the people of our country, in enacting and enforcing the laws of our country, just as we enforced the laws around immigration access to Canada and those that ran afoul of it.

There were also people who did the same thing when it came to dealing with unions and for those few—very few—who ran afoul of what they were supposed to have done or who stepped over the line. There was an HR person to look at it sympathetically and honestly, and give, I think in all cases, the very best of advice. As I know happened where I worked, I know it happened and continues to happen in workplaces across this province.

Over those last 23 years that I've been in government as an elected person, I've seen a huge change. As one left the federal government and became involved in municipal politics and then later here, you saw the kinds of laws that are enforced, the kinds of laws that come to the fore,

that were there before when this act was first brought forward.

We now have a whole reliance upon employment equity, and even though that may still be contentious to some people and even though it may not have gone as far as many would like to have seen it go, there are and continue to be provisions for employment equity that have to be looked at with some considerable sympathy and understanding.

We also have a far more diverse population, and we have to look at the diversity provisions to make sure that ordinary people have an opportunity to work. We have to accommodate disabilities in ways that we did not do 20 years ago. Certainly, I remember in this Legislature in 2005 that we passed the Accessibility for Ontarians with Disabilities Act, which HR people now are having to look at very carefully in terms of business place practice.

We also now are much more mindful of violence and harassment in the workplace than ever before, which is also a responsibility of HR people and why they need to have a new act.

This bill leaves rights, as they've had in the past, to set standards, entry requirements and protection, but it now gives new governance tools, and I think that's what is important and why I agreed to be one of the co-sponsors. The new governance tools are going to allow this group to better manage their own affairs and to better manage the people with whom they work, the people who are their colleagues, the people who come together to form the association, to make sure there is a consistent and good standard, to make sure that if there are any bad apples, they are removed, to make sure that there is proper training and also to make sure that there is opportunity.

When the bill was last before this Legislature, there were some criticisms. I know that criticisms were received by all members of the House. I know that my colleague, the member for Parkdale–High Park, received some of those criticisms and, when she spoke in this House, tried to mirror some of those criticisms that she had heard. I think we have a duty, when we hear that bills may not be right, to make them known, because we speak on behalf of not just one group but on behalf of all Ontarians when it comes to the passage of a bill.

The Legislature in its wisdom agreed to pass the bill at second reading, on the last occasion, and sent it to committee. But unfortunately, like so many private members' bills, it never went through committee and, of course, it never went to third reading.

But I have to say that may have been a good thing, because although it did not pass at that time, the criticisms that were heard have now been dealt with. The criticisms that were there are now gone. Whereas last time I had several letters, I had phone calls, I had people who were disgruntled within the organization, people who didn't like certain directions or phrases within the bill, this time I have received none. I shouldn't say that. I received one from a professor, but it was more academic than actually legal. But from actual HR members I have

received not one, single criticism. I don't know whether any other members have, but I have not, and I think that what has happened here is that the fears that were there have been assuaged. The legislation has been changed ever so slightly to accommodate those concerns that people had. So today you have a bill, I think, that everyone can respect, everyone can vote for, and everyone, I hope, will. It's been brought back.

#### 1550

HR will be able to interpret and guide employers and employees through myriad pieces of legislation and will have to be on top of it. They will ensure that all of our laws here in the province of Ontario are upheld. They will be able to advise on changes as laws and jurisprudence change.

You know, we are a country of laws. We are a country that looks upon decisions that are made in tribunals and courts. We interpret those in light of what the legislation says. We also will rely on people in human resources to tell us when the laws are no longer working for the people of Ontario, so that this Legislature, or perhaps through regulation, the minister, may be able to make the appropriate changes.

If we do not have a body with whom we can deal that has that authority, it will make it much more difficult when those laws need to be changed, when we have to look at what the courts or the tribunals are interpreting, whether or not that is in the best interests of the people of Ontario—to the business community, to unions and to everyone else. They will be able to advise and enforce the internal code of conduct so that if they do have members who are stepping over the line, they will have that internal ability to do so. What they are asking to be granted is no different than we have granted to engineers, no different than we have granted to other health professionals who have their own act and their own ability to discipline.

HR people, the ones who are here today, have a commitment to professionalism, to protection, to being objective and to doing objective investigations. I trust that we will be giving them the additional tools to do not only the good job that I have witnessed throughout my entire working life but to actually do a better one.

They have signed, and they are to be commended for this, schedule 1 of the Fair Access to Regulated Professions Act. What that means is that they acknowledge that their organization will be transparent, fair and impartial for all Ontarians. It means that if somebody comes forward with credentials from another place, they will honestly look at them. It means that they will ensure that people who have the qualifications will be able to get the job, no matter where they came from and what language they speak or where they were born. It means that they will be treated with equity. It means that they recognize the diversity of the province of Ontario.

I want to thank the human resources professionals for the work they have done. I know they have done tremendous work over the past year or so since the act

was last here before us, and that it is today a better act and one we can all support.

I am mindful that this bill, if it passes today, will have to go to committee. I am asking members of all sides of this House to please give the appropriate tool to this group. They require it; Ontario requires it. As so many private member's bills end up going to committee and die there, this is not a time to allow this to happen here. I am asking that this go to the appropriate committee—and I'm trusting that the member from Willowdale, if it passes, will send it to the appropriate committee—that the committee take and seize hold of it, that they hold whatever public hearings are necessary, that they pass whatever changes might be necessary in committee and that they bring it back to the House. I am asking the government side, if at all possible, to deal with it expeditiously and to bring it back to the House for third and final reading, if that is appropriate.

The people of Ontario are relying upon this. The people of the Human Resources Professionals Association have done a lot of work, and they ought not to be thwarted when they have come this close. For today, please, everyone, vote for it for the future. Please, everyone, make sure that it becomes law in Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Mississauga-Streetsville.

**Mr. Bob Delaney:** It's said that there is nothing more powerful than a good idea whose time has come. In the world of private members' bills, this good idea sometimes needs an encore performance before it is enacted. Let us hope, and I join with the member for Beaches–East York in this, that this is indeed its time.

I would like to talk not so much about what the bill is, because the members who have spoken before me—the bill's presenter, the member from Willowdale, the member from Whitby–Oshawa and my colleague from Beaches–East York—have done a pretty good job of explaining what the bill is. I'd like to talk a little bit about what important things the bill does. The first thing I'd like to say is that what this does is update a piece of 22-year-old legislation. By updating the codes of practice of the profession, it places competent and ethical conduct above that of simply earning a living. It moves the practice of human resources from being merely an occupation and does codify those things which make it a profession.

I think it's worth starting with a little bit of perspective. The roots of this particular profession: If we go back even in the lifetime of many of us, hiring was something that very often was done by management based upon its feel, its intuition. In the lifetime of many of us here, that practice became known as "personnel." As the personnel practice evolved into the human resources profession, it acquired and developed a set of core principles and it used, and I think more importantly, was able to teach a body of knowledge such that it could set out a series of principles that it could govern itself through, a series of recognized and uniform standards, and move forward through the evolution and leadership

of the people who actually practise human resources. That lands us where we are today, and this is why it's an important thing for this Legislature to enact.

Today in Ontario, some 20,000 people earn a living practising what we often call "human resources." Among the things that this bill does, and does I think very well, is to raise the recognition of the profession. By raising its role you increase the acceptance of the profession and you go beyond where it's a voluntary standard to a point where employers expect it of you. They feel if you're serious about making a career in human resources, then you should be serious enough to absorb the body of knowledge and qualify for the CHRP designation, which says to the rest of the world, "I'm good at what I do. I've absorbed and I can apply a body of competent and coherent professional knowledge." It also gives the profession and those who practise it a reputation. It's essential to preserving and improving the reputation of that profession.

Having a profession governed and regulated as is proposed in this bill gives the body, the HR professional association, a means of supporting its members, supporting them through professional development, being able to regulate the practice of the profession, being able to deal with some of the issues that arise in any profession. What it does is, it places the human resources profession on much the same plane as it does engineering, accounting, law and all of the others.

The other important function that I think is worth mentioning is consistency. If the HR profession has a body of knowledge that it can apply consistently, then you know that if someone has cleared the hurdles and they can say that they've achieved their CHRP designation, then you know that they have a body of knowledge that's consistent with a set of accepted standards so as an employer, to put it in the vernacular, you know what it is you're buying.

Finally, I think it's important to recognize that it gives the association the authority not merely to speak for its members but the authority to regulate the work that its members do and to resolve issues and disputes within the profession. I think this is important. I think it's one of the major areas in which the act from 22 years ago has been updated, modernized, strengthened and made consistent and compatible with the standards held by most other regulated professions today.

I'd like to say a few words here about the profession. This doesn't affect the transferability of the CHRP designation for members. It shouldn't increase dues or costs, and most of what's in the act clarifies functions largely the way they're done today.

I have to commend the association on a lot of the homework and consultation they did. There were many communications, efforts, articles, newsletters, chapter visits and so on over the past three years. In fact, the profession sought independent legal opinions and it came to a conclusion that the proposals are, in fact, good for their members. And like my colleague who just spoke before me, while I did hear from some members of the

profession both ways at the time that we had the previous reading on this a little less than a year ago, for this particular reading we've heard no comments one way or the other, and there seems to be an acceptance that what's in this bill is, in fact, good for the HR profession over the long run.

**1600**

What it does is allow the human resources profession to advance in scope, in sophistication, in responsibility, and to meet challenges that are profession-wide that are going to carry it forward in the 21st century.

I think another intangible that it does is that it recognizes that in the kind of businesses that HR professionals serve and work in, in many cases the financial capital that they're dealing with is less financial capital, less physical capital such as plant and equipment, and more and more represents human capital—human capital where, in many cases, the most valuable assets that the organization has walk out the door at quitting time every day. If the place where your intellectual property resides, if the assets that add value to the organization are, in fact, the men and the women who drive it forward, then I think it makes the practice of human resources all that much more strategic to the organization's long-term best interests.

What we need in the 21st century are HR professionals who work within a framework of rules and regulations that, in most cases, they don't or can't get in their corporate environments. We need HR people to bring to the organization, to its stakeholders and to the people affected by what their organization or their employer does, the full range of expertise that they acquire as HR professionals, the expertise that they use in such areas as setting missions and goals, assisting in putting together a corporate strategy, measuring organizational effectiveness, matching staffing needs to what the available labour pool has, and sourcing strategic skills for the organization. We need HR people to know what it takes to retain key employees. We need HR people to come up with a fair framework of compensation, and not only that, but to come up with full and proper costing, both in the present tense and what the implications of actions are in the future. That's what good, competent HR people do. That's why we need this particular bill, because it's going to enable them to acquire the skills and to be able to market those skills.

For example, training and development—I used to work in the IT sector. One assumes that it takes between 10 and 20 days of professional development each year just to stay even in your field, and in most knowledge work today, that function of training, development, and employee retention is key.

So who actually manages that? In many cases, it's either managed or coordinated or runs through the HR department. That's what HR people do. If you've invested that much money in your people, you can't waste your people, your time and your money. You've got to advance them in sophistication, you've got to manage their skills, and you've got to keep them at the

cutting edge of whatever it is you do, if what it is you do requires an investment in human capital. That's what HR people do.

A good HR professional ensures, if you're in the business where your employees and their skills are what drives you forward, that you're getting the best possible value for your money. That money represents, for most organizations today, the most important investment that they make day after day after day.

I say, good for the HR Professionals Association. What they're providing for the profession are such functions as networking, leadership and management development. They allow a common body of standards and management of that all-important CHRP designation. They give people a forum to discuss their ideas, to share some of their thoughts, and basically, as HR professionals, to play a role in advancing their profession, their company, their skills, and the people whose careers they affect so deeply. What this act does is to assist the HR profession to manage its resources with the best possible tools and techniques, and to ensure that right here in Ontario and here in Canada, our organizations—organizations that members of the HR profession work in—manage human resources as effectively as we possibly can.

What this act does is give people that framework to go ahead and manage them. It addresses many of the gaps found in the current private statute. It has passed muster not only with independent legal opinion, but it is also considered to be the way to go by the members who practise HR now and will continue to practise HR as the decades evolve.

Speaker, I'm pleased to stand and to support this. It means a lot for HR people. It means a lot for the kind of businesses that we have today in Ontario. It's a measure that I urge all members to support. I do hope that it gets through committee and that it comes back to this House for third reading, where I hope all members will support it at third reading, make it law and assist the HR profession in the province of Ontario to go forward in the 21st century with modern standards and modern ways of managing its members and helping them do the best jobs they can in their careers, for their employers, for the people that they serve. Thank you very much, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

The member for Willowdale has two minutes to reply.

**Mr. David Zimmer:** Thank you, Speaker. I think the endgame here is that in Ontario, we recognize that Ontario has a very complicated economy, a very sophisticated economy, whether it's high-tech, finance, education, real estate development, all of the enormous manufacturing challenges we're facing here in Ontario. It's those 8,000 organizations, those 8,000 businesses, that drive the Ontario economy, and their two million workers and the 20,000 HR professionals that work in that milieu, in that world.

One of the things that this government and all sides of this Legislature are driving away at, are trying to build, is

an economy that is attractive to everyone else in Canada so that they want to come here and do business, so that it's an economy that's attractive to international businesses, so that they want to come here. And what attracts business to Ontario? It's the quality of the lifestyle here. It's the quality of the workplace here. It's the quality of our health care system. It's the quality of our infrastructure. It's the quality of the conditions in which employers and employees, management, unions—where they all work together to build this economy.

A necessary tool to assist in that relationship to promote the very best working conditions is HR professionals. Anything we can do to enhance the profession is good for our economy, is good for the workplace, is good for the people of Ontario. That's why we should do everything we can to help human resource workers professionalize. The way we do that is to approve this legislation. Thank you, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** The time provided for private members' public business has expired.

#### COMMITTEE WITNESSES

**The Deputy Speaker (Mr. Bas Balkissoon):** We will deal first with ballot item number 13, standing in the name of Ms. Jones.

Ms. Jones has moved private member's notice of motion number 11. Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

#### NORTHERN ONTARIO

**The Deputy Speaker (Mr. Bas Balkissoon):** We will deal with the motion by Mr. Vanthof.

Mr. Vanthof has moved private member's notice of motion number 9. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion, please say "aye."

All those opposed to the motion, please say "nay."

I'd say the ayes have it. The motion is carried.

*Motion agreed to.*

#### REGISTERED HUMAN RESOURCES PROFESSIONALS ACT, 2012

#### LOI DE 2012 SUR LES PROFESSIONNELS EN RESSOURCES HUMAINES INSCRITS

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Zimmer has moved second reading of Bill 28. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The bill is referred to the committee of the whole? Is that—

*Interjections.*

1610

**Mr. David Zimmer:** General government.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member wishes it to go to general government?

**Mr. David Zimmer:** Yes.

**The Deputy Speaker (Mr. Bas Balkissoon):** Is it the pleasure of the House that the bill be referred to general government?

**Mr. Gilles Bisson:** On a point of order, Mr. Speaker: Okay, I understand what happened here, but people should be paying attention, because there is a procedure for voting and there is a procedure in how we move things to committee. People need to pay attention; otherwise we end up in a spot. So I'm not going to get in a snit over it, but let's be very careful that we don't do that kind of stuff.

**The Deputy Speaker (Mr. Bas Balkissoon):** All those in favour of the bill going to general government, please stand and remain standing.

**Mr. John O'Toole:** Which bill?

**The Deputy Speaker (Mr. Bas Balkissoon):** Number 28.

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Can I have all members take a seat?

Sorry about the confusion, but the majority is in favour of the bill going to general government. So be it.

#### ORDERS OF THE DAY

#### ATTRACTING INVESTMENT AND CREATING JOBS ACT, 2012

#### LOI DE 2012 VISANT À ATTIRER LES INVESTISSEMENTS ET À CRÉER DES EMPLOIS

Resuming the debate adjourned on February 28, 2012, on the motion for second reading of the following bill:

Bill 11, An Act respecting the continuation and establishment of development funds in order to promote regional economic development in eastern and southwestern Ontario / Projet de loi 11, Loi concernant la prorogation et la création de fonds de développement pour promouvoir le développement économique régional dans l'Est et le Sud-Ouest de l'Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**M. Taras Natyshak:** Merci, monsieur le Président. Ça me donne grand plaisir aujourd'hui d'avoir la chance de parler de ce projet de loi, spécialement parce qu'on a la chance de parler à propos de quelque chose qui propose de toucher au sujet de la création d'emplois dans le sud-ouest de l'Ontario. Certainement, les membres dans cette Chambre ici savent comment le sujet de la création d'emplois dans le sud-ouest de l'Ontario est difficile.

**The Deputy Speaker (Mr. Bas Balkissoon):** Point of order, the member from Timmins—James Bay.

**M. Gilles Bisson:** Monsieur le Président, avec tout le parlage à l'Assemblée, je ne peux pas entendre le député parler. S'il vous plaît, on peut baisser les voix un peu?

**The Deputy Speaker (Mr. Bas Balkissoon):** Can I have order in the House? The member from Essex.

**Mr. Taras Natyshak:** Je remercie mon collègue pour son intervention.

It is indeed a pleasure to have the chance to speak to the bill before us, G11, the Attracting Investment and Creating Jobs Act. The overview of the bill provides the government—

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Order, please.

**Mr. Taras Natyshak:** The bill provides the government with legal framework to continue the eastern Ontario development fund and create a new southwestern Ontario development fund to promote economic development in southwestern Ontario. And, of course, any of those members who are from southwestern Ontario can speak ad nauseam about the devastating effects that the most recent recession has had on southwestern Ontario jobs, on our manufacturing sector, on our agriculture sector, on a whole host of jobs that were traditionally strong and presented our region with measures of stability.

Mr. Speaker, in that light, we understand that the government wants to pay some credit, pay some attention to southwestern Ontario, but you know, my biggest concern is that—it's not necessarily the policy effectiveness of this bill, but yet the political manoeuvring. And so, you know, I've been around here for a little bit—

*Interjections.*

**Mr. Taras Natyshak:** I'll talk to you guys. You're listening.

**Interjection:** We're listening.

**Mr. Taras Natyshak:** Thanks. Thank you.

*Interjection.*

**Mr. Taras Natyshak:** And the boys up there are listening too, as well. Thank you.

Well, I've been around for a couple of weeks here, and I'm getting the hang of it. I'm understanding—

*Applause.*

**Mr. Taras Natyshak:** Thank you. I'm understanding what it is exactly the motives are of, specifically, the government side, but in general, there are some ulterior motives when bills are presented. This one's pretty clear. It's as clear as mud. They attach a really catchy title to it, but yet it's a piecemeal approach. Let's get that straight right off the bat. It really, in terms of its effectiveness, in terms of generating job creation in southwestern Ontario, will do very little. I mean, you cannot take a piecemeal approach to the devastating effects of a global recession, a worldwide financial calamity, again—and I've said it many times—created and perpetuated by greed and mismanagement. I'll go through the "ations": deregulation, privatization, militarization—I'm starting to sound like Bob Dylan. But in fact, those are the reasons why we find ourselves in such a situation today.

Some may argue that, but I've lived it, because being from southwestern Ontario—the great riding of Essex, the agricultural heartland of our community and our

region—we did feed cities. The farmers in Essex county will tell you: Farmers feed cities each and every day. But what's interesting is that those farmers also, to be able to—

*Interjection.*

**Mr. Taras Natyshak:** I can tell.

*Interjection.*

**Mr. Taras Natyshak:** Because he drives a big truck.

They also, these days, have to have good-paying jobs on the other end of the farm to be able to have their operations actually be sustainable. It wasn't like that in the past, Mr. Speaker. Farming and agricultural production was actually a decent living. You could actually scratch out a living in that, raise a family and contribute to your community, and serve that purpose, that really wholesome purpose that our agriculture and our rural community does in providing us with good, safe, sustainable sources of food.

But I regress to the act in front of us, which contains some measures that we have some trepidation about. One is that this fund is only \$20 million, and it may sound like a decent chunk of money, but for the entire region of southwestern Ontario, it's actually a pittance and will do little to stimulate growth and job creation. That is certainly our belief. If programs driven by the government side are any indication of its success, we really don't have that much confidence in its effectiveness.

Secondly, we're hesitant, we're concerned that this could become a slush fund. Oh, I see some heads popping up there, because that's a valid concern. We don't know where the government goes with their bills these days. We don't know what deals are brokered in the back rooms; we don't know what the intangibles may be; we don't know who's driving the programming, how much they're making. There are so many unknowns.

**Interjection:** Where are those slush funds going to go?

**Mr. Taras Natyshak:** Where are they going to go? We need to know, and that's one of our major concerns.

What we're saying is, give us some job guarantees. Provide the mechanisms, within the context of this bill, to have the checks and balances so that we don't get into another scenario such as the one that played out in Chatham, with Navistar, where they left that region, that community—1,100 jobs—bags of money in hand, and the community at a tremendous loss. We need to see real, hard job creation measures and real, hard commitments to those jobs. We need to also see, potentially, some punitive measures within this bill, such as some that exist in Minnesota, that would enable the government to claw back some of those funds if indeed we saw a progression toward layoffs and an exodus of those jobs.

**1620**

Another concern is that the monies to finance this program are being reallocated, so you are robbing Paul Miller to pay Peter—because we know the member has all the money in the world.

**Ms. Cheri DiNovo:** Peter Shurman.

**Mr. Taras Natyshak:** Peter Shurman; that's right.

But you're robbing Peter to pay Paul, and it really affects the bill and the effectiveness of that bill if you are watering down both measures in terms of their overall funding.

One of those bills is the strategic jobs and investment fund. The SJIF is a discretionary grant and loan program designed to support leading-edge investments in jobs in Ontario. It's something that I think has been fruitful, yet we're going to water that down because we're taking some money out of there to create the southwestern Ontario fund. We'd like to see stand-alone funding, of course, Mr. Speaker.

Also, unlike the northern Ontario heritage fund, there's no separate board, so this thing will have to go through ministerial approval. That's where the slush fund concerns come in, and I can tell you, meeting with stakeholders and specifically some folks who have some great ideas in my riding of Essex looking to take advantage of the strong workforce, the intelligent workforce, a manufacturing sector that built this country and those workers who are ready to go to work: They're ready to come in, but they're looking for approval from the ministry through the PPA, a power purchase agreement.

I challenge any member across the aisle to tell me how that works. Apply for a PPA. Try it. It's impossible. You will be mired in a bureaucracy that will spin your head around. That's the concern with this: that the accessibility of the funds will be solely at the minister's discussion, and of course, the ribbon-cutting ceremonies ensue, and it's a big party for the government.

We need some fairness. Certainly we need southwestern Ontario to be addressed and the job losses that we know have been incurred since the free trade agreement, NAFTA, and now what potentially could be CETA, which I believe the provincial government has given their stamp of approval on, despite concerns from municipalities that know this will affect their power to negotiate contracts, their power to release tenders, if they're at the whim and mercy of global forces.

Mr. Speaker, I forget to tell you that I am sharing my time with the member from London–Fanshawe. I will kindly give over the floor to her, and I'm sure she'll provide some great commentary.

**Hon. Kathleen O. Wynne:** On a point of order, Mr. Speaker: I let the member finish his comments, but he referred to the southwestern Ontario development fund with what I think was unparliamentary language, and I would just like to ask him if he could withdraw that. I think it was not an appropriate use of a name for that fund.

**The Deputy Speaker (Mr. Bas Balkissoon):** I'm sorry, I missed it, but I would leave it up to the member to withdraw if he—

**Mr. Taras Natyshak:** I withdraw.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for London–Fanshawe.

**Ms. Teresa J. Armstrong:** Thank you, Speaker. I am grateful to have the opportunity today to discuss Bill 11,

the Attracting Investment and Creating Jobs Act for 2011.

My region where I come from is southwestern Ontario, and I am the MPP for London–Fanshawe. There's no doubt that southwestern Ontario has suffered its fair share of job losses over the years. I can specifically speak to my riding in London–Fanshawe, where we just had a very unfortunate incident, and I'll give you a little bit of history about it.

First of all, the people in my riding, and I'm sure in many other cities across Ontario and Canada, are very much worried about their jobs, keeping a job, job security, acquiring good jobs—not just temporary but permanent jobs with benefits.

That leads me to talk about the story I have with regard to my riding.

For 62 years, a company on Oxford Street was manufacturing locomotives. The workers at this location and at this company were asked to increase productivity by 20% last year, and they did.

Recently, record high profits were reported for this company in their fourth quarter. So if I worked there, I would have thought, "My company has been here for 62 years, we increased our production by 20% last year, as we were asked to do, and the company has filed record profits in their fourth quarter—more than they anticipated." Who wouldn't have thought: "What a great scenario for success for the company and success for the employee?"

**Mr. Jonah Schein:** You'd think they'd reinvest in London.

**Ms. Teresa J. Armstrong:** You'd think they would reinvest in London, or keep investing in London.

The company I'm talking about, Speaker, is called Caterpillar. It has been across the news for the last few months, and many of us are familiar with the despicable behaviour of Caterpillar toward the situation. Around January 1 or 2, I believe, Caterpillar offered their workers a 50% cut to their wages and benefits. The workers were locked out. Ultimately, Caterpillar shut its doors.

I'm really concerned because, as I mentioned before, job losses are rampant across southern Ontario—over all of Ontario—and these good-paying jobs with benefits were held by people who were in my community and contributed to health care, to property taxes, to infrastructure, to having a meal in restaurants and creating those jobs. Suppliers of paint for the locomotives benefited from the company staying in the riding.

When I look at Bill 11, the Attracting Investment and Creating Jobs Act, it really makes me think that I don't want the example I have in my riding to happen again. This government needs to learn that when we give funds to companies, there have to be strings attached to those jobs.

I wanted to comment on the member from Essex's example of Navistar in his area. Navistar got money from the government, closed its doors and walked away with the investment they were supposed to make to keep jobs

here. It's a sad situation that that occurred, as it occurred in my riding.

When the member from Willowdale was speaking about the HR professionals motion, he said, "What is it that attracts companies to our city, to Ontario? The quality of life, good health care and infrastructure." The member from Mississauga–Streetsville, when he was speaking about the HR professionals bill, said, "What makes a good company, a strong company? Intellectual property."

Those were the two things that were taken from my community in London–Fanshawe. Quality of life for those workers—they can't contribute to the tax base, infrastructure and good health care—and the company took our intellectual property to Muncie, Indiana.

When we look at the bill today, the Attracting Investment and Creating Jobs Act, the first thing I want to point out, of course—what I just mentioned minutes ago and for the last little bit—is job guarantees. Unless this government is going to put clauses in their contract that we are not going to let our jobs walk away, I have a difficult time understanding how they can fund companies without those job guarantees, after what I experienced in my riding.

**1630**

The other thing that they are going to fund with the southwestern economic development fund is \$20 million. As my colleague from Windsor–Essex pointed out—

**Mr. Taras Natyshak:** Just Essex.

**Ms. Teresa J. Armstrong:** Excuse me. As my colleague from Essex pointed out, this money is not new-found money. This money will be reallocated from a different fund which is known as the job strategic investment fund, I think it is. This is a successful program, and they're going to take money from that program to help the southwestern economic development fund.

I'm all for helping. I'm all for sharing and compromising and getting the job done, but if it's not going to be a dent in the job market that we have in my riding of London, as an example, if it's only a drop in the bucket, what are you saying to those people who are looking for jobs every day? Are you really helping the situation, or is it just maybe an act?

Many people refer to it in the House, of the Liberals wanting to look like they're doing something, but it's not enough. It's a little thing. It needs to be substantial. It needs to make people's lives—as the member from Willowdale said, a quality of life with good health care and infrastructure. That's what we need to be done with this bill. We need to make sure that we are looking after those good jobs that are coming to London, to Ontario, and we're going to keep them here with strings attached and job guarantees, whatever it takes, so that we can help the citizens of Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

Further debate?

**M. Gilles Bisson:** Merci beaucoup, monsieur le Président. Votre vigilance sur le fauteuil du Président est très appréciée.

Je veux commencer par dire, monsieur le Président et membres de l'Assemblée, que ce projet de loi, tel qu'on l'a décrit dans nos discours jusqu'à date—que le parti NPD, sous le leadership de M<sup>me</sup> Horwath, est en faveur. On pense que l'idée est bonne. On a besoin de mettre en place un fonds de développement économique pour des régions comme le Sud-Ouest et le Sud-Est, et c'est quelque chose dont on a grandement besoin dans ces communautés.

Justement, on a rencontré les dirigeants des communautés, des maires et des conseillers de l'est et du sud-ouest de l'Ontario, à la conférence qu'on vient juste d'avoir ici pour les municipalités, et tout le monde parle de l'importance.

But I've got to say that although we support this, there is, I think, a change that needs to be made.

I come from a place in northern Ontario—and my good friend John Vanthof referred to it earlier in his debate in regard to the creation of the northern Ontario committee that passed on a voice vote today, and we're quite appreciative of that. We look forward to the next step of actually forming this committee—is the issue of the Northern Ontario Heritage Fund Corp., or NOHFC, as it's known, which is our regional economic development organization, something as proposed in southwestern and southeastern Ontario. But the difference is, we run our own NOHFC. The minister or the crown appoints people from across northern Ontario to sit on the commission, as it's called, and they make the decisions at the board level as to what the policies of that committee should be and what kinds of projects should or shouldn't be approved. Of course, the chair, being the minister, has a great say about what he or she wants that particular fund to do, but all of the review of applications and the final decisions on applications are made by people in northern Ontario who live and breathe the experience of the projects that we see come before the commission.

I myself would prefer that the NOHFC be a fund entirely dedicated to economic development. Currently, it does a couple of other things which I think are okay, but those things are better done under actual line ministries with capital dollars to do those things. But the idea of having an economic development fund has been crucial to the survival of many an industry in northern Ontario. The way it works is that we have a number of different programs. For example, a company that's trying to do a new start-up is looking for financing but they don't have enough money in order to be able to make the bank comfortable enough to make the loan—sometimes it could be a \$200,000 project, it could be a \$2-million project. They get before the bank, and the bank says, "Sorry; you don't have enough equity in order for us to lend you the money." You're able to go to the NOHFC, and the NOHFC could do a loan guarantee for you—in fact, we make money with NOHFC because people actually pay their loans back—or you can give a

loan/grant situation, where the person does a loan, and part of it is granted and part of it is a guarantee. There are different ways of doing it. There have been different combinations. The point is, it has been crucial for lots of businesses in northern Ontario to do those new start-ups because often they don't have access to capital.

One of the things that we recognize in the north—and I would imagine it's the same in southwestern and southeastern Ontario: You don't have access to capital as you do in a place like Toronto. Toronto has all kinds of investors. You can go knock on their doors; you can ask them for the money. It's a lot easier to raise capital for projects in an urban setting. But when you're in Kenora or Kingston or wherever it might be, it's a lot harder to be able to raise capital.

NOHFC has this board, and it's the board that decides. We've had plenty of start-ups in northern Ontario as a result of the NOHFC, and more importantly, we've had many industries that have been saved as a result of the interventions of NOHFC.

To say that all of the loans and grants that were given by NOHFC have all been paid—we're like any other lender. There's always a certain amount of default. But here's a number. The last time I looked at it, which was a number of years ago, the amount of money that we collect back, plus interest, on the guarantee side of the operation—actually, we make money with it. We actually build up a little bit of money to allow us to do some interesting things.

I remember when we were in government and I was parliamentary assistant to Northern Development and Mines Minister Shelley Martel and eventually to Gilles Pouliot. We, I remember, at that time were stuck with a really wonderful problem. The loans had been paid back and the money that we had been granted at that time—\$50 million a year—had actually grown to about \$120 million, plus their \$50 million, because people had paid their loans back. So we were able to sit down and look at, what can we do to target Algoma Steel? I remember that we did some work with them. We did work with Abitibi—I remember doing some work with Abitibi out of Iroquois Falls—and a whole bunch of other industries that were able to invest and retool and put themselves in a position of being more efficient, to keep their doors open.

If that's what we're creating in southwestern and southeastern Ontario, I think it's a good idea. However, what I see in the legislation proposed is the creation of a fund but not of that board that is able to make the decisions about who gets the money and what the policy of the loans and grant and guarantees should be.

I am looking forward to going into committee so that we actually can have the discussion, engage with the people of the southwest, engage with the people of the southeast, and say, "Should we model this fund something like an NOHFC?" I'm hopeful that if we get to committee—which we will—we will be able to bring forward amendments that will be able to do that.

I look forward to the participation of all of the members of the House in this particular bill and I look forward to it being the bill that it can be. I think that would strengthen very much what the government is trying to do, and I think it would give the people of the southwest and southeast a sense, as we have in the north, at least with one thing: that they have some control over their own economic development agency.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Hon. James J. Bradley:** I always enjoy hearing the member speak because of his long experience in this House and his ability to be concise in finding the appropriate parts of the bill to support and to point out any weaknesses that might be in the legislation.

I may be hearing what I want to hear, but I detected some degree of support in general for the legislation, but a desire, as we would all want to see, for it to enjoy the kind of scrutiny that legislation should receive within committees of the Ontario Legislature—the appropriate committee of the House. Often, we're able to have people come in to speak to it, to tell us how the legislation can be improved; or, if they think it's perfect, they can tell us that. That's seldom the case. It also allows an opportunity for members to ask the appropriate questions of the government who is proposing the legislation.

Of course, in committee, when we deal with clause-by-clause of bills of this kind, again, there are proposals put forward, amendments, from time to time. Sometimes the government will put in its own amendments. Often, it will react to something that it has heard in the committee, or members of the opposition may offer amendments they feel would strengthen the bill.

1640

I think the debate has been good on this bill. There's not total agreement in the House. That's natural in any one of these circumstances. There's a philosophical difference in one situation. I think in the other situation it's probably a difference more in the details of the bill and looking to ensure that the bill can be positive for the people of Ontario.

I know that my friend and your friend, Gilles, Senator Runciman would be watching this debate. My guess would be Senator Runciman would be enthusiastic about this piece of legislation.

**Hon. Glen R. Murray:** On a point of order, Mr. Speaker: I just think it would be out of order if we did not recognize Mr. Joe Rotman, a great Canadian who I know is a friend to members of this House and who not only lends his name but whose leadership and generosity established the Ontario Brain Institute and much of our research at university facilities. I want to thank him for his great citizenship, his leadership, and his friendship to this government and to the opposition and to all Ontarians. He's a great, great Canadian.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you and welcome, but as the member knows, it's not a point of order.

Questions and comments?

**Mr. Monte Kwinter:** Mr. Speaker, I just wanted to comment on the comments from the member from Timmins–James Bay.

When I was the Minister of Industry, Trade and Technology, we had these development funds, and they did a terrific job. I remember going to estimates, and when I was at the estimates, some of the members were critical of the fact that the fund had a loss of 4% on their investments, as opposed to the chartered banks, which were about 1%. They asked, why can't you match what the chartered banks are doing with this money?

We finally determined that that wasn't the role of the development fund, to replace the banks. They were to provide funds for those people who couldn't get money from the banks, and it was worth the premium in the losses to get those others going and get the development going and create the jobs.

So that was a real testimony to what this fund is for. It is not meant to augment or supplement the banks; it's for people who can't get them but have a prospect of being very successful and creating the jobs that are intended under this legislation.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate? Mr. Bisson, you have two minutes to reply.

**Mr. Gilles Bisson:** Mr. Speaker, I don't plan to take two minutes. I just want to hearken back to a subject my good friend Mr. Bradley and I have talked about a number of times, and that is hearken back to the time when committees actually did work in this place. We both came to this place—you obviously long before me by about 10 years, but I remember coming here some 22 years ago. You would sit in committee, and you actually did have the sort of congeniality that you needed. Government, yes, did some ideological things, and those things happened, but by and large, you tried to work together to do what is was right for the people of Ontario.

Hopefully, that's what this minority Parliament is going to deliver. Certainly, that's what Andrea Horwath

and New Democrats are trying to do by way of our actions. It's not always easy for government to see what we're trying to do, but effectively what we're trying to do today in the end is what's right for the people of Ontario. That's what we're sent here for.

And I really respect the member for—Jim Bradley.

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Milloy has moved second reading of Bill 11, An Act respecting the continuation and establishment of development funds in order to promote regional economic development in eastern and southwestern Ontario.

Is it the pleasure of the House that the motion carry?

I heard a no.

All those in favour, say "aye."

All those opposed, please say "nay."

The ayes have it in my opinion.

Call in the members. This will be a 30-minute bell.

**Mr. Jeff Leal:** Mr. Speaker, I can help you out here.

**The Deputy Speaker (Mr. Bas Balkissoon):** I have a motion here: "Pursuant to standing order 28(h), I request that the vote on the motion by Minister Milloy be deferred until Monday, March 5, following question period."

Is it the pleasure of the House? Carried.

**Mr. Gilles Bisson:** There's no pleasure. This is just the right of the government.

**The Deputy Speaker (Mr. Bas Balkissoon):** Okay.

*Second reading vote deferred.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Orders of the day.

**Hon. James J. Bradley:** I move adjournment of the House.

**The Deputy Speaker (Mr. Bas Balkissoon):** The government House leader has moved adjournment of the House. All in favour? Carried.

This House stands adjourned until Monday at 10:30.

*The House adjourned at 1646.*

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Hudak, Tim (PC)	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
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<b>Levac, Hon. / L'hon. Dave (LIB)</b>	Brant	Speaker / Président de l'Assemblée législative
MacCharles, Tracy (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
MacLaren, Jack (PC)	Carleton–Mississippi Mills	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Mantha, Michael (NDP)	Algoma–Manitoulin	
Marchese, Rosario (NDP)	Trinity–Spadina	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	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)	Thunder Bay–Atikokan	
McDonnell, Jim (PC)	Stormont–Dundas–South Glengarry	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Government / Chef du gouvernement Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McKenna, Jane (PC)	Burlington	
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough–Westdale	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
McNaughton, Monte (PC)	Lambton–Kent–Middlesex	
McNeely, Phil (LIB)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
<b>Miller, Paul (NDP)</b>	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du Comité plénier de l'Assemblée législative

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Milligan, Rob E. (PC) <b>Milloy, Hon. / L'hon. John (LIB)</b>	Northumberland–Quinte West Kitchener Centre / Kitchener-Centre	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Government House Leader / Leader parlementaire du gouvernement
Moridi, Reza (LIB) <b>Munro, Julia (PC)</b>	Richmond Hill York–Simcoe	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
<b>Murray, Hon. / L'hon. Glen R. (LIB)</b>	Toronto Centre / Toronto-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
Natyshak, Taras (NDP)	Essex	
Nicholls, Rick (PC)	Chatham–Kent–Essex	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pettapiece, Randy (PC)	Perth–Wellington	
Piruzza, Teresa (LIB)	Windsor West / Windsor-Ouest	
Prue, Michael (NDP)	Beaches–East York	
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Sandals, Liz (LIB)	Guelph	
Schein, Jonah (NDP)	Davenport	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	
Smith, Todd (PC)	Prince Edward–Hastings	
Sorbara, Greg (LIB)	Vaughan	
<b>Sousa, Hon. / L'hon. Charles (LIB)</b>	Mississauga South / Mississauga-Sud	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Tabuns, Peter (NDP)	Toronto–Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Taylor, Monique (NDP)	Hamilton Mountain	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wong, Soo (LIB)	Scarborough–Agincourt	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Yurek, Jeff (PC)	Elgin–Middlesex–London	
Zimmer, David (LIB)	Willowdale	

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Vice-Chair / Vice-président: Taras Natyshak  
Grant Crack, Kim Craitor  
Vic Dhillon, Michael Harris  
Rob Leone, Taras Natyshak  
Rick Nicholls, Michael Prue  
Mario Sergio  
Committee Clerk / Greffière: Valerie Quioc Lim

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Comité permanent des finances et des affaires économiques**

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Bob Delaney, Victor Fedeli  
Cindy Forster, Monte McNaughton  
Yasir Naqvi, Teresa Piruzza  
Michael Prue, Peter Shurman  
Soo Wong  
Committee Clerk / Greffière: Valerie Quioc Lim

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Joe Dickson, Rosario Marchese  
David Oraziotti, Laurie Scott  
Todd Smith, Jeff Yurek  
David Zimmer  
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Bill Mauro, Jim McDonell  
Phil McNeely, Randy Pettapiece  
Peter Tabuns, Monique Taylor  
Lisa M. Thompson  
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Lorenzo Berardinetti, Mike Colle  
Frank Klees, Jack MacLaren  
Paul Miller, Rob E. Milligan  
Shafiq Qaadri  
Committee Clerk / Greffier: William Short

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Gilles Bisson, Donna H. Cansfield  
Steve Clark, Garfield Dunlop  
Jeff Leal, Lisa MacLeod  
Jonah Schein  
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Vice-Chair / Vice-président: Toby Barrett  
Toby Barrett, France Gélinas  
Phil McNeely, Norm Miller  
Reza Moridi, Jerry J. Ouellette  
Liz Sandals, Jagmeet Singh  
David Zimmer  
Committee Clerk / Greffier: William Short

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

Chair / Président: Peter Tabuns  
Vice-Chair / Vice-président: John Vanthof  
Michael Coteau, Grant Crack  
Vic Dhillon, Randy Hillier  
Rod Jackson, Mario Sergio  
Peter Tabuns, John Vanthof  
Bill Walker  
Committee Clerk / Greffière: Tamara Pomanski

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

Chair / Président: Vacant  
Ted Chudleigh, Dipika Damerla  
Cheri DiNovo, Kevin Daniel Flynn  
Ernie Hardeman, Tracy MacCharles  
Amrit Mangat, Michael Mantha  
Jane McKenna  
Committee Clerk / Greffier: Katch Koch

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