



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 10 May 2012**

**Jeudi 10 mai 2012**

Speaker  
Honourable Dave Levac

Président  
L'honorable Dave Levac

Clerk  
Deborah Deller

Greffière  
Deborah Deller

### **Hansard on the Internet**

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

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

### **Index inquiries**

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

### **Le Journal des débats sur Internet**

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

### **Renseignements sur l'index**

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

---

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



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

LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 10 May 2012

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 10 mai 2012

*The House met at 0900.*

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

*Prayers.*

**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 May 2, 2012, on the motion for third 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 Speaker (Hon. Dave Levac):** Further debate?

**Mr. Monte McNaughton:** Thank you very much, Speaker. It's always nice to arrive here early in the morning and speak for an hour on such an important issue. I'm proud to rise on behalf of the PC caucus, our party, to offer feedback and comments on Bill 11.

I'm also speaking to this bill as a third-generation small business owner from southwestern Ontario. I can assure you that southwestern Ontario business people aren't looking for grants. I would say with certainty that most business people in southwestern Ontario, eastern Ontario and across the province are really concerned about affordable hydro more than anything right now. I'll speak a little bit later about a business in my riding—they employ 75 hard-working people in southwestern Ontario—that announced last week that they're closing their retail operation. Hydro is running between \$18,000 and \$20,000 a month, and three years ago it was about half of that.

With the recent news of Ontario's credit rating being downgraded from AA1 to AA2, I, along with the rest of Ontario, am extremely disappointed and concerned by the downgrade. For several weeks, all that we have heard from the party opposite, the government, is that the proposed budget is good for Ontario and that this budget will bring Ontario back to prosperity. Ontario has once again

been tricked by Dwight Duncan, Dalton McGuinty and the government. It took less than a week for credit agencies to state their objections to the proposed budget. The response to the budget that we have seen from credit agencies just goes to show how flawed this government's budget really is. The truth is that the budget is not good for Ontario, and everyone except the Liberal government is taking note of that. The government's budget has failed, and no matter how many times the finance minister says the budget is just what Ontario needs, it will not change the reality that Ontario is headed towards economic failure.

Our province was once the economic engine of Canada. Now, the debt in this province is so high that its credit scores have been downgraded. We have said over and over again, many times, that the Liberal government must stop spending. The province's bank account is empty and now the province's credit score has been downgraded. It's unacceptable. Dalton McGuinty has been trusted with the finances of the people of Ontario—

**The Deputy Speaker (Mr. Bas Balkissoon):** May I remind the member that we don't refer to people's names; we refer to their title or their riding. This is the second time you have done it in the last couple of minutes, so whoever is your speechwriter—you might want to go through your notes to make sure you're correct.

**Mr. Monte McNaughton:** Thank you, Speaker.

All the Premier has done for the last nine years is spend. If nothing is done to address the government's spending, Ontario's destination is no longer prosperity. Ontario, as Don Drummond has noted, is on the road to a \$30-billion deficit. Ontario's credit downgrade by Moody's Investors Service is a major blow to Ontario and to Canada, I would say. It raises the spectre of a spike in borrowing costs that could derail what's left of this budget and divert precious dollars from health care and education into the pockets of international investors. I'm not comfortable padding the pockets of international investors with taxpayer dollars.

There seems to be a lack of understanding regarding the reality of Ontario. The Liberal government is not even taking a credit downgrade seriously. I would also note the finance minister's inappropriate attempt to joke about the situation when it was announced. The finance minister seems to have a delusional sense of optimism that is not rooted in economic reality. Of course, Speaker, I'm making reference to the third credit rating report that was released a few weeks ago by DBRS, where the finance minister said that Ontario is "two out of three—that's better than Ted Williams." The finance minister

and the Premier need someone to sit down with them and explain to them this is no laughing matter.

The entire PC caucus, along with our leader, Tim Hudak, have tried to tell the Liberal government over and over again, and they just don't get it. They're listening to no one. Even the credit agencies don't seem to be taken seriously by the Premier or the Minister of Finance. Let me read from its statement, as reported recently in the *Globe and Mail*: "Limiting debt growth will be very challenging and require a 'significant pickup in fiscal resolve.'"

If only this government had listened to the Auditor General, to their own hand-picked economist, Don Drummond, to the Conference Board of Canada, to Moody's last December, and of course to the PC caucus, we would have stood here celebrating a continued stable credit rating. Instead, all Ontarians should be concerned about what could happen next. An erosion of Ontario's credit rating will almost certainly drive up borrowing costs for the province.

A mere 1% increase in borrowing costs would cost the Ontario treasury \$500 million. Of course, that's enough to buy 250,000 MRI exams. I know that there are many people across Ontario waiting for an MRI exam, and because of the Premier and the finance minister's poor fiscal management, the people in Ontario who need MRIs desperately will continue to have to wait. In short, it's time for new ideas, and a new team with the courage to make them a reality. We've got some tough decisions to make, but time is running out. The longer we wait, the larger our debt becomes.

Speaker, I am frustrated. Bill 11 is proposing more government spending. I don't understand why we're still here in this House debating about more spending. Maybe the Premier knows something we don't know. Clearly, the Liberal caucus has not been reading the newspapers. Spending must be addressed. Tough decisions have to be made. If you keep ignoring the bills, they simply keep going up.

Since being elected, I have spoken with members of the community, business and government leaders throughout Lambton-Kent-Middlesex and throughout the province. I meet regularly with small businesses, entrepreneurs, major corporations, large, small and medium-size employers. I meet with education and development heads and I meet with regular, everyday people, whether they're farmers, retirees, shift workers or the unemployed.

I meet with people of all political stripes, even Liberals and people who support the third party, and of course I meet with many Conservatives, and people of all political stripes are telling me constantly that things in Ontario have to change. They told me that Ontario needs to take a new course and needs to go in a completely different direction. Over the past couple of months, the people have told me that they don't want more of the same and that they don't want to keep going down the same path, down the same road that we are currently heading. I don't know what we have to do to convince the government of this. We keep telling them that they

need to address spending and Ontario needs to change. It seems that the Liberal government is asleep at the wheel here, Speaker.

#### 0910

It is a great privilege for me to speak so early here today, as I said in my opening, and to clearly state to this government some of the many flaws with its current approach, including this very bill, Bill 11.

With everything I've heard since the budget from the community, from locally elected officials and municipal government, indeed from the government's own consultant, Don Drummond, and now from the credit agencies, I'm more certain than ever that things need to change and that it is time to adopt some of the straightforward and common sense principles being put forward by the Ontario PC caucus and by our leader, Tim Hudak.

Since 2003, this government tells us they have worked closely with the business community and regional economic development partners to attract new development and investment, and to create jobs for Ontario families. The government has also told the people of Ontario that they have partnered with companies that are making investments in Ontario and creating jobs.

As you will know, under the current Liberal government, Ontario has lost over 300,000 well-paying manufacturing jobs. At one point, we were losing 100 jobs per hour in Ontario—some pretty scary stuff. Over 550,000 Ontario men and women remain out of work. This, of course, is contributing to Ontario's jobless rate, which has remained well above the national average for well over five years. Those are some heavy numbers here, first thing in the morning, so let me distill it down for my friends on the government side.

For over five years now, Ontario's jobless rate has remained above the national average for the entire country, Speaker, for all of Canada. That's right. The current government has especially been failing the people of Ontario who are looking for work for well over five years. Worse than average: That's nothing to be proud of.

Unfortunately, I constantly see examples of unemployment in my riding of Lambton-Kent-Middlesex. As you know, Speaker, southwestern Ontario and my riding have been especially hard hit with the downturn in the manufacturing sector. My constituents are coming to me every day asking why the Liberal government is doing nothing to repair the economy and nothing to help turn things around and help them, hard-working men and women, get back to work. Unfortunately, this is not an overstatement.

Let's go back just over the past several months, perhaps to the October 6, 2011, election. Since then, this government, the Liberal government, has not done one thing—nothing. They haven't brought forward any ideas on how to create meaningful jobs in my riding, in southwestern Ontario, eastern Ontario or throughout the province. Now the people of Ontario are going to have to pay increased interest rates on the province's debt because this Premier, this government, didn't listen. But who are

we kidding? He isn't paying for it, so he clearly isn't concerned with it.

I come from a small business background, Speaker, and I learned very young from working in the family business that you can't spend your way to prosperity. It just doesn't work. We have seen unprecedented government spending from the current government, and we have also seen Ontario's economy struggle like never before. The Liberal government has proven time and time again that their spending system does not work.

Since the election, we have seen a troubling trend, which is a continued flow of companies closing shop and those good jobs leaving Ontario. As I said early on, in my riding last week, 75 jobs were lost as a retail store announced that it was closing. On another note, a couple of months ago, a business in my riding, another retail operation that employs 65 people, told me that their hydro bill is up \$8,000 year over year. These added costs are decimating the province. Hydro is the number one issue. In my portfolio of economic development, I hear, time and time again, that this is by far the number one concern businesses are faced with in the province. Why is this government not taking responsibility for the loss of these jobs?

Mr. Speaker, I think the Liberal government is confused. I think the Liberal government is limping from one crisis to the next without any real plan, without any clue as to how to solve the problems facing our economy, the problems their government has caused and even worsened with their lack of decisive action.

It is time that the Premier took responsibility for this province's job losses. This Premier needs to fix the disaster that he himself has created. For a long time now, the Ontario PC caucus and our leader have been fighting to stop the damage and stop the madness of the Liberal government. We've been fighting to stop the chaos resulting from almost nine years of his unsustainable spending increase after spending increase—eight years of rapid growth in the size of government and eight years of structural deficits compounding on themselves.

Indeed, the last eight or nine years has brought skyrocketing increases in the government's overall expenditures. I'm sure I don't need to tell you, but did you know that our spending is up over \$20 billion since the recession? Speaker: \$20 billion. Coming, again, from a family business, it is my experience that things should work opposite of that. That is, when money gets tight, spending decreases and savings must be found, but apparently not so for this government.

The problem, of course, is that someone needs to pay for all of this spending, and that someone is you and me, Speaker, and the hard-working families across the province of Ontario, who are struggling to make ends meet. It's the taxpayers, the small businesses, the farmers, the truck drivers, the store owners and factory workers who have to pay for this Premier's reckless spending spree.

However, we also know that their incomes haven't kept pace with the rapid increase in spending coming from this government. Ontario incomes and incomes for

folks in my riding have basically stagnated since this government came to office way back in 2003. While public sector salaries have grown, private sector salaries have remained stagnant. Government spending is at an all-time high, as is Ontario's debt. The current government spending plan is not working for Ontario. We have seen Ontario's economy steadily declining over the last eight years. Coinciding with this decline has been a constant increase in government spending.

I think that the record speaks for itself: The spending plan that this government insists on is not working: Nine years and only negative results is enough evidence for Ontario. The process and the priorities must change. While Ontario's incomes have remained the same, the cost of government has grown substantially and enormously, to the point that the Premier had to call in outside help to come in and review the books and help determine where things went off the tracks.

Again, let's remember back just seven months ago to the election campaign in the lead-up to the October 6 election, Mr. Speaker. I'm sure you can remember, as I can, when this Premier and this government boasted of being a steady hand in times of economic uncertainty. When the Premier asked the Ontario public to trust him once again—and the public had their day and responded by yanking the Liberal mandate and electing a stronger opposition and sending a minority government back to Toronto—since that day, we have had report after report rejecting the current path and rejecting the current government.

Think back just over the past number of months: We've had the damning report from the Auditor General—the independent officer of this House—a non-partisan report that slammed this government in so many areas for mismanagement and waste.

*Interjection.*

**Mr. Monte McNaughton:** Speaker, I must pause just for a second to say that I must be touching a nerve on the other side of the House this morning. I know hearing reality first thing in the morning is a painful exercise, especially when Ontario is facing a \$30-billion deficit and a debt that possibly could be heading toward \$411 billion.

The downgrade of Ontario's credit could be just the tip of the iceberg if this government doesn't change direction. The simple fact is that we would not be in the situation we are in, with high unemployment, ridiculous energy prices, skyrocketing debt and an uncontrollable deficit, if it were not for the Liberal government, this government's total mismanagement of Ontario's economy. We wouldn't be here if it weren't for this government's addiction to spending, their uncontrollable spending.

The Drummond report is a scathing report card on our province's well-being, our current direction in leadership, and it's an eye-opener that we need to start doing business differently; that this government and future governments need to start doing business differently. We simply cannot continue down this current path. We cannot proceed with the same failed approaches like Bill 11,

which is another \$160 million in spending at a time when our deficit is a billion dollars higher than it was last year.

Don Drummond clearly states that it is time for new ideas and new approaches to how our government operates. His approximately 700 pages are a road map. But the document also provides proof of a very serious spending crisis, a crisis far worse than we imagined, far worse than we ever thought and certainly worse than this Premier has ever acknowledged. Now the credit agencies, as I've said a few times, are telling us that the spending must stop, because Ontario's credit has been downgraded.

**0920**

I am pleased to urge and challenge this government to do what everyone is saying: Take the tough medicine that the doctor has prescribed and start making changes to the way you run your government and this province. But you know what, Mr. Speaker? Nothing I've seen with this government since the election gives me hope that they will, or even can, act upon certain recommendations. It's no secret: Ontarians have very little faith in this government to cut spending and reduce the overall size and cost of government—it's in the Liberals' DNA.

What we need is an immediate action plan from this government to clean up the mess, the mess that they themselves created, the mess that they themselves have allowed to grow faster, grow untamed and grow unmanned, but I'm sure that's not what we're going to get.

We're here today debating Bill 11, part of the same tired and washed-up approach that got us into this problem in the first place. Our party and our leader understand what Ontario needs to get back on the road to recovery. Indeed, I've called on this Premier to throw a quarantine around Ontario's economic purse. That's right: no more new spending promises, no new uncoded and one-off spending and no more growth in the size and cost of government. So, here we are with Bill 11, and instead of trying to protect the jobs we currently have, the Liberal government is using taxpayers' dollars to create a new stimulus program, more corporate handouts and a pork project known as the southwestern development fund.

Here's the funny thing, Speaker: For all of the recommendations and warnings that the province has been receiving, they're still not listening. Nobody in this government is listening. Indeed, Don Drummond, like Roger Martin before him, has stated that it's time to get Ontario out of the corporate subsidy business and out of the business of giving unnecessary subsidies to all businesses.

Bill 11 is a \$160-million temporary band-aid approach to job creation that will not create long-term economic growth. Why is the government trying to create new jobs with taxpayer dollars while allowing current full-time jobs to leave our province? It makes no sense.

This government is currently handing out \$3.5 billion per year in corporate subsidies—\$3.5 billion was in this year's budget. It's no way to create jobs, and it just keeps adding to the deficit and to the debt. We have a \$16-billion deficit. As I said a few minutes ago, that's \$1 billion higher than it was last year. This is irresponsible, it's reckless and it's not sustainable. It has to stop. This out-of-control spending is troubling and upsetting.

What is more troubling is that not only does the current government do nothing to keep current jobs in Ontario, but they do nothing, period, when it comes to job creation. They simply spend money blindly and aimlessly—just spend, spend, spend. Speaker, consider this: Under this government, some programs are actually handing out \$300,000 per job. I'm not sure if the members on the opposite side of the House actually are reviewing the corporate subsidies from the Ministry of Economic Development and Innovation, but there's one company, for example, that received \$1.5 million to create five jobs. There are many, many examples of companies getting \$300,000 per job. That's not sound economic policy.

An interesting fact is that despite difficult economic circumstances, Ontario has seen some modest growth in the construction industry. I recently met with the CFIB and the WSIB to discuss the increasing regulation that the construction industry is experiencing. The funny thing is that this government's solution to growth seems to be to increase regulation, at least according to these industry leaders.

On January 1, Bill 119 came into effect, a bill that requires companies who employ construction workers to pay for the mandatory insurance that can only be done through the WSIB. On average, this change alone will cost each business an additional \$11,000 per year in insurance premiums. That's a tax grab, Speaker, and of course, we know that this government loves to tax and spend. Prior to Bill 119, construction companies were free to get private insurance that often included more comprehensive coverage at a better price than the WSIB is providing. This new regulation will cost one of the few growing industries in Ontario more money. It's a tax on an industry that has actually weathered the storm fairly well.

As a result, employers will have to make cuts in order to accommodate this new expense, cuts that will come in the form, sadly, of lost jobs—another example of the Liberal government's job creation program. It seems to always have an adverse effect on job creation.

Once again, why is the Ontario government increasing regulation on one of the few growing industries in the province? It doesn't make any sense, and it shows a government that is again limping from one problem to the next. Is the goal to have fewer jobs and to stop economic growth? I know that a lot of business people in the province ask me that, with a puzzled look on their faces. It seems that this Premier's government thinks as much. At least, that is where they're leading us to. These regulations are costing Ontario workers their jobs. Why is the Liberal government increasing taxes on one of the few growing industries in Ontario, on top of more regulations?

I was recently contacted by a constituent who was voicing his concern about regulations and the crippling effect they were having on his business. Brian MacKenzie, who is the operations manager at McRobert Fuels, is currently frustrated with the unnecessary red tape in Ontario. His plant's operations have been tempor-

arily shut down because the Ontario government is not certifying enough engineers to perform routine safety checks at the plant—safety checks that this government—

*Interjections.*

**Mr. Monte McNaughton:** No—safety checks that this government actually requires. He is also frustrated because, according to industry regulations, there are several people who must perform these safety checks separately from others. Why can't one certified individual perform these checks? Why is the current Liberal government not ensuring that there are enough certified engineers to perform these routine checks or, better yet, just having one person do them? Instead of blowing money on another wasteful bureaucracy, we have a company that has to shut down operations, we have people who want to work and we have people in Ontario who want to be certified. Why is nothing being done to streamline regulations and eliminate red tape so that the people of Ontario can get back to work?

It would seem that the McGuinty government is so out of touch, so out to lunch, and they just don't get it. That's right; it's still early morning, but the Liberals are already out to lunch, and of course the people stuck paying the tab are the taxpayers in my riding of Lambton–Kent–Middlesex and throughout the entire province of Ontario.

The solution for Ontario's job crisis is not more spending and more regulations. It is certainly not passing Bill 11 here today, the government's \$160-million bill. Current overregulation and government spending is crippling Ontario's economy and destroying jobs. More spending in the form of this bill will only add to the problem and compound the disaster we are currently facing. Under Dalton McGuinty, Ontario's debt has doubled. It may hit \$400 billion—

**The Deputy Speaker (Mr. Bas Balkissoon):** Again, I remind the member we don't refer to members of the House by their first name or last name. I'd ask you to stick to titles or a riding.

**Mr. Monte McNaughton:** Thank you again, Speaker, for the friendly reminder.

Under this government, it's worth repeating again that Ontario's debt has doubled and will hit \$411 billion in five years, by 2017, if left unchecked. Our deficit will be a crippling \$30 billion in those same five years.

There are no more questions. The report card is in. This Premier and this government have a spending problem and, for some reason, the Liberals keep telling us that continuing to spend more money will improve jobs and improve the economy. It isn't working. They've been telling us this for the last nine years, and their government's approach is not working. What don't they understand? Did they not read some of the reports that have come forward this year, since the election? Do they not think that the credit agencies know what they're talking about?

Instead of things getting better through government stimulus programs, the debt has doubled and Ontario's jobs crisis keeps getting worse. This government's spend-

ing plan is not working. The Ontario PC Party has a plan—our leader has a plan—for economic growth and job creation, and the best part about our plan is that it doesn't come with a billion-dollar price tag.

Talking about a billion dollars, this government is famous for billion-dollar boondoggles and billion-dollar giveaways to their friends. We had the billion-dollar eHealth scandal. We likely have a billion-dollar screw-up in Mississauga, a billion-dollar mess in Oakville and, of course, we are faced with the Ornge scandal here this year. Of course, it's one issue I'm hearing about in my riding time and time again.

People understand that this is the most scandalous government in the province's history. I'll tell you, Speaker, things need to change. We need to have the all-party committee to look into this mess at Ornge. So, until we get that, I'm going to move adjournment of the debate.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Lambton–Kent–Middlesex has moved adjournment of the debate. Shall the motion carry?

All those in favour of the motion, please say "aye."

All those against the motion, please say "nay."

I believe the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 0931 to 1001.*

**The Deputy Speaker (Mr. Bas Balkissoon):** I'd ask the members to take their seats, please.

The member for Lambton–Kent–Middlesex has moved adjournment of the debate.

All those in favour, please stand and remain standing.

Those opposed, please stand and remain standing.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 19; the nays are 32.

**The Deputy Speaker (Mr. Bas Balkissoon):** I declare the motion lost.

The member for Lambton–Kent–Middlesex.

**Mr. Monte McNaughton:** Thank you, Speaker. It would sure be nice to get the select committee on Ornge set up, when we're talking a billion-dollar boondoggle again by this government.

Of course, we're here, again resuming discussion on Bill 11. I must remind members, especially on the government side if they don't know this, that this is a bill that's calling for another \$160 million in spending—\$160 million, when this government has created a \$16-billion deficit.

Just to remind members of the House—it's nice to see some members on the opposite side here to listen to debate on Bill 11. As I said before the recess, the government is handing out, in some circumstances—in many circumstances—\$300,000 per job in corporate subsidies. I cited a company that received \$1.5 million to create five jobs. This isn't economic policy; this is what you call a slush fund, a Liberal government slush fund. Of course, this is the track record of this government since it was elected in 2003. Corporate welfare was virtually eliminated when they took office, and of course, in this year's budget alone, corporate subsidies are hitting \$3.5 billion. It's no way to create sustainable jobs when Ontario has a

jobs crisis, with 550,000 people out of work, and a debt crisis. Even Don Drummond said the debt, without substantial change, is going to hit \$411 billion.

It is no secret that the global economy remains fragile, and the road to economic growth will be challenging in the current economic climate. The debt crisis in Europe, the slow economic recovery in the United States and increased competition from low-cost jurisdictions continue to impact on our economy. But we are forgetting some minor details with all of this. The rising deficit and the doubling of Ontario's debt started long before the global economic crisis. The recession hit everyone, but this Premier simply has been pursuing the wrong economic policies here in Ontario.

The only person who should be blamed for Ontario's economic situation, Speaker, is this Premier. The Premier has been given advice from experts across the province about how to improve Ontario's economic situation, as has the Minister of Finance. We keep seeing the same thing: Time and time again, this government refuses to listen.

The Premier needs to swallow his pride and take responsibility for his reckless spending. Government spending cannot be what drives the economy, and that is why corporate subsidies, like in Bill 11, are unnecessary and unproductive.

As I told you earlier, as a small business person myself, from southwestern Ontario, and someone who employs well over 60 people at our family business, I can tell you that local businesses are suffering and are being left with no choice, in a lot of cases, but to leave this province due to the economic climate that has been created here—the climate that this government has created.

You see, under this Premier and under this government, we have seen skyrocketing energy rates, increased red tape, increased government bureaucracy and an ineffective and antique apprenticeship system. This is why we have a jobs crisis in the province of Ontario.

Under this Premier and this government, hydro rates have increased eight times since 2003 by a total of 84% or a whopping 150% for families with smart meters. Despite promising Ontario families that his expensive energy experiments and Green Energy Act would only raise rates by 1%, the Premier now admits that the hydro bills will rise 46% by 2015.

I can tell you, Speaker, in talking to many people in southwestern Ontario, in particular people in London and in particular speaking to families in London West, they're really concerned about their future hydro bills; they're concerned about how they're going to continue living in their house. Again, it's the number one issue no matter what government members opposite say. The number one issue that any business talks about, whether they're from Stratford, London, Windsor or Toronto, is hydro bills. Even the Ontario Energy Board acknowledged that this Premier's energy experiments were behind the latest hydro increase when they said new forms of power generation, as a result of this government's Green Energy Act, are costing more to produce.

Speaker, how are small businesses supposed to survive in this province? The increase in hydro rates is unacceptable and is crippling Ontario's economy. You and I know that the price of hydro is an economic essential that can help drive the economy forward. I believe policy should be focused on creating an efficient supply of power at affordable prices—affordability being the key.

Ontario's economic policy has to have a plan for economic development, and the current structure needs to change. According to the Ministry of Energy, electricity prices in this province will double over the next two decades, while the US energy information agency actually projects electricity prices in the United States will decrease over the same time period. If you're an entrepreneur looking to start a business, where would you choose? I ask that question: Where would you choose? In my portfolio, as economic development critic, it's one of the things that entrepreneurs and innovators are telling me, that they're looking elsewhere because of the direction that this Premier and this government are taking Ontario down.

Every jurisdiction we're competing with for jobs and investment is after the same thing: a reliable and diversified supply of power at the lowest cost. Currently, as I said, Ontario doesn't have this. Under the current structure, we are seeing businesses leave Ontario and relocate to a more affordable location. The skyrocketing hydro rates in Ontario are driving business out of Ontario, for good in a lot of cases. It is simply not affordable to operate, in many circumstances, in Ontario.

If the government continues on its current path, London Economics International estimates Ontario will have the absolute highest electricity prices in all of Canada by 2015. I know the businesses I talk to in London, Strathroy, Wallaceburg, Chatham and across southwestern Ontario, in particular, again, the businesses in London West, are deeply concerned about the direction that the Minister of Energy is taking the province down.

The system isn't working. The Auditor General, Moody's investment services, the Conference Board of Canada, the people of Ontario, the official opposition here at Queen's Park—and now Ontario's credit has been downgraded by Moody's. After all this, the Premier refuses to listen and refuses to budge.

Going back to regulations, one of the concerns I keep hearing is that regulations need to be stable in this province. If hydro prices are competitive and regulations are stable, Ontario will attract investment to the province. If there's not competition and prices continue to skyrocket on the electricity front, then we're going to see more and more jobs being lost in the province.

Here in Ontario, we require good home heating at a fair and reasonable price. In order to restore Ontario as an economic leader and to repair the economy, hydro rates must change; affordability, again, has to come back to this province. Once we have re-established this level playing field, then the best way to attract new investment is with a stable regulatory environment where everyone knows the rules of the game, and they only change in predictable ways.



Overregulation must be eliminated and the economy allowed to operate through a free enterprise system. It is unfair that the rules of the game are constantly changing, and because Ontario lacks stability, business owners are not willing to operate here and, in a lot of cases, are leaving, sadly, one by one.

The approaches taken by the current government signal that the Premier and this government have no long-term vision or plan to get there. It sends a wrong message to investors and developers, small businesses and families alike. The result is that the cost of operation in Ontario is simply unaffordable for families or for businesses. It's not the role of the government to micro-manage every sector of the economy. I know that a lot of people say, and I tend to agree, that we're living in a nanny state under this Premier. It's, again, not the role of the government to micromanage every sector of our economy. The current government is micromanaging the economy over and over again from its seat here in downtown Toronto. Instead, it is the role of the government to create the right conditions for investment and job creation, and then stay out of the way of business affairs. The Premier of Ontario needs to change the current conditions and help better the economy in the province. Ontario must be favourable again for business operations.

It is about time that the current McGuinty government addresses the economic climate and makes the necessary changes to help repair Ontario's economy for good. This government is so focused on the here and now that it has failed to establish a long-term plan that will help make Ontario's economy a leader in Canada again. We face a growing deficit that is double the size—actually that's triple the size now—of all of the other Canadian provinces combined. We're just heading down the wrong path.

Even through our darkest days, Ontario's tremendous potential has always been there. It's not too late to take a different path to restore Ontario as an economic leader in Canada again. That means creating the conditions for new growth, new investment and new jobs. But here we are today, continuing down the same path as before, blindly throwing money at problems in the hopes that some of it sticks. But this very approach is how we've ended up in the situation we are now in, with hundreds of thousands of people unemployed.

It's really very simple, Speaker: This government has a spending problem, and spending more money when you're in a debt crisis is a bad decision. Thank you.

*Third reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Seeing the time on the clock, this House now stands recessed until 10:30 a.m.

*The House recessed from 1014 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Monte McNaughton:** I'd like to welcome to the Ontario Legislature today a group representing Jamieson vitamins. Jamieson vitamins is an Ontario-based company and has been in business for the past 90 years.

I would also like to welcome students from the Croton Christian School, who will be joining us momentarily—and also a shout-out to former page and family friend Anthony Boland in the gallery today.

**Hon. Christopher Bentley:** I'd like us to welcome Jennifer Ballagh from London West. She's a director with CanPKU, which is an organization dedicated to providing news, information and support to families with rare inherited metabolic disorders.

**Mrs. Julia Munro:** I'd like to welcome to Queen's Park today Kelli Gibney, a constituent of mine who is here with the delegation from the PKU Awareness Day. Welcome to Queen's Park.

**Mrs. Teresa Piruzza:** As you can see, we have a number of students in the gallery today. They're here for the College Student Alliance conference. There are three of them here representing St. Clair College, so I need to give them special recognition. We have Keri Bagley, who's the president; Kate Isley, who's the internal vice-president; and Kyle Pilon, the external vice-president. Thank you for coming, and thank you for your leadership at the college level.

**Mr. Victor Fedeli:** I would like to introduce a friend of mine from North Bay, young Ishmael Van Der Rassel, who is here touring Queen's Park.

**Hon. Brad Duguid:** I know I took my Jamieson vitamin C this morning, and I hope you did too. I'm very pleased to welcome the representatives from Jamieson Laboratories here today—they're celebrating their 90th year in business—the president and CEO, Vic Neufeld; senior vice-president, Frank Lucchetta; vice-president, sales, Bill Tyler; director of sales, Rob Ricci; director of marketing, Jillian Mariani; brand manager, Tracey Mazza; head of corporate affairs and media relations, Paula Prociuk Blacklock. Congratulations on this remarkable milestone, on behalf of all of us at Queen's Park.

**Mr. Randy Pettapiece:** I'd like to welcome to the Legislature the Cedarvale Christian School, from Harrison, Ontario: the grade 7 and 8 class and their teacher, Anthony Horst.

**Hon. Glen R. Murray:** I'd like to welcome Brian Costantini, president of the College Student Alliance. As you can see in the gallery today, 85 college students from across Ontario are here for the College Student Alliance May Changeover conference taking place in Toronto from May 8 to 13. They are one of the biggest reasons we have a tuition reduction. I want to thank them for all their work in policy innovation.

**Mr. Bob Delaney:** Speaker, please welcome, in the members' east gallery, the following people who are here at the Legislature to speak with members about PKU awareness: Paola Galvalisi; Cristian Baigorria, Candelaria Baigorria, Trinidad Baigorria and Bautista Baigorria. The Baigorria family has travelled here today from Mississauga–Streetsville. Also, please welcome John Adams, Dr. William Hanley, Rod Elliot and Megan Boyle. We have previously recognized Kelli Gibney and Jennifer Ballagh. Thank you, and welcome to Queen's Park.

**Hon. John Milloy:** Mr. Speaker, I think we'd all like to welcome representatives from Community Living To-

ronto, who are at the Legislature today for their annual Appetite for Awareness lunch. All members are invited to stop by room 212A between 11:30 a.m. and 1 p.m. to say hello, pick up a delicious box lunch and give their best to Community Living Toronto.

**Hon. Margaret R. Best:** Mr. Speaker, I take this opportunity to welcome some family members of page Constantine Ttofas, from the riding of Scarborough–Guildwood, to the Legislature. Today we have his mom, Angela Ttofas; his uncle, Sam Mandrozios; and his grandmother, Helen Ttofas. Welcome to the Legislature.

**Mr. Michael Coteau:** We're joined here today by staff and students from Redemption Reintegration Services. It's a great organization that's sustained by the Youth Challenge Fund. The RSS links young people with education, health, employment and housing. On behalf of all of my colleagues here in the Ontario Legislative Assembly, I'd like to welcome them here today.

**Mr. Mike Colle:** On behalf of the member from Vaughan–King–Aurora—

**Mr. Greg Sorbara:** Just Vaughan.

**Mr. Mike Colle:**—Vaughan and myself, I'd like to welcome the vice-president of sales with Jamieson Laboratories, Rob Ricci, who played for the St. Michael's Buzzers and went on to the play for the Notre Dame Fighting Irish hockey team. Welcome, Rob.

**The Speaker (Hon. Dave Levac):** In the Speaker's gallery today, all the way from Germany, we have joining us Olivia Linden and Daniella Schiffer; and from the great riding of Brant, their great aunt and relatives, the former MPP for Brantford in the 34th Parliament, Mr. Dave Neumann, and his wife, Elfrieda. Welcome.

#### USE OF QUESTION PERIOD

**The Speaker (Hon. Dave Levac):** I want to take a moment to clarify the disposition of standing order 37(a) and specifically the clause relating to the requirement that questions are to be urgent or of public importance.

I think all members would acknowledge that the language used in this particular standing order is somewhat subjective. As my predecessor in this chair once observed, "One man's pothole is another man's crater." It is simply not possible for the Speaker to establish a weighted hierarchy of the content of questions asked in this House.

Many years ago, every question had to be vetted in advance by the Speaker. I respectfully submit that this House is not interested in going back to that practice. Indeed, when it comes to content, frequently a question asked on the government side may be on exactly the same topic as one previously asked by the opposition, and still the Speaker is hectored—to you and I, heckled—over the application of standing order 37(a).

This is not a new challenge for a Speaker. To quote from Speaker Turner in 1982, "If I were to apply standing order 27(a)"—now 37(a)—"in its strictest sense, there would be very few questions allowed in this House.

Based on tradition and precedent and historic reference, if you will, the people on this side of the House have as much right to ask a question as people" on this side of the House.

I cannot apply the standards of questioning to the government members that I do not apply to the opposition members. Going forward, I would ask all members on both sides to demonstrate some respect for the right of every private member to ask questions of the executive branch, and I thank you for that understanding.

#### ORAL QUESTIONS

##### ONTARIO PUBLIC SERVICE

**Mr. Peter Shurman:** My question is for the Premier. For months, Premier, Tim Hudak, myself and other members of the Progressive Conservative caucus of Ontario have stood in this Legislature and urged you to implement a mandatory public sector wage freeze, and on every occasion, you have refused. You hid behind every excuse in the book. We told you that without a legislated wage freeze, your budget couldn't hope to put Ontario back on the path to recovery. You rejected our recommendation time and time again.

Premier, have you finally seen the light? Do you finally understand that you need to legislate the wage freeze for Ontario's public service? And will you, right now, declare your support for our bill that will seek to do exactly that?

**Hon. Dalton McGuinty:** I'm delighted to receive the question and to join this, I think, very important debate yet again. I want to restate as well that the official opposition and our government, I believe, share the same objective: We need to demonstrate restraint when it comes to public sector compensation. Where we differ is in terms of how we are going to get there.

I will once again draw to my honourable colleague's attention the fact that their approach was duly considered by all the other provinces that are running deficits—and there are eight others—as well as the federal government, and they rejected that approach. In fact, the federal government has legislated a 1.5% pay hike. So I'd again recommend to my honourable colleague that while we share the same objective, it's important that we put in place a process that will prove to be effective, and that's why we're pursuing the approach that we're taking.

1040

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

**Mr. Peter Shurman:** You can't talk out of both sides of your mouth, Premier, and you're doing it again. Either you are with us and support a mandatory wage freeze, or you choose to continue to dig Ontario's finances into a deeper hole. You have spent two years dancing around this issue and it's time to finally declare your intentions and commit to a plan. Will you cut the talking points out

for once, and will you tell this House that you will vote for our legislation?

**The Speaker (Hon. Dave Levac):** I would caution the member on using language that may be tiptoeing towards saying something that he can't say directly.

Premier.

**Hon. Dalton McGuinty:** Speaker, again, I can't agree with my honourable colleague. I look forward to seeing the particular legislation, but I am assuming it's going to be informed by the approach that they've articulated in this House, and we can't support that.

I will say to my honourable colleague—I'll refer him once again to page 70 of our budget, which says as follows: "The fiscal plan provides no funding for incremental compensation increases for new collective agreements." We couldn't be more explicit in terms of the approach that we're going to bring.

To get there, we feel duty bound to engage our collective bargaining partners in the public sector in the process. We need to sit down with them. We need to negotiate. We need to bargain fairly and firmly. We've also made it perfectly clear that if we cannot achieve the objectives stated in the budget, then we will take necessary measures in this very Legislature. I think we couldn't be more explicit than that, Speaker.

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

**Mr. Peter Shurman:** When our leader, Tim Hudak, met with you in November, Premier, he urged you to implement a wage freeze. You rejected that idea. When I met with your finance minister, I urged him to implement a wage freeze. He rejected the idea. Now, a few months later, you claim to have found religion and you're musing about wage freezes. When are you going to finally decide whether you're coming or going?

**Hon. Dalton McGuinty:** I think I've addressed this a number of times. But here's another issue I'd like to throw into the mix, if you will. I'm concerned that the official opposition is rejecting some of the choices that we've made to find savings as part of our budget. They want to protect a subsidy for racetrack owners that's \$335 million every year. They want to cut corporate income taxes at a time when we can't afford to—that's \$845 million every year. They don't want to make any changes to the Ontario Northland Transportation Commission—that's \$135 million every year. They want to keep old jails open, which we can't afford to do. That costs us \$137 million every year. They want to make more cuts to business education taxes at a time when we can't afford to. That's \$300 million every year. When we add up what it is that they want to do, it's costing us \$2.1 billion on an annual basis. We can't afford to do that.

#### ONTARIO PUBLIC SERVICE

**Mr. Peter Shurman:** Back to the Premier: Yesterday our deputy leader presented you with legal arguments that proved you can legislate a wage freeze today. So the court ruling excuse is out the window. Nobody in this

building believes your press, nobody, perhaps, except you. Premier, stop talking out of both sides of your mouth. Take a position. Are you ready to concede—

**The Speaker (Hon. Dave Levac):** Member, I had cautioned you. Now I am asking you to withdraw.

**Mr. Peter Shurman:** I withdraw.

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

**Mr. Peter Shurman:** Premier, are you ready to concede that we had the right idea all along about a legislated wage freeze?

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

**Hon. Dwight Duncan:** We will never concede our duty to act responsibly. What we have laid out is a plan. It was laid out in the budget. We are approaching it through the mechanisms available to us that will withstand court challenge, based on legal advice, based on what other provinces have done, based on court rulings in other provinces.

In order to achieve the goal that we both agree on, we believe and have solid advice to the effect that this is the appropriate path to ensure that we're able to meet those targets that we've already established in the budget.

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

**Mr. Peter Shurman:** Minister, here is what happened since Tim Hudak's meeting with the Premier and my meeting with you. Moody's gave Ontario a negative outlook. That was a warning; you didn't listen. S&P gave Ontario a negative outlook; you still didn't listen. Moody's downgraded Ontario's credit rating. You made excuses for your failures, and your own economist, Don Drummond, warned you that Ontario faces a \$30-billion deficit and a \$400-billion total in debt, yet you brought in a budget with billions more in spending and you refused to implement a wage freeze. With that key cost-cutting measure missing from your budget, is it any wonder we refused to support your budget motion?

**Hon. Dwight Duncan:** Again, I would emphasize to the opposition that in order to achieve the targets that we've laid out, we are following a course of action. I'll remind him, as I reminded their deputy leader yesterday, that in British Columbia the government lost a case that cost them \$80 million. I think there were 8,000-or-so workers. We're talking about 1.2 million workers. We have to respect not only the collective bargaining process but the Charter of Rights and Freedoms and the right of people to organize and bargain collectively.

I believe, working together, we can achieve these objectives that are laid out in the budget as we move to preserve and enhance our education and health care systems, which are vital to a strong and vibrant economy in the future.

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

**Mr. Peter Shurman:** Speaker, I'm trying very hard to get a direct answer. Minister, when will you be direct with this House and with Ontarians who are watching you right now? When?

You opposed the legislated wage freeze in October, in November, in December and every day since, until about

two days ago. You refuse to listen to us and you reject our recommendations. Everyone here knows it. We were there; you were absent. Now you're squirming because you're caught between that rock and a hard place, between the need to prevent complete disaster and alienating your union pals. Make the right decision for once and be direct. Support our private member's bill that reflects our position on the need for a legislated wage freeze, a position that we have held from the very beginning. Will you vote with us in support of that bill?

**Hon. Dwight Duncan:** No, we won't support that bill, because it won't work. It is a political document that's designed to undermine good working relationships in the public and broader public sectors. The plan we've laid out, in fact, is the one that will allow us to achieve the budgetary objectives we've set out.

We are less interested in demonizing public servants and others, as the opposition is, than we are in working with everyone in Ontario to move back to balance, to make the investments that are necessary to improve our health and education systems and build that better economy for the future.

Mr. Speaker, to be clear and unequivocal: Their plan won't work. It's a failed document and we won't support it.

#### MINING INDUSTRY

**Ms. Andrea Horwath:** My question is to the Premier. Yesterday's announcement of a planned refinery in the riding of Nickel Belt proves that Ontario has the skilled workforce and the ability to process natural resources and create prosperity and good jobs right here in Ontario. Unfortunately, Speaker, we have a long way to go to make those jobs a reality. Yesterday, the government told us they still didn't know whether they plan to allow resources from the Ring of Fire to be exported overseas for processing. Do they know now?

**Hon. Dalton McGuinty:** I'm pleased to take the question, but first of all, I think we can and should all join in celebrating an extraordinary new investment in northern Ontario. This is the first proposal for development in the largest mining find in Canada in some 100 years. We're talking of billions of dollars, thousands of jobs and the generation of wealth that will benefit families in northern Ontario for decades to come. I think it's great news.

I think our shared responsibility now is to do everything we can to maximize those benefits so that they benefit northerners, First Nations and Ontario generally. I'm feeling very optimistic. I'm looking forward to any positive, constructive suggestions that come from either opposition party in this regard.

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

**Ms. Andrea Horwath:** People hoping for good, sustainable jobs think that this is a pretty important detail: whether or not the materials are going to be exported somewhere else to be processed. The government needs to do a much better job at answering them. They're counting their chickens before they hatch, by the looks of it.

In testimony at the federal Standing Committee on Natural Resources, Cliffs' senior vice-president said this: "Our proposed project includes exporting approximately 40% of the product produced on site." They'll need an exemption under the Mining Act to do that. Does the Premier plan on giving them the exemption?

**Hon. Dalton McGuinty:** Speaker, it is no secret; my honourable colleague has been consistent in this regard. She believes that we should put up walls around the province of Ontario. We live in a global economy. We can compete with the best in the world, and we can win. We have the biggest mining sector now in North America. I'm talking exploration, I'm talking production, and when it comes to financing, Speaker, it's the biggest in the world.

1050

I say to my honourable colleague that we cannot put up walls. We cannot say to those people who are sending their raw materials here that we're no longer going to process those here, and we cannot say to proponents such as Cliffs that there's no way that they can send any of those materials to other parts of the world outside of Ontario to process. That is to ignore the reality of a globalized economy. I'm confident at the end of the day that this is a net positive proposal for northern Ontario and Ontario generally.

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

**Ms. Andrea Horwath:** The Premier is absolutely right: I have been consistent; New Democrats have been consistent. We believe our natural resources should be putting Ontarians back to work.

Our natural resources are a gift, and we have to use them wisely. People in Ontario, whether they're from the north or anywhere else, want to see those resources used to create good, sustainable, value-added jobs, not shipped away to create jobs overseas and products that we then buy back at twice the price.

For people looking for work, for communities that need development, these are not minor details. Does the Premier plan to grant an exemption to allow the resources to be shipped away for processing? And if he doesn't know yet, when is he going to know?

**Hon. Dalton McGuinty:** I remind my honourable colleague that we're building the processing plant here as part of this proposal. I will also remind her that we are presently processing minerals in Ontario that are coming from four other provinces and also coming in from the US, Peru, Chile and Australia.

The Falconbridge smelter in Sudbury processes less than 30% of Ontario content. Cameco in Blind River and Port Hope processes uranium that comes from Saskatchewan. Handy & Harman in Etobicoke imports two thirds of their precious metals from outside the province. Johnson Matthey Ltd., with plants across the provinces, processes about 90% foreign content. In my hometown of Ottawa, the Royal Canadian Mint takes in two thirds of their content from outside the province of Ontario. This is how we create jobs for Ontarians here in Ontario.

*Interjections.*

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

#### MINING INDUSTRY

**Ms. Andrea Horwath:** My next question is also for the Premier.

The Ring of Fire is not going to work unless it moves ahead with the support and partnership of First Nations. Now, despite this government's promises of a relationship of respect, First Nations affected by the development weren't even told about the government's announcement until the night before.

Will the Premier explain why First Nations were left out of discussions until the last minute. Is that what he considers to be respectful?

**Hon. Dalton McGuinty:** To the minister responsible for aboriginal affairs.

**Hon. Kathleen O. Wynne:** I appreciate the question from the member opposite because it gives me an opportunity to talk about the supports that are already in place. The reason I went to Thunder Bay yesterday with the Minister of Natural Resources was to talk with the First Nations about how we're going to move forward.

There was a business decision that was made; that's true. That business decision was not discussed in public. There have been a lot of informal conversations. But what I said yesterday and what is the truth is that the formal conversations with First Nations begin now. All of the supports that need to be in place, that's the conversation we need to have now. It was not possible to have that conversation surrounding the business issue. And yes, we called the night before, we talked to a number of the chiefs to let them know so they wouldn't read about it in the newspaper because the business decision had been that under the radar.

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

**Ms. Andrea Horwath:** That's respectful, Speaker; so that they don't have to read it in a newspaper. I'm sure Sonny Gagnon from Aroland made you know very well how respectful—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Peterborough and the Minister of Economic Development, come to order.

**Ms. Andrea Horwath:** The First Nations people who live near the Ring of Fire want to share in the jobs, in the wealth and the prosperity that the opportunity brings, Speaker. Leaving them out of the loop during months and months of discussion only raises the risk of drawn-out disputes and delays. Nishnawbe Aski Nation Deputy Grand Chief Terry Waboose called it "a classic example of development going ahead without adequate consultation."

Is the Premier concerned that his government is off to a pretty bad start with the Ring of Fire?

**Hon. Kathleen O. Wynne:** You know, Mr. Speaker, one of the first trips I made when I was appointed to this position was to Webequie, which, as the member oppo-

site may know, is one of the communities that is closest to the Ring of Fire. I had conversations with the leadership there. I know absolutely clearly that training opportunities and economic development opportunities, as well as social supports, need to be in place.

I had a conversation with Deputy Grand Chief Terry Waboose yesterday and I said to him that what is extremely important is that we don't undermine the opportunity that the Ring of Fire presents; that we understand that the children who live in all of the communities in the north need to be able to benefit. If we spend the next six months undermining and drawing lines in the sand and creating conflict, then those children will not benefit from the economic development of the Ring of Fire.

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

**Ms. Andrea Horwath:** Well, Speaker, saying a lot is not the same as listening a lot, and that's what this government needs to learn.

There is a lot of real opportunity here to bring hope to communities that are struggling with severe joblessness and poverty. But if that's going to happen, development has to bring jobs, education and revenue-sharing. So far, First Nations have seen very little in terms of commitments from this government.

Is the Premier finally ready to roll up his sleeves and work respectfully with First Nations communities?

**Hon. Kathleen O. Wynne:** I think it is critical that we recognize exactly what's happened here. The Webequie First Nation's statement yesterday said, "Webequie First Nation acknowledges Ontario's commitment to support the directly impacted First Nations and to engage the federal government in the trilateral process. It is important for all levels of government, including local impacted First Nations governments, to work together towards a co-operative framework." That's what the Webequie First Nation said yesterday.

I will be the first to admit, Mr. Speaker, that there are needs in our First Nations communities, that there have to be supports in place. We've been putting \$8 million a year into the Ring of Fire communities to begin to support and prepare for the Ring of Fire.

If we do not take our responsibilities seriously to help communities come together and work together on this file, then the Ring of Fire will not benefit the children who need to benefit. So I call on the party opposite to work with us to that end.

#### AIR AMBULANCE SERVICE

**Mr. Frank Klees:** My question is to the Minister of Health. Here's what happens when you put people in charge of an air ambulance service who know nothing about it: Rather than instill confidence in the public and in the front-line staff, you undermine them.

Yesterday, the news was that the Ornge CEO and the minister both embarrassed themselves with defensive excuses for the inability of Ornge once again to respond to an emergency.

The emergency call came in to Ornge at 6:44 a.m. We were told that the incoming crew was not available until 7:15 because of Transport Canada's duty day restrictions.

Apparently the minister and Mr. McKerlie didn't think to ask why the night shift crew that was scheduled to be on duty until 7 o'clock didn't respond to the call.

A simple question, and so I will ask the question: Minister, where was that crew that was scheduled to be on duty until 7? Why didn't they respond?

**Hon. Deborah Matthews:** Speaker, the member opposite is referring to a tragic motor vehicle accident. My heart goes out to the family. I can only imagine how difficult this is for them. The family has asked that this issue not be politicized, and I intend to respect that.

What I can tell you, Speaker, is that we will learn any lessons that are to be learned from this incident. Yesterday morning, I spoke to Dr. Barry McLellan, who is on the board of Ornge. He is the CEO at Sunnybrook hospital. He is an expert in patient safety, and I have asked him to ensure that a full investigation is done and that any lessons that are to be learned from this incident are, in fact, implemented.

1100

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

**Mr. Frank Klees:** Now we have to ask the question why the new CEO and the minister insisted on continuing with the implementation of the failed Mazza plan to take on total responsibility for the operation of the helicopter fleet.

Mr. McKerlie was warned that the Ornge organization did not have either the staff or the capacity or the experience to take over that operation. He was warned that Ornge would face a staffing shortage. He was urged to extend the existing agreement with Canadian Helicopters while Ornge was going through this transition. CHL has all of the pilots and all of the maintenance necessary. In fact, CHL would have had to pay a major penalty had it failed to respond to yesterday's emergency.

Why did the minister and Mr. McKerlie insist on recklessly pursuing the Mazza plan? That is why we're in the situation that we're in. That's why we're understaffed. Why did they insist—

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

**Hon. Deborah Matthews:** Speaker, I think that it's important that we actually let a review of this incident happen. I think that it would be a mistake for anyone in this House to jump to conclusions about what actually happened. I think we have to let the process unfold. I can assure you that my ministry officials are asking a series of questions about the incident. The coroner has been informed of this incident, and the coroner will make a determination about whether or not he in fact wants to do an inquest.

#### MINING INDUSTRY

**Ms. Sarah Campbell:** My question is to the Premier. Yesterday, First Nations communities expressed their

strong disappointment that they only heard about the Cliffs announcement at the last minute rather than being invited to the table months ago to work on a path forward.

Here is Minister Wynne's explanation for the process: "I think people will have to speak to Cliffs about that because they set the parameters of the discussion."

Premier, this is your responsibility. Stop trying to pass the buck. Why won't you consult with First Nations communities about development in the north?

**Hon. Dalton McGuinty:** To the Minister of Northern Development and Mines.

**Hon. Rick Bartolucci:** The reality is, we have on-going consultation and dialogue with our First Nations communities. One of the most important announcements yesterday was the framework for future consultation with our First Nations. They told us that regional infrastructure supports were necessary for that framework consultation. We listened. They told us that social supports were necessary for that framework consultation. We listened. They told us that regional and environmental impacts were very important to the framework discussion. We listened. They told us that resource benefit sharing must be on the table. We listened.

This is what the Wahnapiatae First Nation chief said: that the Cliffs announcement means Wahnapiatae First Nation—

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

**Ms. Sarah Campbell:** Back to the Premier: This government has made a much-awaited announcement that was negotiated behind closed doors, without any job, education and revenue-sharing guarantees, and without consultation. After ignoring First Nations for months, this government made an 11th hour effort to divide and conquer by negotiating with only some of the First Nations communities, and even then it failed to provide guarantees.

The Ring of Fire will only be successful if it works for families in the north. After leaving First Nations out of the process at the start, why should First Nations trust the Premier that real, meaningful consultation will take place now?

**Hon. Rick Bartolucci:** Real, meaningful consultation took place in the past; real, meaningful consultation is taking place now; and real and meaningful consultation will take place in the future.

You know what else they said? They said that they want to establish a protocol by which our federal government becomes engaged. They want a tripartite arrangement and agreement for discussion. We agree with that.

They said that they want to have the benefits of the Ring of Fire development through resource revenue-sharing. We said that we would enter into those discussions.

They want meaningful jobs from the Ring of Fire development. We guaranteed, through our involvement, that we would provide the supports necessary to ensure that they're ready for these very, very important, well-paying, long-lasting jobs.

The reality is, we will continue to consult and dialogue with our First Nations communities, because we understand that in order for the Ring of Fire to maximize its benefits, it must maximize the potential for each and every person in Ontario.

#### MINING INDUSTRY

**Mr. David Oraziotti:** My question is for the Minister of Northern Development and Mines. As a northerner, I'm very pleased with yesterday's announcement regarding Cliffs Natural Resources' intention to spend approximately \$3.35 billion in Ontario to move forward on its chromite project in the Ring of Fire. Cliffs announced their plans to build an all-weather road and mine in the northwest, as well as a processing facility in Sudbury.

We've heard some criticism regarding the location of jobs. We've heard the opposition calling for details regarding the government's intended commitments. Minister, how does this important announcement reinforce the progress that we're making on our northern growth plan, and can you provide us with more specific details on the project?

**Hon. Rick Bartolucci:** A very, very important question, Speaker. Yesterday's announcement is great news for Ontario, it's great news for—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Not acceptable. Minister.

**Hon. John Gerretsen:** You guys can't accept good news.

**Hon. Rick Bartolucci:** As the Attorney General says, the opposition cannot accept good news. But let me continue this good news. This announcement yesterday was great news for Ontario, great news for our northern communities and great news for our First Nations. This \$3.3-billion investment in Ontario, predominantly in northern Ontario, in fact aligns perfectly with the northern growth plan.

The northern growth plan talks about the future of job creation. It talks about the future of the developing sustainable opportunities. This is what this Ring of Fire announcement yesterday was all about: job creation, inclusive opportunity and the ability to sustain and grow northern Ontario over the next 30 years.

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

**Mr. David Oraziotti:** Minister, as you're aware, the Ring of Fire represents one of the most significant mineral deposits Ontario has seen in over a century, with multi-generational mineral production opportunities on a scale similar to historic world-class mining areas in communities such as Timmins, Sudbury, Kirkland Lake and Red Lake.

This is great news for the entire region, and as I understand, the development will generate long-term economic benefits throughout the north, such as the building of roads, transportation improvements and new infrastructure. Ontarians understand that it's important to ensure we do everything possible to maximize the use of our

natural resources, which includes creating important value-added jobs.

However, over the past several months, the NDP have been calling for a short-sighted processing plan for Ontario ore. Minister, can you please share with us further details regarding processing arrangements, and if in fact you would consider this proposal?

**Hon. Rick Bartolucci:** Part of the mining cycle is ensuring that processing takes place. For months, the NDP said that our processing facility would be going outside of Ontario for a variety of factors; the reality is, this government made this processing facility happen right here in northern Ontario.

What the NDP fails to realize in their short-sighted policy is that we're in a global economy. If, in fact, we were to build barriers or walls around Ontario, jobs in Nickel Belt would be lost; 70% of Xstrata's processing at their smelter takes place from matte brought in from outside of Ontario. In Algoma-Manitoulin, the chemical facility would be laying off, because they import material, uranium material, from Saskatchewan.

The reality is, you can't build walls around Ontario. It doesn't work to sustain opportunity for Ontario.

#### AIR AMBULANCE SERVICE

**Mrs. Christine Elliott:** My question is for the Minister of Health. This government is keen to blame the Ornge scandal on so-called rogue operators, but the troubling events that have transpired at Ornge have happened for one reason only: The Minister of Health failed to uphold the responsibilities of her office. She repeatedly ignored warning after warning about corrupt practices and policies that put patients' lives at risk. The minister has failed to provide oversight, and patients are paying the price.

The Auditor General's report cited 21 cases of compromised patient safety. Minister, are these 21 incidents being investigated and, if so, will you make the results public?

1110

**Hon. Deborah Matthews:** What I can tell the member opposite and the people of this province is that patient safety is the highest priority for the leadership at Ornge. The new oversight and the new transparency at Ornge will make it very clear to the public about those improvements.

I'm urging the member opposite to actually acknowledge the importance of Bill 50, to support Bill 50, which will entrench in law the kind of transparency and oversight that is required. In our hospitals, we've seen the difference it makes when we report to the public on safety indicators. We want to bring that same rigour to Ornge.

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

**Mrs. Christine Elliott:** The actions of this government and this minister have been too little, too late. In order to restore public confidence in Ornge, a full public investigation is required, but this government is determined to keep sweeping this under the rug. After the

minister stood in this House and agreed to a select committee on Ornge, she and her government have stonewalled the will of this Legislature.

When Progressive Conservative staff contacted the minister's office to inquire about the 13 confirmed investigations of compromised patient safety conducted by your ministry, your staff advised us that this information was only available under a freedom-of-information request.

I ask the minister, why are you so insistent to block every effort to get to the bottom of this scandal? Why aren't you doing everything you can to restore public confidence in Ornge?

**Hon. Deborah Matthews:** There has been a significant focus on the goings-on at Ornge, and I think the changes that have come into effect as a result of that are absolutely the changes that are needed.

The Auditor General did a very good job revealing practices at Ornge that were completely unacceptable. As a result of that, we have entirely new leadership, a completely new board, including the resignation of one Kelly Mitchell, who I think you probably are familiar with. I understand he has actually donated to your campaigns in the past. He is no longer on the board at Ornge. There is new leadership and a renewed rigour and a renewed commitment to patient safety.

On our side of the House, we have a new performance agreement. We have referred the incidents to the OPP.

#### AIR AMBULANCE SERVICE

**M<sup>me</sup> France G elinas:** Ma question est pour la ministre de la Sant e et des Soins de longue dur ee. In 2009, Chris Mazza's salary disappeared from the sunshine list. Yesterday, the director of legal services told the committee for public accounts that if the salary of the CEO of a publicly funded company disappeared from the sunshine list, it would raise flags. New Democrats raised this issue back in 2010. Not only did it raise flags for the NDP, but it also would have raised flags for the Ministry of Finance. So how is it that somehow it escaped the Minister of Health completely?

**Hon. Deborah Matthews:** As I was just saying, there has been a focus on Ornge, and I think it's a healthy focus, because it has shone the light on practices that were completely unacceptable.

We have taken very aggressive steps, as the member from Newmarket–Aurora has said, to fix the problems at Ornge. Now I'm very pleased to say that we have a new performance agreement in place, Speaker. We have legislation before this House. I am very hopeful that members of both opposition parties will, in fact, support Bill 50, amendments to the Ambulance Act, that will provide significantly more oversight and transparency.

We do want Ornge to have the rigour that we have in our hospitals. I do want to have the power that, in future, if the need arises—and I hope it doesn't—we have the ability to put in a supervisor.

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

**M<sup>me</sup> France G elinas:** Yesterday a former executive of Ornge, Mr. Rick Potter, testified that through his entire tenure with Ornge, he was paid by the not-for-profit side of Ornge, yet his salary also disappeared after 2009. In fact, he said that it was corporate policy not to disclose salaries, in spite of the fact that he was paid by a not-for-profit agency directly funded by the Ministry of Health.

Now the ministry can't blame that Ornge was transferring funds to the for-profit, because it was not the case. For the missing salaries information, people would say that should have raised flags. Will she admit that the reason nothing was done is because she failed in her duty of oversight of Ornge?

**Hon. Deborah Matthews:** Speaker, quite the contrary. When I became aware of the issues at Ornge, I took very quick action and very strong action. The member opposite is referring to the committee that is now under way that has been going on now for many weeks.

I was happy to have had the opportunity to appear before the committee, as have people like Lynne Golding. We know now that Guy Giorno and Lynne Golding, two very prominent Conservatives, were the ones who set up this salary deal to hide salaries from the sunshine list. They also hid information from the Auditor General.

These are serious issues, and I'm very happy that the OPP is investigating allegations at Ornge.

#### CHILDREN'S MENTAL HEALTH SERVICES

**Mr. Bas Balkissoon:** My question is for the Minister of Children and Youth Services. Many young people, in fact approximately one in five, are dealing with mental health challenges such as anxiety, depression, mood disorders, schizophrenia and eating disorders.

I am proud that mental health, particularly children's mental health, has become such an important priority. I think we can all agree that when we provide children and families with the supports they need, they have the opportunity to succeed.

As a member who served on the Select Committee on Mental Health and Addictions, I'd ask the minister to outline what positive steps this government has taken to provide mental health supports to the children and youth of Ontario.

**Hon. Eric Hoskins:** I thank the member from Scarborough–Rouge River for the question. Mr. Speaker, I'd like to start by recognizing that this week is Children's Mental Health Week and to thank everyone who has worked so hard to raise awareness and decrease the stigma associated with mental illness.

I also want to thank Margaret McCain, the former Lieutenant Governor of New Brunswick, who, a couple of weeks ago, donated \$10 million to child and youth mental health services at CAMH here in Toronto—the largest donation of its kind in Canada.

Yesterday, I visited Associated Youth Services of Peel to see first-hand how our government is building a mental health system that delivers the services our children



and youth need, when they need it and as close to home as possible. Thanks to our government's comprehensive mental health and addictions strategy, Peel now has 48 new child and youth mental health workers.

I'm proud of our government's continued investment in children's mental health.

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

**Mr. Bas Balkissoon:** Thank you, Minister. I'm pleased to hear that our government has taken concrete action to support the children's mental health system in this province. Great strides have been made in awareness and stigma reduction, but there is still work to be done.

Mr. Speaker, it is our shared responsibility—government, community partners and private sector alike—to help bring about a brighter future for all children who struggle with mental health challenges. I ask the minister: What is being done across Ontario to help fulfill the vision of creating a more coordinated and responsive mental health system that helps children and youth get the help they need when they need it?

**Hon. Eric Hoskins:** To the Minister of Health and Long-Term Care.

**Hon. Deborah Matthews:** I say thank you to the member from Scarborough—Rouge River for highlighting this very, very important issue.

Schools are often the place where a young person with mental health needs is identified. That's why I'm very pleased that 400 child and youth mental health workers have been hired to work with students in schools, mental health agencies and courts to address mental health issues.

It's also why I'm very pleased that 144 new mental health and addictions nurses are being hired to work with schools to help students with mild-to-complex mental health or substance abuse problems. I'm very proud that my ministry is able to support these new nurses. It means that 20,000 more kids will get access to the care that they need.

## CONCUSSIONS

**Mr. Jerry J. Ouellette:** My question on kids' safety is for the Minister of Education. Minister, you have a new bill dealing with concussions, and that's a good thing. Many here would know that I coach kids' hockey, as many do, and we see a problem: that high school hockey is not governed by the rules found in Hockey Canada that govern virtually all other hockey in Canada. As such, there is no checking-to-the-head penalty found in high school hockey as is found in all other youth sports in Canada.

1120

Locally, during a high school game in Oshawa, it got out of hand. My son's best friend, Evan Way, took a debilitating check from behind that broke his leg, possibly ending his hockey life. The main reason it all occurred was because high school refs are not governed by Hockey Canada and do not have the same strict guidelines and oversight found in all other hockey that is

governed by Hockey Canada—as such, allowing checks to the head.

Minister, can you commit to review high school hockey or other high school sports to minimize concussions and, quite frankly, work with those organizations that are already doing so through officials in their systems?

**Hon. Laurel C. Broten:** I really want to thank the member opposite for his question, for his involvement with sports and for raising this important issue. We are very much committed to ensuring that we take steps in this province to ensure that all of our students are safe and protected and that we do everything that we can to prevent concussions.

Yes, I'm proud to have brought in the concussion prevention act and that we continue to do work. We've actually already begun to meet and consider the best advice from experts on concussion protocols and what that should be. The conversations are ongoing. I invite the member opposite to give us his best advice. I invite everyone in this Legislature to give us their best advice, because we want to make sure that our students are safe and protected in schools. We will take the leadership role when it comes to concussions in Ontario. So, thank you for that advice.

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

**Mr. Jerry J. Ouellette:** Minister, although teachers do require a background check, because there is no governing of high school hockey by Hockey Canada, there is no background check for all officials or non-teaching volunteers involved in high school hockey and other sports. Minister, can you commit to review guidelines found by organizations like Hockey Canada to protect our kids not only from concussions but also ensuring that those people working with our youth should be allowed to work with Ontario's future, our youth?

**Hon. Laurel C. Broten:** Again, thank you very much to the member opposite. I know that he has been a strong proponent of reference checks for those who work with our young people in coaching activities. It has been something that is an issue that I have worked on also for many years.

What I will say is that right now all board employees and employees of organizations that provide services to boards must have a criminal reference check. Almost all of our boards also have the requirement that any other individual have a criminal reference check. So if there is a vacuum in that, if there is a place that we need to take a look at, we certainly will do that.

Again, I am encouraged by this co-operative approach. I hope that this will mean that we can work in co-operation, especially when it comes to our children's benefit, and that we will perhaps hear less bell-ringing in this Legislature and more co-operative questions that help us protect our kids.

## ROAD SAFETY

**Mr. Jonah Schein:** This question is for the Premier. Last Sunday afternoon, Premier, Barrie Conrod, a 52-

year-old from Waterloo, was out for a bike ride with his wife. He was struck from behind by an SUV, and he was killed. I know that our hearts and condolences go out to Barrie's wife and to his family, but as legislators we must do more. We must make our streets safer for cyclists. We know how: It means investing in bike lanes, in paved shoulders and bike paths on Ontario's roads and highways. The government has a draft cycling strategy that proposes to do just that. My question is: When will it release the strategy?

**Hon. Dalton McGuinty:** I welcome the question. First of all, on behalf of all of us in this Legislature, I extend my sympathies to the family and friends affected by this very unfortunate incident. I think we all sense a shared responsibility as well to find a way to ensure that we can strike some kind of a happy balance when it comes to vehicles on our roads and people who choose to bicycle. We'd all like to live in a province where we have struck that balance and people feel that they can get out on a road and travel safely on their bicycle.

What I can do, on behalf of my colleague the Minister of Transportation, is undertake to the honourable gentlemen to inquire a bit more about the strategy so that we can make that public.

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

**Mr. Jonah Schein:** Thank you, Premier, for that answer. I'll direct this question to the Minister of Municipal Affairs and Housing.

**Mr. Gilles Bisson:** You can't do that.

**Mr. Jonah Schein:** Sorry, back to the Premier, then. Ontario's cycling policy is 20 years out of date. The government's draft cycling strategy, which we've obtained through a freedom-of-information request, promises to match municipal investments in bike paths, in bike lanes and in paved shoulders. Quebec has invested in cycling infrastructure, but the Ontario government has delayed the release of this strategy, and there's a concern that the government is going to backtrack now on the proposed funding that is committed and is required.

Will the Premier tell us when a cycling strategy will be released so roads can be made safer for cyclists and tragic deaths can be prevented?

**Hon. Dalton McGuinty:** To the Minister of Municipal Affairs and Housing.

**Hon. Kathleen O. Wynne:** I think the member opposite knows that we have had a demand management transportation policy in place, where municipalities have been able to apply for funding to build infrastructure in their communities. I think the member opposite also knows that we began building paved shoulders on some of our road projects—on Highway 6, for example, and other projects around the province. Where there is enough tourism, where there's a demand, we are building an extra metre on either side of the road, and the Share the Road signs are going up. So we've actually taken great strides in the last few years to make the roads of the province more cycle-friendly.

I know that the member opposite and we on this side have worked closely with Share the Road. Eleanor

McMahon is a huge advocate for cycling in the province. We've looked at the Route Verte in Quebec, and we know that, ultimately, we would like to see that kind of network around the province. That work is ongoing in the ministry, and we thank the member for the question.

## MINING INDUSTRY

**Mr. Jeff Leal:** Mr. Speaker, my question this morning is for the Minister of Aboriginal Affairs. Yesterday, Ministers Bartolucci, Gravelle and Wynne welcomed a significant announcement about thousands of jobs being created in northern Ontario. Given the global climate, this is outstanding news.

However, we've heard that some First Nation leaders are expressing concern about the lack of involvement in the decision-making process and development happening without the consent of First Nations communities. They want to be sure that they're involved and have a say about what happens on their precious land.

Can the minister tell this House why this isn't happening?

**Hon. Kathleen O. Wynne:** There have been many conversations—informal conversations—over the past few years, and I want to clarify that the formal process begins now. There was a business decision that was made, and that business decision meant that the processor will be in the Sudbury area. I was in Thunder Bay to talk with the First Nations about beginning that formal process.

This is a huge opportunity for the whole north. We know that part of the potential success of this project is that we need to work with First Nations. What we've said is that we need to talk about economic development opportunities, supports, workforce readiness, skills and training. We need to talk about family wellness and well-being, including addiction treatment and access to health services. And we need to talk about education, skills and training. All of that is part of the conversation that begins now.

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

**Mr. Jeff Leal:** That certainly was a detailed and comprehensive response.

The minister mentioned that now is the time to get this work started. We know that First Nations in northern Ontario want to be involved in this work and want to have a say so that they're sure to benefit from this outstanding, once-in-a-generation opportunity.

Can the minister tell this House how we're going to involve our First Nation partners so they can take advantage of all the benefits and opportunities that will become available with the announcement that was made yesterday?

**Hon. Kathleen O. Wynne:** As a start, what Ontario is proposing is that we set up a formal tripartite discussion with the federal government and with the First Nation communities to start to talk about those important industrial, environmental, and health and social supports that need to be in place.

But I want to make a bigger point here. This is a very important moment in Ontario's history. When the history is written, what will it say? Will the history say that at this juncture, Ontario was not able to work with all of the parties, was not able to capitalize on this huge resource and bring everyone to the table—and First Nations must be at that table with us, making those decisions. Or will the history books say that we collectively devolved into partisan wrangling and were unable to capitalize for future generations? I hope that's not the route that we choose.

### PRESCRIPTION DRUGS

**Mr. Jeff Yurek:** My question is to the Minister of Health. For the third time since 2006, Minister, your government has decreased the price of generic drugs. History will show that a reduction in the prices is actually increasing the shortages in availability of drugs.

1130

For my first 11 years as a pharmacist, shortages were few and far between. But since 2006, shortages are a daily occurrence—shortages such as warfarin, a blood thinner that keeps people alive; amitriptyline, an anti-depressant; primidone for epilepsy; and phenobarbital for epilepsy.

Minister, what also occurs here is that single-source drugs increase. You only have to look as far as Sandoz as to what occurs when there are too many single-source drugs on the market. When one little thing occurs, shortages drastically increase.

Minister, do you consider the aspect of people having the availability to access the drugs they need or do you just look at the bottom line?

**Hon. Deborah Matthews:** Speaker, I'm a bit surprised, I must confess, to have this question from a member who actually owns a number of pharmacies in his community.

I do know, Speaker, that pharmacists were not happy with the changes we made to bring down the price of generic drugs, but I think that their warning that there would be closures of pharmacies, that people would not be able to access drugs, has actually not borne out to have happened. In fact, we've got more pharmacies in Ontario than we had before we took on the price of generic drugs.

The issue of shortages is an important one. I can tell the member opposite that the best information I have indicates that there is absolutely no relationship between drug shortages and the changes we've made to generic drugs. If he has information to the contrary, I'd be very interested in having him share that.

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

**Mr. Jeff Yurek:** Back to the minister. Minister, I'm proud to be a pharmacist and a health care professional, and my focus in life is the safety and the care of my patients.

Minister, you've announced that 10 of the drugs will have reductions, yet you haven't taken into consideration

how the list is going to be maintained and what happens when new drugs move onto the market that are going to be high-volume and high-cost. In fact, you've sprung this decision without consulting with the industry and without consulting with patients. Minister, can you tell your patients why you make such serious and drastic decisions without consulting with industry and the patients?

**Hon. Deborah Matthews:** I'm actually very proud of the changes that we have made to the pricing of generic drugs. We have saved \$600 million per year as the result of the drug reforms.

For a representative from a party who is saying that we're spending too much but then cannot support us as we actually make those tough decisions to bring down the price of generic drugs, I'm just a bit confused, Speaker.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The Minister of the Environment will withdraw.

**Hon. James J. Bradley:** I withdraw, yes.

*Interjection.*

**The Speaker (Hon. Dave Levac):** Excuse me; stop the clock. He is right, but technically, quite frankly there is an order that allows someone to bring clarity to that question.

Minister of Health.

**Hon. Deborah Matthews:** As I say, I'm proud of the changes that we've made. I'm proud that we've been able to bring down the price of drugs not just for the government but for the public as well. These are important changes, and I will continue to drive the best value for health care dollars.

### ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Mr. Gilles Bisson:** My question is to the Premier. Premier, a simple question: Does your government believe that all citizens of this province have the right to freedom of speech and expression, and would your government stand in the way of those rights at any time?

**Hon. Dwight Duncan:** This is a trick question.

**Hon. Deborah Matthews:** Wait for the supplementary.

**Hon. Dalton McGuinty:** I don't see it, but I sense that there's a trap here, Speaker, and I look forward to the supplementary.

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

**Mr. Gilles Bisson:** Mr. Speaker, the trap happens to be how people in northern Ontario are feeling. Imagine how they felt yesterday when the Ministry of Transportation contacted the union and said that the Ministry of Transportation would be taking all of the signs off the highway on Highways 11 and 17 that are expressing their displeasure when it comes to the privatization of the ONTC.

So I ask you again: Does your government believe that the people of this province have the right to freedom of

expression? If so, will you reverse that decision by the Ministry of Transportation?

**Hon. Dalton McGuinty:** I believe, and I stand to be corrected in this regard, that there are some very definitive signage policies with respect to locating signs on our highways. That has a lot to do with, of course, public safety and maintaining focus on the road ahead as opposed to signs on the side. I suspect that any decisions in that regard were founded entirely on public safety principles, and I will encourage my honourable colleague to understand that and to respect our shared responsibility to make sure that our roads are safe at all times.

#### PESTICIDES

**Mr. Phil McNeely:** My question is for the Minister of the Environment. Our government is committed to protecting families and children through tough new laws, including a new toxics reduction strategy to reduce pollution and protect Ontarians from toxic chemicals. One such enforcement measure was the introduction of the cosmetic pesticides ban. It has been nearly three years since this ban came into effect in Ontario.

Speaker, through you, would the Minister of the Environment please provide the House with an update on the implementation of the cosmetic pesticides ban since it was introduced?

**Hon. James J. Bradley:** Mr. Speaker, to protect Ontario families and, indeed, to improve our environment, our government brought in the cosmetic pesticides ban, and that came into effect on April 22, 2009. It's one of the toughest in the world.

It reduces the unnecessary risk of pesticides being used for cosmetic purposes. More than 90 pesticide ingredients are banned for cosmetic purposes. The ministry has visited over 1,100 retail pesticide vendors to conduct outreach and education and to assess compliance with the requirements of the ban since it was implemented.

Here's an interesting fact: Since the ban came into effect, concentrations of pesticides in urban water streams have decreased about 80%.

We will continue to focus on outreach and education, helping Ontarians learn how to care for their lawns and gardens using greener products and practices.

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

**Mr. Phil McNeely:** I would like to thank the minister for his answer.

You know, we lost this ban of cosmetic use of pesticides when I was on council in the city of Ottawa—we lost the vote on that, and we worked hard to do it.

Reducing the use, creation and release of toxic substances into the environment is crucial to protecting the health of Ontarians, especially our children. I understand that the Ministry of the Environment has been working collaboratively on a reporting system under the Toxics Reduction Act whereby companies have to track the amount of toxics they use.

Through you, Speaker, I wonder if the minister could elaborate on this reporting system.

**Hon. James J. Bradley:** I'll certainly be pleased to do so. One significant initiative our government has taken is, of course, the Toxics Reduction Act. The act protects the health of the people and the environment by reducing the use and emission of toxic substances. It also aims to foster innovations in green chemistry and green engineering to make manufacturing and mineral processing safer.

The act is the cornerstone of Ontario's toxic reduction strategy, which is focused on managing and reducing the use and creation of toxic substances in order to protect the environment and human health, informing the public about toxics in their communities, and helping to ensure that Ontario is well positioned to compete in an emerging green global economy.

Since January 1, 2012, an anticipated 670 facilities are now subject to the act's reporting on toxic reduction planning regulation—

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

#### MEMBERS' BIRTHDAYS

**The Speaker (Hon. Dave Levac):** Point of order, member from Cambridge.

**Mr. Rob Leone:** Thank you, Mr. Speaker. I beg the indulgence of the House as I wish our youngest member of caucus, the member for Kitchener–Conestoga, a happy birthday.

**The Speaker (Hon. Dave Levac):** I'm sure we obviously all offer the member a happy birthday.

A point of order from the member from Parkdale–High Park.

**Ms. Cheri DiNovo:** On a point of order, Mr. Speaker: I tried to get him to stay, but he ran away. Anybody who sees one of our older members of caucus today, from Trinity–Spadina—he's turning the new 40, let's just say that. Please wish him a happy birthday when you see him in the hall.

**The Speaker (Hon. Dave Levac):** I think there's a magic moment in which all of us don't want to keep track of our birthdays, but we'll leave that alone for now.

There are no deferred votes. This House stands adjourned until 1 p.m.

*The House recessed from 1140 to 1300.*

#### INTRODUCTION OF VISITORS

**Mr. Jagmeet Singh:** It gives me great pleasure to introduce in the House today Daljeet Singh. He's the chairman for Dharam Parchar Committee, which is with the Delhi Sikh Gurdwara Management Committee in New Delhi, India. Also with Mr. Daljeet Singh, we have Ranbir Singh, who is the director of United Sikhs; and a good friend of mine, Harbaljeet Singh. I'd like to welcome them all to the Legislature today.

**The Speaker (Hon. Dave Levac):** We welcome our guests. Thank you for joining us.

Introduction of guests? The member from Durham.

**Mr. John O'Toole:** I'm anticipating that they will attend shortly. Arnold and Gail Kerry are constituents of mine. They're here to pay respects to their grandson Brady, who's one of the pages here. Brady is here and I'm sure he's waiting for them.

**The Speaker (Hon. Dave Levac):** Thank you. The member from Burlington.

**Mrs. Jane McKenna:** Mine aren't here yet either, but I'd like to welcome, from Burlington, June Rutherford, David Love, Charmaine Love, Penny Millar and Cal Millar, who should be showing up any minute.

## MEMBERS' STATEMENTS

### GARTH WEBB

**Mrs. Jane McKenna:** Mr. Speaker, it is with great sadness that I rise to mark the passing of one of my constituents earlier this week. Garth Webb, a D-Day veteran and true Canadian hero, died at Burlington's Joseph Brant Memorial Hospital on Tuesday, May 8, 2012, at the age of 93. I would like to extend heartfelt condolences to his wife, Lisa Cooper, his family, and his friends.

Garth's distinguished service to his country did not end on the battlefields of Europe. He went on to honour the memory of his countrymen as president and founder of the Juno Beach Centre in Normandy. Garth Webb came to that seaside town as a young man carrying the flame of freedom. He was a lieutenant with the 14th Field Regiment of the Royal Canadian Artillery when Canadian forces landed on D-Day, 1944.

More than half a century later, Garth was another sort of hero, the driving force behind the Juno Beach Centre project, which he championed right up to the opening on the 59th anniversary of D-Day.

The Juno Beach Centre is a place of living memory. It documents the war efforts made by all Canadians, civilian and military alike, at home and on the various front lines, during the Second World War.

Garth Webb's funeral will be held this Saturday in Burlington. On the same day, people will gather at the Juno Beach Centre to say goodbye to this remarkable man.

Garth Webb's bravery and leadership in peacetime, as in war, will forever stand as a testament to the towering character of his generation. He will be missed but will never be forgotten.

### ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Mr. John Vanthof:** Mining is once again the driver of Ontario's economy. In Timiskaming-Cochrane, companies like Kirkland Gold, AuRico and Detour are creating thousands of jobs and adding hundreds of millions of dollars to the province's economy.

Forestry was also a booming industry, but booms once past are quickly forgotten, as are the people whose hard work made them happen, like seniors in Iroquois Falls, Kirkland Lake and Cochrane. In the mines and mills, their sweat built this province, but now, since the cancellation of the ONR passenger rail service, they will be left with no form of public transportation other than buses—maybe—to get to medical appointments or see their families.

Forgotten as well are the companies who use the freight side of the ONTC, companies like Kidd Creek, Resolute and Columbia. Their costs will rise, and the increased use of trucks will make our one two-lane highway even more treacherous.

Not only does the Liberal government believe that we do not deserve the same level of service as other Ontarians, but they are leaving us out of the loop completely regarding the destiny of our public transportation system. And now, MNDM and MTO have ordered the removal of signs protesting the sale of ONTC. Free speech is no longer allowed in the northern colonies.

The Premier needs to represent all Ontarians by including northerners in decisions that impact us, like the fate of our public transportation system. The north is more than gold and chromite. It is people who want to be proud Ontarians, not just a colony of the GTA and Bay Street.

### JAMIESON LABORATORIES

**Mrs. Teresa Piruzza:** It is my pleasure today to rise to mark an important milestone for one of our most cherished corporate citizens. Today, Jamieson Laboratories, Canada's oldest and largest vitamin and natural health products manufacturer, celebrates 90 years of innovation.

Opening in 1922 as North America's first vitamin manufacturer, Jamieson cut its own path as a pioneer in the natural health care market.

The Jamieson name is also synonymous with integrity. The company's Windsor-based production facilities adhere to the rigorous 360 Pure Promise, a guarantee that every single product passes a minimum of 360 quality assurance steps. Jamieson continuously exceeds the safety standards set by both Health Canada and the US Food and Drug Administration. Jamieson is also a successful global brand, distributing more than 200 products in over 50 countries.

Jamieson deserves recognition for something else as well: its environmental leadership. Through the Jamieson Cares initiative, the company has a list of impressive green achievements: partnering with Essex Regional Conservation Authority, reducing manufacturing-related energy, and providing \$100,000 in grants to non-profit organizations to protect Canada's wilderness.

Speaker, as Canada's most trusted vitamin brand and a truly inspiring made-in-Ontario success story, I would like to take this opportunity to congratulate Jamieson Laboratories on its 90th anniversary.

## ORCHARDS

**Mr. John O'Toole:** I rise today to alert members to a potential crisis in the agricultural community. Members no doubt will be familiar with a recent media report of as high as an 80% loss in some orchard products this year. The problem has been a very warm, early spring, followed by a severe frost that killed the buds and the blooms.

Over the past few weeks, I've taken the time to speak to the growers in my riding of Durham. They are indeed leaders in the industry: Kirk Kemp and Mike Gibson of Algoma Orchards; Fred and Sandy Archibald of Archibald Orchards and Estate Winery; Irwin and Alissa Smith of Ocala Orchards Farm Winery; Charles and Judy Stevens of Wilmot Orchards; Ted, Paul and Tami Watson of Watson Farms; Walter and Colleen Pingle of Pingle Orchards and Gardens; James Stevenson and Catherine McKay of Nature's Bounty; and William Hambly of Siloam Orchards.

As I said before, this is a very serious challenge. I have spoken to the Minister of Agriculture on this. I know that he's aware of the issue, and I would only expect that he has an escape plan.

In the few seconds I have left, I also want to take time to say that this is Catholic Education Week in Ontario, from May 6 to May 11. The theme this year is Walking in the Light of Christ. I wish the Catholic school boards in Ontario best wishes in Catholic Education Week in Ontario.

## YWCA HAMILTON WOMEN OF DISTINCTION AWARDS

**Miss Monique Taylor:** I'm so proud and privileged to be able to stand on behalf of the women of distinction that happened in the Hamilton area last night: 60 women were nominated for their great community work in the service that they do in the city. It was the 36th annual Women of Distinction Awards held by the Hamilton YWCA. They put on a fabulous ceremony last night.

I would love to name the 10 women who were given the distinction award. It would be Lucene Charles, Jeanette Eby, Marni Flaherty, Loretta Hill-Finamore, Cheryl Jensen, Patricia Jordan, Mary Koziol, Jan Lukas, Krista Warnke and Lorna Zarembo. I congratulate these women for all of their great work, and I do congratulate all of the 60 nominees who were honoured to be just nominated for this position last night in Hamilton. I thank them for all the great work that they do in our community, because we know that without volunteers in our community, we would not get half the stuff done that needs to be done. So, congratulations to them all.

Thank you for giving me the time to speak on this matter today, Mr. Speaker.

## HUMBER RIVER REGIONAL HOSPITAL

**Mr. Mario Sergio:** I'm proud to report that the new state-of-the-art and first fully digital hospital in North

America, Ontario's own Humber River Regional Hospital, is under construction and drawing praise and attention in our community and throughout the wider region.

I am proud to report to the House that the much-appreciated and most significant contribution to the Humber River Regional Hospital construction is from one of our own community's most active and recognized businesses. A few days ago, the Italian Canadian Savings and Credit Union stepped up with a \$1-million contribution to the construction of our new hospital. This incredible response to the needs of our community by the Italian Canadian Savings and Credit Union reflects the generosity and community spirit of this young institution. Their contribution of \$1 million represents IC Savings and Credit Union's strong desire to be a partner with local groups and organizations.

## 1310

To honour this most significant donation, Humber River Regional Hospital will name the emergency triage waiting area after IC Savings and Credit Union.

I send a heartfelt thanks to IC Savings and Credit Union and my congratulations to Humber River Regional Hospital. This speaks well for the community. I'm very happy, and I want to congratulate all of them involved.

## COMMUNITY SERVICE AWARDS

**Mr. Jim McDonell:** Ontario's success depends so much on the initiative and hard work of our citizens and their commitments to their communities.

Recently, I had the pleasure to attend awards ceremonies in South Stormont and South Glengarry where they honoured their residents for outstanding work in the community.

In South Stormont, Alan Jodoin was honoured with the 2011 Fran Laflamme Volunteer of the Year Award. Alan has contributed countless hours over the past three decades as part of the OPP auxiliary. I have seen him at most events I attend as he's there to help out the community host their events.

In South Glengarry, the 2011 citizen of the year award was handed out to Rick and Lise Marvell. Although relatively new to our area, the two have had a huge impact on the community, always there when called upon. They're members of the Williamstown Fair board, the oldest fair in Ontario and Canada, St. Mary's Centre, Cornwall and Area New-Timers and much, much more.

In addition, South Glengarry also honoured—the youth merit award went to Kara Sinnott; entrepreneur of the year to the Village Diner; excellence in agriculture to Kerrydale Farms; community service award to Elisabeth and John Peters; business of the year to the Bob-T Tack Shop; and outstanding achievement award to the Quilt of Belonging.

These caring and energetic recipients are just a few of the many great examples of people who we see every day in communities across the province.

## PHENYLKETONURIA

**Mr. Bob Delaney:** Phenylketonuria, commonly known as PKU, is a rare, inherited metabolic disease. People with PKU are missing an enzyme to break down protein in food, specifically one amino acid. Because this amino acid cannot be fully processed, it builds up in the blood and the excess amounts cross the blood-brain barrier. When this happens, brain damage and other neurological problems occur. The good news is that if caught early, people with PKU can live productive and fulfilling lives if they adhere to a special diet.

PKU affects about one baby in 12,000 in Canada. A baby with PKU does not show signs or symptoms until after irreversible harm has occurred.

Speaker, this is just one example of why Newborn Screening Ontario, Canada's most comprehensive newborn screening program, is such an important part of our health care system. PKU is just one of 28 inherited, treatable diseases that Newborn Screening Ontario checks all newborn babies in Ontario for.

I'm very pleased that joining us in the Legislature today are representatives of CanPKU, including the Baigorria family from Mississauga–Streetsville, who are here to meet with members to raise awareness of this rare genetic disorder.

## PARRY SOUND SALVATION ARMY

**Mr. Norm Miller:** Last Saturday, I had the privilege of celebrating the 125th anniversary of the Parry Sound Salvation Army at a dinner and gala concert held at the Parry Sound Pentecostal Tabernacle.

One hundred and twenty-five years is a long time to serve the community. In my job as MPP, I see first-hand the good work the Salvation Army does in our community to help those in need with food, shelter, gifts at Christmas and emotional support. Over 125 years, their mission has not changed and their value to the community has not wavered.

They are currently the largest non-governmental provider of social services in the west Parry Sound district, and they have just come through one of their busiest Christmas seasons on record.

I was hosted by Captain Peter van Duinen, corps officer of the Salvation Army's Rainbow Country Church, and his spouse, Captain Leeann van Duinen. I also had the pleasure of meeting his parents, Lieutenant Colonel Dr. Susan van Duinen, Ontario central east divisional commander, and Lieutenant Colonel Dirk van Duinen, area commander for the greater Toronto area; the event was very much a family affair. The van Duinens demonstrate a level of devotion to public service and charity that is deeply humbling.

Much has changed since 1887. The invaluable service that the Parry Sound Salvation Army provides to those in need has not. I congratulate and thank Captain van Duinen and the Parry Sound Salvation Army on this very special occasion.

PRIVATE MEMBERS'  
PUBLIC BUSINESS

**The Speaker (Hon. Dave Levac):** I beg to inform the House that, pursuant to standing order 98(c), a change has been made to the order of precedence on the ballot list for private members' public business such that Mr. Milligan assumes ballot item number 51 and Mr. Nicholls assumes ballot item number 41, Mr. Barrett assumes ballot item number 46 and Mr. Pettapiece assumes ballot item number 54, and Mr. Yurek assumes ballot item number 43.

## INTRODUCTION OF BILLS

## PKU AWARENESS MONTH ACT, 2012

LOI DE 2012 SUR LE MOIS  
DE LA SENSIBILISATION  
À LA PHÉNYLCÉTONURIE

Mr. Delaney moved first reading of the following bill:

Bill 89, An Act to proclaim the month of May PKU Awareness Month / Projet de loi 89, Loi proclamant le mois de mai Mois de la sensibilisation à la phénylcétonurie.

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

*First reading agreed to.*

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

**Mr. Bob Delaney:** The bill proclaims the month of May in each year as PKU Awareness Month.

**The Speaker (Hon. Dave Levac):** That is an exceptionally short statement, and I thank the member for doing so.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## EDUCATION WEEK

## SEMAINE DE L'ÉDUCATION

**Hon. Laurel C. Broten:** Happy Education Week. I am very proud to stand up today to celebrate the students, teachers, staff and volunteers in our Ontario school system. They are doing excellent work, and as a result, we have made remarkable progress together.

Mr. Speaker, this is Education Week in Ontario, and there's no better time to recognize the transformational change we've seen in our education system over the past eight years because of our hard work with our partners in education.

Le système scolaire de l'Ontario compte parmi les meilleurs au monde, et nos élèves sont des leaders, tant au pays que dans le monde entier.

Ontario's school system is among the best in the world, and our students are leaders across the country and around the globe. Right now, the global economy is fraught with uncertainty. That's why the McGuinty government has seized every possible advantage to build a strong future for Ontarians.

Mr. Speaker, Walter Gretzky advised his son Wayne that a good hockey player plays where the puck is and a great hockey player plays where the puck is going to be. We've taken a similar approach to education in Ontario. With innovative new programs and supports, we have been giving students the skills they need to play where the puck is going to be. We don't just want our students to compete in the global knowledge economy; we want them to excel, because we know that education is the best investment we can make in the future prosperity of our province.

I want to take a minute to talk about some of the things that students in Ontario have accomplished.

Sixty-nine per cent of students are achieving the provincial standard in grades 3 and 6 combined. This is up one percentage point compared to 2009 and up 15 percentage points compared to 2003.

Le Programme pancanadien d'évaluation montre que les élèves de l'Ontario sont les seuls au pays qui ont dépassé la moyenne nationale dans les trois matières que sont les mathématiques, la lecture et les sciences.

#### 1320

The Pan-Canadian Assessment Program, or PCAP, showed that Ontario students are the only ones in the country who achieved above the national average in math, reading and science, and our kids lead the country in reading. The PISA, an OECD assessment, confirmed this too. Ontario students are among the best readers in the world.

Ontario is also recognized as one of the few jurisdictions in the world where 92% of students are meeting or exceeding international standards, regardless of socio-economic background or first language. That's a remarkable accomplishment.

Not only are our students doing better, but more students are graduating. The high school graduation rate has increased by 14 percentage points since 2003. That's an additional 93,000 students who have earned their high school diploma, and that's 93,000 more students moving on toward a successful future. That's about the same as the population of your hometown in Brantford, Mr. Speaker. Think about it: 93,000 students.

Et peut-être plus important encore, grâce à nos investissements et à nos partenariats, nous avons restauré la confiance du public dans l'éducation financée par les fonds publics.

And perhaps most importantly, as a result of the investments that we have made, even in these challenging economic times, we have rebuilt public confidence in publicly funded education.

But as far as we've come together, as much as we've achieved together, we know we have further to go. That's why, even in these tough economic times, we are main-

taining our investments in education. We are making choices that will preserve the gains we've made together. While the opposition would choose a different path, on this side we choose to invest in full-day kindergarten, to invest in smaller class sizes, to protect 20,000 teaching and support staff positions.

Nous faisons ces choix afin de préserver et de continuer à améliorer l'expérience en classe de ceux et celles qui importent le plus dans le système d'éducation : les élèves.

We're making these choices so that we can preserve and continue to improve the classroom experience for the people who matter most in the education system: our students.

Mr. Speaker, tomorrow morning I'll be in your home community celebrating Education Week at the opening of the Walter Gretzky school in Brantford, Ontario.

With that, I will conclude and say to all students, to all parents, to all teachers and to all those who work day in and day out in our education system, thank you. Happy Education Week.

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

**Mrs. Jane McKenna:** Thank you to the Minister of Education. I'm pleased to rise on behalf of our leader, Tim Hudak, and the Ontario PC caucus to voice our strong support for Education Week and applaud all those in this province who play a role in making our education system stronger and more innovative.

This year marks the 82nd anniversary of Education Week in Ontario, an event created to spotlight the paramount value of public education. This event is marked annually by school boards and schools across the province. It gives us—students, teachers, parents and policy-makers—a chance to celebrate teaching excellence and student achievement, to reaffirm our belief in the enduring value of the system and the ability of education to open up a world of possibilities. I'm confident that all of us understand this and can recognize the value in our own ridings.

In my own community, I have had a chance to visit many local schools and see this belief in action, to see that innovative spark, to see more compassionate hearts, to witness the bright and inspired face of our future.

Education is often about innovative teamwork, and that's true in my experience. We've recently seen four students from Kilbride in north Burlington—Chris Lyons, Jack Enders, Eddie Schmidt and Henry Boyd—be part of a team that grew from an Oakville-based after-school robotics program. That team recently travelled to the VEX Robotics world tournament in California, where they came out on top of a field of 500 high-school-level teams from around the planet—phenomenal.

Three students from Robert Bateman High School—Stacy Dante, Jordan McKeown and Jenny Allen—spent their March break in Kenya with a group of Milton District High School students creating the foundations for a new school for girls.

A class of grade 11 and 12 students at M.M. Robinson High School have had the opportunity to be part of the



Halton District School Board's electrical specialist high skills major program, a program that lets them explore the field of electrical engineering at Mohawk College STARRT campus in Stoney Creek.

These are all life-altering opportunities for our young people to move forward into the world of optimism and confidence.

Of course, we must also acknowledge that there is work to be done.

At the start of this week, People for Education released a report on special education showing that up to half of Ontario's schools are facing de facto board-imposed caps on assessments for special-needs students. I say de facto because some choose not to see the limits on assessments as a result of education policy but simply a by-product of bookkeeping. They don't see board-imposed assessment caps, but rather boards struggling with a funding allocation, one that limits the number of special-needs students able to get the assessment needed for them to take full advantage of this province's special education services. Schools report having as few as two assessments per year. Some special-needs students who have completed these assessments and who move to another city, another school board, have to begin the process all over again. Yet we also hear that nearly one in five elementary school students receive special education assistance. The stats show that a third or more of those are unassessed.

We will hear a lot of talk about building on our successes, but it is clear that there are some notable shortcomings in this government's educational policy. Even as it rolls out new education initiatives, it appears that this government is fumbling some of its core responsibilities. Rather than moving forward together, it is clear that there are many being left behind.

In meeting challenges such as these, we are truly grateful for the ongoing commitment of our education partners and the excellent work that they do: offering advice and encouragement as students face the challenges of today; supporting them as they prepare to take advantage of the opportunities of tomorrow; standing alongside them as they look forward to the exciting work of building our shared future.

During Education Week, I encourage all of us here and all Ontarians to thank someone in the education community for everything they bring to our schools.

This year's Catholic Education Week will be marked by many special events at all grade levels, including prayer, celebrations and service activities. The 2012 theme is Walking in the Light of Christ.

**Mr. Peter Tabuns:** It's my pleasure and my honour to rise and celebrate the existence of public education in Ontario. Without public education, our ability to run a sophisticated society, our ability to take part in a 21st-century economy would just not be there.

But I caution that much of what we value, much of what has been built over the past century and longer, is at risk. The staff, the people who work in our schools—teachers, education workers, administrators—face upheaval.

As you're well aware, Speaker, negotiations have been going on by YouTube between the Premier and education workers. They deserve better than that.

They're told that if we are to save many key features in our school system, they are the ones who are going to have to see rollbacks in wages and working conditions that, frankly, we have, as a society, recognized as necessary for the proper, smooth functioning of our schools.

As you might well imagine, Speaker, this group of people, told that they're looking at legislation down the road coming from this government if the government doesn't get what it wants at the bargaining table—this group is demoralized; it's angry. That is not a good thing for education. That is not a good thing for all those who depend—the parents and children—on a good education system.

**1330**

In Toronto and in other places, we're facing the closure of community schools. I want to note PCVS in Peterborough, which has been organizing consistently to organize support for a school that is full and is being told that it's going to be closed. I want to give credit to the students and the school community there, because they have organized for demonstrations across Ontario on May 12 to protect our community schools.

Speaker, as you well know, schools are the centres of communities all over this province. To close them down without looking for the options that would allow us to fill empty spaces with other public functions, to lose space that will mean that in the future students will be condemned to long bus rides and not have the option of a school they can walk to: That's a risk to our education system.

In Toronto, layoff notices have gone out and job redundancies have been announced. Education assistants who in classrooms help teachers deal with special-needs students who haven't had the assessments that they require—those teachers are going to face huge difficulties, and those education assistants, who have, at length and with great loyalty and commitment, addressed the needs of our children, are facing upheaval in their lives.

Speaker, our parents, our education workers and, above all, our children deserve better than this. Unfortunately, the time has now come for the school community, the teachers, the education workers and the students to mobilize once again to defend public education in this province. Thank you.

**The Speaker (Hon. Dave Levac):** I thank all members for their statements. It is now time for petitions. The member for Durham.

## PETITIONS

### WATER QUALITY

**Mr. John O'Toole:** Thank you very much, Mr. Speaker. Location has its privilege.

I'm pleased to read a petition from my riding of Durham. It reads as follows:

"Whereas, under the Health Protection and Promotion Act, Ontario regulation 319/08, public health inspectors are required to undertake risk assessments of small drinking water systems;

"Whereas many of these small drinking water systems are located in homes operating bed and breakfasts in rural Ontario," like my riding of Durham;

"Whereas private homes that are the sites of bed and breakfasts already have potable drinking water used by the homeowners and their families every day;

"Whereas many of these bed and breakfasts have established the quality of their drinking water through years of regular testing;

"Whereas these home-based businesses are facing high costs to comply with the new requirements of regulation 319/08;

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

"That the Minister of Health"—and Environment—"amend Ontario regulation 319/08 to give the testing track record of a small drinking water system greater weight in the risk assessment process;

"Furthermore, we, the undersigned, ask that bed and breakfasts operated within a private home with a drinking water supply meeting all the requirements of a private home not be subject to regulation 319/08."

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

#### SCHOOL NUTRITION PROGRAMS

**Ms. Sarah Campbell:** I have a petition here that's signed by the students of Dryden High School. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Healthy Foods for Healthy Schools Act has taken away students' right of free choice when it comes to dietary decisions, it is requested that the Legislative Assembly of Ontario review the act and consult all students of Ontario regarding the conditions and changes in the act to better meet our choices and desires;

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

"Review the act with the consultation of students of Ontario. Make changes to the dietary restrictions and healthy education components of the act."

I support this and will affix my signature hereto.

#### ANTI-BULLYING INITIATIVES

**Mr. Yasir Naqvi:** I have a petition here to promote stopping bullying in our schools.

"To the Legislative Assembly of Ontario:

"Whereas all Ontario students have the right to a school environment where they feel safe, welcome and respected;

"Whereas school boards must take preventative measures against bullies and issue tougher consequences for those who participate in bullying;

"Whereas creating a safe and positive learning environment is an essential part of helping students succeed in school;

"Whereas schools across the province must support any group promoting understanding and respect for people of all sexual orientations and gender identities;

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

"That Bill 13, the Accepting Schools Act, 2012, be adopted so that students across Ontario are protected from the harmful effects of bullying and given every opportunity to succeed in school."

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

#### ENVIRONMENTAL PROTECTION

**Mrs. Julia Munro:** My petition is to the Legislative Assembly of Ontario:

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

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

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

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

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

I've signed this and given it to page Jenny as I'm in complete agreement.

#### TOURISM

**Ms. Sarah Campbell:** I have another petition which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas tourism is a vital contributor to the economy of northwestern Ontario, bringing hundreds of millions of dollars into the province's economy from other provinces and the United States, unlike other regions in the province whose target demographic is people who already reside in Ontario;

“Whereas northwestern Ontario’s tourist economy has been under attack by government policies such as the cancellation of the spring bear hunt, the harmonized sales tax (HST), the strong Canadian dollar and difficulties passing through the Canada/United States border; and

“Whereas studies have shown that tourism in the northwest nets significantly more money per stay than other regions of the province, in part due to visitors frequenting historical sites, parks and roadside attractions that they learn about through travel information centres;

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

“To keep the travel information centres in Fort Frances, Kenora and Rainy River open permanently to ensure that northwestern Ontario maximizes the benefit of our tourist economy.”

I support this petition and will give it to page Andrew to deliver.

#### DOMESTIC VIOLENCE

**Mr. Yasir Naqvi:** I have a petition here from my riding of Ottawa Centre regarding domestic violence.

“To the Legislative Assembly of Ontario:

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

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

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

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

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

“That Bill 22, the Escaping Domestic Violence Act, 2011 be adopted so that victims of domestic violence be afforded a mechanism for the early termination of their lease to allow them to leave an abusive relationship and find a safe place for themselves and their children to call home.”

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

#### HORSE RACING INDUSTRY

**Mr. Jim McDonell:** “To the Legislative Assembly of Ontario through the Honourable Bob Chiarelli, Minister of Transportation, Minister of Infrastructure:

“Whereas the Ontario horse racing and breeding industry generates \$2 billion of economic activity, mostly in rural Ontario;

“Whereas more than 60,000 Ontarians are employed by Ontario’s horse racing and breeding industry;

“Whereas 20% of the funds generated by the OLG slots-at-racetracks program is reinvested in racetracks

and the horse racing and breeding industry, while 75% is returned to the government of Ontario,” and a further 5% to the municipality;

“Whereas the OLG slots-at-racetracks program generates \$1.3 billion a year for health care and other spending, making it the most profitable form of gaming in the province for OLG;

“Whereas the government has announced plans to cancel the slots-at-racetracks program, a decision that will cost the government \$1.1 billion per year and threaten more than 60,000 jobs;

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

“Call on the government of Ontario to protect the \$1.1 billion of revenue the government received annually because of the OLG slots-at-racetracks program; direct OLG to honour the contracts with racetracks and protect the horse racing and breeding industry by continuing the OLG slots-at-racetracks revenue-sharing program.”

I agree with the petition and will be signing it.

1340

#### DOG OWNERSHIP

**Ms. Cheri DiNovo:** This is to the Legislative Assembly of Ontario.

“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 passes Bill 16, Public Safety Related to Dogs Statute Law Amendment Act, 2011, into law.”

This will save the lives of thousands of dogs. I couldn’t agree more. I’m going to sign it and give it to Dia to be delivered to the table.

#### ANTI-BULLYING INITIATIVES

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Ottawa Centre.

**Mr. Yasir Naqvi:** Thank you very much, Speaker. This is my lucky day today, getting picked here every single time.

I have hundreds of signatures I’ve received from Jer’s Vision in support of Bill 13, the Accepting Schools Act.

“To the Legislative Assembly of Ontario:

“Whereas all Ontario students have the right to a school environment where they feel safe, welcome and respected;

“Whereas school boards must take preventive measures against bullies and issue tougher consequences for those who participate in bullying;

“Whereas creating a safe and positive learning environment is an essential part of helping students succeed in school;

“Whereas schools across the province must support any group promoting understanding and respect for people of all sexual orientations and gender identities;

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

“That we believe in supporting all students who experience bullying in our schools. We feel the Accepting Schools Act, Bill 13, will make a real difference in the lives of youth in our community, especially LGBTQ youth. We support the Accepting Schools Act, Bill 13, and ask that this assembly support it as well.”

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

#### AIR AMBULANCE SERVICE

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

“Whereas the report from Ontario’s Auditor General on the province’s air ambulance service, Ornge, found a web of questionable financial deals where tens of millions of taxpayers’ dollars have been wasted and public safety compromised; and

“Whereas Ornge officials created a ‘mini-conglomerate’ of private entities that enriched former senior officers and left taxpayers on the hook for \$300 million in debt; and

“Whereas government funding for Ornge climbed 20% to \$700 million, while the number of patients it airlifted actually declined; and

“Whereas a subsidiary of Ornge bought the head office building in Mississauga for just over \$15 million and then leased it back to Ornge at a rate 40% higher than fair market rent; and

“Whereas the Liberal Minister of Health completely failed in her duty to provide proper oversight of Ornge; and

“Whereas the latest scandal follows the eHealth boondoggle where over \$2 billion in health dollars were wasted; and

“Whereas current committees of the Legislature have no ability to subpoena witnesses,” and whereas students are diligently watching in the east public gallery;

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

“The government of Ontario immediately appoint a special all-party select committee to investigate the scandals surrounding Ornge.”

I affix my signature in full support.

#### AIR-RAIL LINK

**Mr. Jonah Schein:** “To the Legislative Assembly of Ontario:

“Whereas diesel trains are a health hazard for people who live near them;

“Whereas more toxic fumes will be created by the 400 daily trains than the car trips they are meant to replace;

“Whereas the planned air-rail link does not serve the communities through which it passes and will be priced beyond the reach of most commuters;

“Whereas all major cities in the world with train service between their downtown core and the airport use electric trains;

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

“That the province of Ontario stop building the air-rail link for diesel and move to electrify the route immediately;

“That the air-rail link be designed, operated and priced as an affordable transportation option between all points along its route.”

I support this petition. I sign my name to it, and I give it to page Manak to bring to you.

#### CELLULAR TRANSMISSION EQUIPMENT

**Mr. Kevin Daniel Flynn:** I’ve got a petition signed by some people in my community. It reads:

“To the Legislative Assembly of Ontario:

“Whereas the operation of cellular commercial transmission equipment on new or existing cell towers has been proposed near residential areas in Oakville and other communities around the province;

“Whereas Industry Canada has ultimate authority to approve the location of cellular communications transmission equipment under the federal Radiocommunication Act;

“Whereas the province of Ontario has no jurisdiction in the placement of cell communications equipment or services;

“Whereas many area residents and local elected officials have expressed concerns with the location due to its proximity to residential areas;

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

“That the province of Ontario request that the government of Canada review the siting of cellular commercial communications transmission equipment in residential areas; and

“That the province of Ontario request that the government of Canada place a moratorium on the installation of cellular commercial communication transmission equipment on new or existing towers within 1,000 metres of residential homes until an improved separation distance is established by the federal government.”

Speaker, I agree with this, will sign it and will send it down to you with Constantine.

#### RURAL SCHOOLS

**Mr. John O’Toole:** Given that this is Education Week and that the Minister of Education is here and the

former minister is here as well, this petition is appropriate.

“Whereas Cartwright High School is an important part of the Blackstock and area community; and

“Whereas Dalton McGuinty promised in the 2007 election that he would keep rural schools open when he declared that, ‘Rural schools help to keep communities strong’; and

“Whereas schools in rural areas are community places;”—we agree—

“Whereas Cartwright students, families, friends and staff have created an effective learning experience that emphasizes a community atmosphere, individual attention and full participation by students in school activities; and

“Whereas the framework of rural schools is different from urban schools and therefore deserves to be governed by a rural school policy; and

“Whereas the McGuinty government found \$12 million to keep school swimming pools open in Toronto but hasn’t found any money to keep rural schools open in communities such as Blackstock;

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

“That” Premier Dalton McGuinty and Education Minister Laurel Broten “support the Cartwright High School community and suspend plans to close Cartwright High School” as well as PCVS “under the school board’s accommodation review process until the province develops a rural school policy that respects the value of smaller schools in the rural communities of Ontario.”

I’m pleased to sign it in support, because I do believe in this, and present it to William.

### PRIVATE MEMBERS’ PUBLIC BUSINESS

#### ENDANGERED SPECIES AMENDMENT ACT, 2012 LOI DE 2012 MODIFIANT LA LOI SUR LES ESPÈCES EN VOIE DE DISPARITION

Ms. Scott moved second reading of the following bill:

Bill 73, An Act to amend the Endangered Species Act, 2007 / Projet de loi 73, Loi modifiant la Loi de 2007 sur les espèces en voie de disparition.

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

Pursuant to standing order 98, the member has 12 minutes for her presentation.

**Ms. Laurie Scott:** I’m pleased to rise today to speak on behalf of my private member’s bill, Bill 73, An Act to amend the Endangered Species Act.

Since I assumed my role as PC critic for the Ministry of Natural Resources, I’ve had the opportunity to meet with a wide range of stakeholders regarding the broad and diverse aspects of all of the MNR mandate. Whether

talking to representatives of the agriculture, forestry, aggregate, municipal, fish and wildlife, land development or outdoor recreation sectors, in every case, a common theme emerges: The Endangered Species Act is not working. It is not protecting endangered species as it should because it has failed to engage those people in the private sector whose involvement is critical to making it work.

In a 2010 paper prepared by the George Morris Centre, it was stated that “in order to improve conservation efforts and protect endangered species, action by private landowners and managers is critical, and finding ways to create private incentives to protect this public resource is fundamental.”

Instead of embracing this dynamic, the effect of the application of the Endangered Species Act by MNR has been to circumvent it. I want to improve the process for implementation and administration of the act by bringing some practicality to it. It is not being administered in a fair, balanced and open way, causing both financial and personal hardship for many individuals, organizations and businesses.

I’ve heard repeated stories of people being afraid to report the discovery of an endangered species because of the punitive restrictions which may be imposed upon them—for example, the butternut tree. The discovery of a butternut tree or what you think might be a butternut tree, which is designated as endangered, was reported to the MNR. MNR officials have taken almost a year to render a decision on how to proceed. One can only imagine, if a single butternut tree takes the MNR this much time, how long other individuals and businesses impacted by similar situations have to wait for decisions. There are easy tools out there but, again, it’s the fear of the implementation. It’s very confusing for people.

#### 1350

We’ve heard from Ducks Unlimited, whose volunteers went in and built a dam to preserve a wetland, which is the type of work that this great organization has been doing for decades. Their efforts were so successful that when they went back in a period of time later to do the repair on the dam, they were advised by MNR officials that they couldn’t do that because there were now endangered species present. They created the habitat so that the endangered species would be there. They need to be recognized, not prohibited from doing further work. You get this frustration built up with more and more stories.

In a letter from Tracy Hennekam, president of the Kawartha Lakes Real Estate Association, she said, “Our members are not opposed to protecting our endangered wildlife, flora and fauna. However, we want to ensure that this is done in an open, responsible and accountable way.” So many of the concerns which were repeatedly expressed pertain to the lack of transparency in decisions made by MNR. Currently, there’s no requirement for MNR to make its analysis publicly available. So when the Committee on the Status of Species at Risk in Ontario, called COSSARO, adds a species, the Ministry

of Natural Resources is required to ensure that a recovery strategy is prepared for each endangered and threatened species and that it be posted to the Species at Risk in Ontario List.

Subsection 11(12) of the current act permits the minister to consider social and economic factors in reaching his or her opinion as to whether something is feasible. Similarly in subsection 12, the minister again may consider social and economic factors when developing management plans for species of special concern. Bill 73, the bill we're discussing today, amends both of those subsections to make it mandatory that the minister must assess the social and economic factors before a decision can be rendered.

Cynthia Robinson, of the Ontario Stone, Sand and Gravel Association, says, "Consideration of economic and social factors is critical for the province of Ontario in relation to how endangered species may affect business in the aggregate industry and other land-resource-based industries."

Joe Vaccaro, the chief operating officer of the Ontario Home Builders' Association, wrote, "The Ontario Home Builders' Association supports the policy measures in ... Bill 73 to amend the Endangered Species Act. Home builders are committed to species and habitat protection that is balanced with the broader social and economic factors and implemented to complement established provincial policy objectives to provide certainty for landowners."

Michael Nitz, chair of the Thunder Bay Chamber of Commerce, wrote, on behalf of his 1,100 members, "Far too often, environmental policies are evaluated in isolation from their economic and social impacts ... including the loss of economic development and employment opportunities."

The bill also amends subsection 56 of the act, governing public notice. This bill would require the minister to post proposals on Ontario's environmental registry for a minimum of 90 days. Today, the posting period is only for 30 days. Everyone we talked to felt very strongly that 90 days was a much fairer and more appropriate posting time. It gave people time to realize it's there and for reactions and feedback to occur.

The posting would be required to include a preliminary assessment of the environment and the social and economic consequences of implementing this proposal—again a connection that is missing, as we see it. By requiring that all the announcements be made publicly available and allow public comment, the ministry administration of the Endangered Species Act would be more open and transparent, which is what we are consistently hearing is needed.

Currently, when the minister considers the granting of an exception permit, his decision must include a requirement that even by granting the permit, he is of the opinion that it will be to the overall benefit of the species. However, the "overall benefit" clause is ambiguous and subjective, which can present serious problems for many individuals and small businesses.

A perfect example is the case of the bobolink, a bird that winters in South America and summers in southern Ontario, where nesting occurs. In southern Ontario, the bobolink has become the symbol for farmers and other stakeholders as an example of how the Endangered Species Act isn't working. Bobolinks nest in hayfields during the period when the hay reaches its optimum nutrient value as a source of food for livestock. So shutting down hay harvesting in this period to accommodate the nesting bobolinks would be devastating to the agriculture community all across southern Ontario, in terms of the growers, their suppliers, the employers, their customers and the livestock which depend on this food source.

The bobolink has resulted in a great deal of angst and uncertainty for farmers, and I'm sure everyone in the Legislature who has a rural community has heard of it, because their livelihoods depend on the seasonal harvest of hay. Farmers are potentially facing a major crisis, including the loss of jobs. So when Ontario families are urging the government to create jobs, this is not the way to respond.

The Ministry of Natural Resources did buy themselves some time by declaring a three-year agricultural moratorium for the bobolink—it wouldn't be political, I couldn't imagine—but it did, thereby, permit farmers to continue their operations.

However, unless this situation is addressed and a permanent solution developed, the minister's options will be limited. He can order the shutting down of the hay harvesting in Ontario to accommodate the nesting period of the bobolink. He could keep extending the moratorium, but that's not really a solution; it's applying a band-aid and putting off a proper solution to another day when someone else can deal with it. Farmers could apply for an exemption permit, which the ministry actually calls an "overall benefit" permit because of its requirement that there would still be an overall benefit to the species. But in the case of hay harvesting, that would simply not be realistic, as some nests would inevitably be destroyed, to some degree, during the harvesting process.

Since the Endangered Species Act was passed in 2007, MNR advises that a total of 4,000 applications have been received for overall benefit permits. During the same period of time, a total of only 50 permits have actually been granted, which effectively illustrates how difficult it is to prove overall benefit.

Another option that would provide a more permanent solution would be to delete the overall benefit clause from the act, and this is the option I am proposing in Bill 73. Elimination of this clause would give the minister much more flexibility and discretion to grant permits where they are warranted, as a result of a detailed analysis of the social and economic considerations, which we're asking that they must do. So even without the overall benefit clause, the act still contains sufficient provisions to minimize negative impacts—there's a lot of tools in the tool box.

Bill 73 is an attempt to introduce a degree of balance and accountability that is currently lacking. My office has

received a multitude of letters and emails of support. For example, an open letter posted on the website for NOMA, the Northwestern Ontario Municipal Association, has this to say: “We offer our full support to this legislation, which we trust will be unanimously supported by members of the Ontario Legislature.”

Mark Caron, president of the Fort Frances Chamber of Commerce, wrote to say: “This letter is the unanimous endorsement of the amendments proposed to the Endangered Species Act ... we applaud Ms. Scott’s efforts to adjust the legislation to better balance the environmental and economic needs.”

The amendments to the Endangered Species Act that I have included in Bill 73 are not radical, nor are they one-sided. They’re a realistic attempt to address many of the major concerns that have been repeatedly raised by stakeholders and individuals who live every day with the impacts of the MNR’s administration of what is a flawed piece of legislation.

Bill 73 would force the ministry to consider the social and economic impact their actions would have on the lives of real people. It would force the ministry to consider job losses and the loss of land use. The bill would also require that the analysis be made public for a reasonable period of time, and that those directly impacted would be given an opportunity to review the data and provide their comments back to the minister.

Mr. Speaker, we are all concerned about protecting our endangered fauna and flora, but we need to ensure that this is done in an open, responsible, accountable and balanced way. It isn’t balanced when thousands of farms could be threatened, resulting in a significant reduction in food production and greater reliance on importing food. It isn’t balanced if forestry is further eroded to the point that Ontario needs to import lumber from other jurisdictions. It isn’t balanced if in order to achieve the objective, the onus is on the private landowner or operator to bear the economic and financial burden of the implementation.

Farmers, families, municipalities and businesses must be part of the decision-making process. Only through a well-balanced approach can the act really work.

I believe that this bill goes a long way toward that goal. I would urge my colleagues from all parties to consider it and to support it so that we can move forward and actually protect the groups involved and protect the endangered species. Thank you, Mr. Speaker, for this opportunity.

1400

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

**Ms. Sarah Campbell:** I rise today to speak in support of this bill. Speaker, the Endangered Species Act is a deeply flawed piece of legislation, no matter which way you look at it. It fails to accomplish its goals of protecting endangered species and their habitat, and the public have lost faith in it, if they ever had faith in it to begin with.

In the north, there was widespread opposition to the Endangered Species Act, as municipalities, First Nations, chambers of commerce and industry organizations alike spoke out against it. In their wisdom, these organizations saw the potential problems coming down the pipe, and they sent a loud and clear message, but they were ignored when it was passed.

The failure to consult and listen is in the past. We need to put aside any differences we have and move forward, and the best way to move forward for endangered species, the people of Ontario, the environment and industry is to pass today’s amendment. Very simply, we need to do the right thing.

Too often, this House becomes consumed with grandstanding, where the image is more important than the action. We have people in this House who are more concerned about their political lives or their party than about doing what is right, and when that occurs, it is a shameful state of affairs.

Whether it’s grandstanding over Ornge or other scandals, needlessly adjourning debate on important issues to prove a political point, or selectively reading passages of letters and correspondence to make it seem like there is support for your bill when there really isn’t, in the six months that I’ve been here, I’ve seen a lot of actions that have sold the people of this province short.

We are here to serve the public and represent their views and their aspirations, not to have a shouting match over which political party has done this or done that. There’s so much focus on passing blame or getting credit that it appears that many MPPs have lost sight of why they’re here, and that’s to make the right decisions. Passing this amendment is the right decision.

Some who ignore what is actually happening may decry this amendment as an attack on the environment and the Endangered Species Act, because they’re more concerned with the headlines than the substance.

The Endangered Species Act, as it currently stands, is hurting endangered species, because while the option is open to consider the socioeconomic factors, in practice this is not happening. Instead, what’s happening is people are not reporting endangered species. They are terrified because they know if they do, the Ministry of Natural Resources will swoop in and declare their area off limits. Rather than work with the property owner, they will say, “You can’t touch this place.”

We heard from my colleague who introduced the bill of the travesty of what happened with Ducks Unlimited, where Ducks Unlimited, a conservation group, was told that their conservation project had to stop because an endangered species was nesting in their area. You would think that that would be a benefit to the endangered species and the environment. Nevertheless, this is just an example of how this act is not being implemented properly. There’s no wonder why the people in this province have lost faith in this act.

So what happens when an endangered species shows up on the scene? Rather than it being seen as a blessing or a miracle, hard-working families are left to worry

about the future of their businesses, such as farms or tourist operations. Instead of working with the MNR to find a co-operative solution that allows the businesses to coexist peacefully with the endangered species, people are being forced to pick between putting food on the table and saving the species. I would hope that I don't have to tell any of you what they're deciding. It's a pretty grim choice to make. And it's happening that some people are using phrases such as "shooting, shovelling and shutting up," and that's not helping anybody, especially not the endangered species that this act was intended to support and protect.

That's the problem, and that's what this private member's bill is trying to sort out. I'm not going to allow partisan politics to get in the way of the right thing. I congratulate and thank the member from the PC Party for bringing this bill forward, because it opens the door to dialogue and that's what we need.

We need a government that's willing to work with the property owners and the businesses to find solutions, not dictate closures. We need a government that's willing to enter into a dialogue about compensation. We need to give the public confidence that if an endangered species shows up on their farm or at their tourist operation or even at their home, they can call and report it, that they can work with the government to find positive solutions, and that's what this amendment does.

Even the Environmental Commissioner of Ontario has stated very clearly that while well intentioned, the Endangered Species Act is not being properly implemented. The amendment isn't putting business or industry ahead of the environment; it's simply saying that all parties need to be included in the dialogue.

The fact is, if we really care about endangered species, we will make this positive amendment that will allow businesses and families in the north and across the province to buy into the act. This bill needs to pass.

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

**Mr. Mike Colle:** As you know, Mr. Speaker, the Conservative opposition all voted against the Endangered Species Act, so what we have here before—

**Mr. John O'Toole:** He cannot impugn motive—

**The Deputy Speaker (Mr. Bas Balkissoon):** Can you wait till I recognize you? I've told you this more than once.

The member of Durham on a point of order.

**Mr. John O'Toole:** I would request that the member not impugn motive or assign—speak to the issues and speak on your behalf. Don't bother telling me what I believe. Thank you.

**The Deputy Speaker (Mr. Bas Balkissoon):** That's not a point of order. The member for Eglinton—Lawrence, you have the floor.

**Mr. Mike Colle:** I know the truth hurts, Mr. Speaker. They voted against the act, they are still opposed to the act, and this is another attempt to undermine the Endangered Species Act.

I'm shocked that the NDP would stand up and say they would support this, because this basically kills the Endangered Species Act, because what it does is it says very clearly here that "The minister shall consider social and economic factors in reaching his or her" decisions. It basically tells the minister that before you decide whether or not a species should be protected, they have to weigh the economic and social factors. In any situation, the developers are going to come in and tell you, "We can't put up our development because there's the Endangered Species Act." The poor developer is going to lose how many millions of dollars. "Sorry, there's a socioeconomic impact. The species doesn't count; it can't be protected." That's what this bill says. It's quite plain and clear that this—and I know that—

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Oxford, come to order, please.

**Mr. Mike Colle:** I know it's difficult for them to listen to the other side, but I have the right to play the other side. I just warn people that that is what this bill does, and if you look at the Conservative record on this and if you look at what they're saying in their constituencies, they don't think this bill is needed. They've tried to undermine it. This is an attempt to continue to undermine it. All we're talking about—there are 30,000 species. This only protects 200, and they make it sound as if the world's coming to an end because of the 200 protected species out of 30,000. That's what they're trying to say.

Certainly in any piece of legislation there are difficult challenges to ensure that the legislation is implemented properly. MNR is out there constantly talking to people, visiting sites, trying to deal with the new legislation. In fact, the minister has said that he is looking at a few adjustments to make the bill more flexible to deal with the reality of the bill since it was passed in 2007. He has those amendments in place that will help deal with some of the realities of the legislation.

I think we need to look at where this bill is coming from. The intentions are basically to weaken and gut a strong piece of legislation which is necessary if we're going to protect our natural environment, because if the species are gone—you know that the natural environment lives hand in hand with our endangered species, and the tragedy is that we are too sure to write off any attempt to ameliorate the situation. There are ways—and MNR is working with ways—to deal with development pressures, to deal with business pressures, to deal with—you know, it's just like the aggregates act; the same thing. You've got to protect the environment, yet there are industrial operations that are needed. So you have to find a middle point. That's what the act has done, to try and find that reasonable point while protecting those 200 species that are at risk.

So I urge people not to support this bill, which basically guts a very progressive piece of environmental protection that almost everybody supported in this province and is something that is needed. Let's fix the act



but let's not destroy it with this kind of bill, which basically guts it.

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

1410

**Mr. Michael Harris:** I'm pleased to take this opportunity to speak to my colleague's private member's bill, An Act to amend the Endangered Species Act. I know the member from Haliburton-Kawartha Lakes-Brock has put an immense amount of work into this bill, meeting with members of the public and numerous stakeholders, including those from the agricultural, forestry, land development, and hunting and fishing sectors. Based on her extensive research and consultation, the member has proposed a bill that I think makes much-needed changes to increase government accountability and transparency under the Endangered Species Act.

Importantly, Bill 73 would make it mandatory for the Ministry of Natural Resources to fully consider and assess the social and economic factors associated with developing action plans for species and habitat protection. Currently, the Endangered Species Act only says that these factors "may" be considered.

How can new proposals go forward without any consideration of how it will impact the public and/or businesses? Clearly, leaving this out of the equation does not serve Ontario well. The least government can do when its actions affect the very livelihood of Ontarians is to ensure that these factors are fully recognized and taken into account before a decision is implemented.

The government also has to let the public know about its findings. It's not enough to look at the potential effects of a proposal and then tell Ontarians, "Trust us. We know what's best." Ontarians need the tools to make their own decisions. They need access to all relevant information regarding these proposals so they can provide their comments.

Bill 73 delivers that ability to the public by requiring the Ministry of Natural Resources to post the proposal on the Environmental Bill of Rights registry 90 days before designating an area as an endangered species habitat. Currently, the law requires proposals to be posted for just 30 days, giving interested individuals and groups little time to comment. Under Bill 73, however, residents have more time to assess proposals and more information to consider in the notice. This includes a clear statement detailing the objective of the proposal, an assessment of the environmental, social and economic consequences of implementing the proposal, and an explanation of why the proposal achieves the regulation's environmental objectives.

The Endangered Species Act, as it stands now, does not require the government to disclose how it has arrived at its decision to designate new habitat areas for endangered or threatened species.

Again, this bill is about accountability and transparency. It takes the logical steps forward that the government has clearly failed to take.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Davenport.

**Mr. Jonah Schein:** I'm pleased to stand and speak to this private member's bill. Protecting species is in all of our interests. We rely on the health of our ecosystem for survival.

The Endangered Species Act was set in place as a process to identify and protect species based on scientific assessment. It is far from perfect. There have been long delays in the development of species recovery plans, and the government wants to further delay action. The Ministry of Natural Resources has been inadequately resourced to move ahead with species protection, and the environment commissioner himself has been clear that more resources are necessary for this to go forward properly.

The "stick" approach rather than the "carrot" approach means that farmers and landowners are too often penalized for trying to protect species, and they're not helped to do so. The NDP has been a strong supporter of recognizing the contributions that farmers and landowners make to species protection and ecological sustainability through programs like alternative land use services.

The NDP is absolutely committed to helping companies minimize costs and protect jobs by using the full range of measures under the ESA, including screening tools, offsetting of incremental costs, other incentives, and selective exemptions. But we will not compromise environmental protection. I'm proud of my party's commitment to the environment: setting up the Environmental Bill of Rights; standing up for transit; fighting against urban sprawl; and being the first party to raise climate change at the federal level.

Changes to the Endangered Species Act need to be carefully thought out. It should be noted that flexibility already exists in the act. The minister can already consider social and environmental factors when determining the feasibility of species recovery plans. So we really don't need to make it a requirement that the minister must consider social and environmental factors in all cases; we don't need to change this. Does this undermine the science-based focus on protecting endangered species in the development of recovery plans? Does the already underfunded MNR even have the administrative capacity to undertake social and economic reviews for every application?

This bill also proposes removing the test that proposed activities provide for an overall benefit for species. It argues that this test obstructs economic development. But again, there's already flexibility here. The ministry already has the power to exempt activities that don't meet this test. Isn't it better to test and exempt than not to test at all? The act may not be perfect, but it should be recognized that groups are working hard to make it work. For example, forest plans have been developed by environmentalists and forest companies and First Nations peoples to protect caribou while ensuring access to wood supply and to support jobs in the north.

We need to make the ESA better. We need to make sure that northerners have a greater say over the natural resource base on which much of the northern economy is

based. We need to reduce the costs to forest companies associated with the Endangered Species Act. And yes, we must make it easier to protect species. But we can't pretend that there will never be any costs involved in doing so.

By requiring the assessment of social and environmental factors in the development of species protection plans, there is a danger that the priority given to science-based species protection will be compromised and plans will be informed as much by social and economic considerations as by species protection. This could put at risk even the small progress that has already been made, and it could do a great disservice to Ontarians, both current and future generations.

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

**Ms. Tracy MacCharles:** I agree with all the members opposite who have spoken that we do need to dialogue about the Endangered Species Act—absolutely. Are there opportunities for improvement? Yes.

I want to remind those members and this House that our government has already proposed changes to the Endangered Species Act through Bill 55, also known as our budget. We believe these changes provide the necessary balance of endangered species protection, while at the same time reducing red tape and providing greater certainty for business. Unlike the MPP from Haliburton-Kawartha Lakes-Brock's bill, which seeks to alter the intent of the ESA in a way that undermines protection for our species at risk, our changes ensure Ontario's ESA continues to be a North American leader in protecting native species. Our amendments provide more streamlining and help keep us as a leader in protecting endangered species.

I'm frustrated, because we talk about working together, we put forward some very important proposals and elements in the budget, and here we are with yet another private member's bill on the heels of some very good analysis and suggestions put forth in our budget. I don't feel we're working together effectively by doing this. In fact, I would suggest and agree with my colleague from Eglinton-Lawrence that what's coming forward is an act that's going to gut the ESA.

I'm proud of the legislation we have, but at the same time I recognize there are opportunities to improve it. We are proposing a number of things to reduce unnecessary permitting, by focusing on permitting requirements on areas that pose the greatest risk to species. We've demonstrated our consideration of social and economic factors, and the overall benefit permits are one way we've been achieving and promoting protection and recovery of species at risk and their habitats.

We have many exciting things going on in Ontario, Speaker, including, for example, the extension of the 407 eastward into my riding of Pickering-Scarborough East and beyond. We're committed to that as a government. Absolutely, that's good for jobs and the economy. At the same time, the ESA provides for the protection of species.

In the example of the 407, the overall benefit permit is about collection and propagation from disease-resistant trees to repopulate and improve the overall health of species. We're talking about, in this case, butternut and American chestnut trees. This can be done together. We can protect the species and at the same time invest and build in the 407, invest in jobs and the economy, and make it work.

I'm very disappointed that our budget considerations aren't being considered going forward. I wish and hope that we could find a way to work more closely together on this, because I don't want to see us lose our status as a North American leader in this.

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

1420

**Mr. Norm Miller:** I'm very pleased to have a short opportunity to join in the debate today on changes to the Endangered Species Act, and I certainly commend the member from Haliburton-Kawartha Lakes-Brock for bringing this important legislation forward.

Back in 2007, I am embarrassed to say that I supported the Endangered Species Act, and I kind of feel like I was duped at the time by the government and also by some of the environmental lobby groups.

I think the changes being proposed today make a lot of sense in that we're trying to bring in some—

**Mr. Gilles Bisson:** I'm going to run an ad in your riding on the radio.

**Mr. Norm Miller:** Thank you for that, member from Timmins-James Bay.

I think that when you get out on the ground and you talk to people in the forestry sector or the building sector or whatever sector, there are all sorts of problems with the Endangered Species Act the way it stands.

In 2007, when the Endangered Species Act was passed, the government promised the Ontario Forestry Coalition, a group that includes municipal leaders, First Nations communities, chambers of commerce, labour and industry, that the new legislation would complement the existing regulatory framework. They were promised that in section 55, to be precise, would be recognition that the Crown Forest Sustainability Act already protects species at risk and already achieves the objectives set out in the Endangered Species Act.

In response to concerns raised by stakeholders from the forestry industry, then-Minister David Ramsay stated, "If Bill 184 is passed by the Legislature, it is our intention to put forward a regulation that will exempt forest management plans from the prohibitions in dealing with species at risk. This regulation will be based on the recognition of the efficacy of FMPs in addressing endangered and threatened species." Unfortunately, this promise was not kept.

The minister—I would say, under directions from the Premier's office and Environmental Defence and Rick Smith—turned his back on this commitment and hit the forestry industry with a lot of red tape that overrode the existing framework, removed vast tracts of land from

potential development and decimated economic opportunities for countless northern communities.

Northern Ontario demands changes to the Endangered Species Act. To this day, the Northwestern Ontario Municipal Association continues to press for recognition in the ESA that its primary objectives are met through the Crown Forest Sustainability Act and its required forest management plans. NOMA has lent support to this private member's bill.

In a letter to the Premier dated July 3, 2008, and signed by over 540 individuals, the Ontario Forestry Coalition stated, "Since September 30, 2004, 16 species have been newly assessed as, or have had their previous status elevated to, threatened or endangered. All 16 of these species are located in southern Ontario. MNR information shows that the single greatest threat to these species is development activities and permanent land conversion. Not one of these species is linked to forest management on crown land managed by the forest industry. Not one of these species is located in the boreal forest."

I'm out of time; I'm sorry. I've got lots more I'd like to say.

These are positive changes that will make a difference, and I support the member with this private member's bill.

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

**Mrs. Donna H. Cansfield:** I'm pleased to stand and to identify that I will not be supporting this bill. The Endangered Species Act is there for a particular purpose: to support species during the process of business development, regardless of where that development takes place. The idea is to protect the species and to do so by working with the communities. I can give you an example of a number of instances where permission was given for cankered butternut trees to be taken down and to be replaced by additional trees, because I signed them myself.

I can speak to you about Pelee Island, where in fact we worked with the aggregate industry on Pelee Island to make sure that a particular snake continued to have its home and at the same time the pit was enabled to expand, and it did so. Also, at the same time, Ontario Nature purchased additional lands. We all worked together to create a space for that particular species.

Identification was made around the Kawarthas and Haliburton area. The stewardship programs that go on in Haliburton and Kawartha are phenomenal, and they are based by people who care about ensuring that shorelines are protected and so are species protected.

Yes, there's no question that there are challenges, but working together, you can and do overcome those challenges, and there is a significant, significant number of opportunities that I could tell you about where we did work together. Did it mean that things took some time? Absolutely. But it took a long time for that species to evolve in the first place, and we have absolutely no authority in this good world of ours to eradicate it in a heartbeat because of a business opportunity.

What we need to do is to be able to work with—and we have lots of examples where we have done that. A very large mall that went in in London, Ontario: We worked with that particular developer to ensure that the species, in fact, was protected. We did this for another with a particular salamander, and again, the species was protected. We've done it with the snake; the species was protected, the buildings went ahead.

There are many examples. Tembec in the north, for example, has an excellent caribou plan that it's had in place for many years. It has been a leader in the development of caribou plans. If Tembec can do it, other companies can do it. There's absolutely no reason—so you either fundamentally believe that protection of species comes first and you work together to protect it or you have a philosophical perspective that's different. On this side of the House, our biodiversity is essential to us. It's the air we breathe, it's everything that's all around us, and the protection of those species.

I worked with a number of farmers throughout a number of areas in middle Ontario, where they were looking at alternative crops and at the same time encouraging species to thrive because they were at the point of being extinct. They needed those species for their crop production. Like most things, there's always a way if there's a will. If you want to protect a bird, whether it's a bobolink or a little piping plover, then you can if you choose to do so. We choose to do so on this side of the House because it's the most important thing to do: to be able to protect our species so that, in the future, we have a sustainable world in which we live.

It's actually part of our responsibility and our obligation. Yes, at times it may be onerous to do, but it is the right thing to do.

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

**Mr. John O'Toole:** I want to first make it clear, on Bill 73, that the history of that bill on the endangered species is that this bill is a culmination from Ms. Scott, the member from Haliburton-Kawartha Lakes-Brock, after a wide range of consultations with stakeholders. This is about doing the right thing, not the wrong thing.

Can I say that, of the experts who she talked with, one of whom I have a lot of regard for is Denis F. Cheff, who's the general manager of the Hearst forest station. This is what he said: "I commend you for initiating this courageous improvement in the Endangered Species Act." This is a person who works with our environment. He went on to say that the Endangered Species Act "is environmentally unsophisticated legislation. A major fault is that it does not recognize sustainability. Sustainable outcomes are only possible"—these are his words—"when environmental, social and economic implications are fully addressed," which they are not. In many respects, the bill clarifies some of the exemptions.

What the Liberals have done, under section 19 of this large and very complex bill—in fact, it's the budget bill. Section 19 is devoted to trying to correct some of the screw-ups—pardon my language there—to this section under the Endangered Species Act.

I think Ms. Scott has done the right thing. I want to say that in my riding, we do protect the environment. Here's what I want to say: We're proud of our natural resources in my riding and I know in Ontario. Samuel Wilmot Nature Area: Brad Reid is a person I highly regard. The Memorial Forest at the Samuel Wilmot Nature area in Newcastle is led by the Lion's Club: Terry and Jean Graham, Murray Patterson and George Rickard.

The Orono crown lands: I worked hard in 1995 and 1996 to make sure that that was preserved, and our government did it at that time. I want to thank Jim Richards, who's chair; Keith Tregunna; as well as Tracy Tonkinson, the secretary.

The Skugog Lake Stewards is another group that has worked tirelessly to improve the quality and species at risk within that area: Barb Karthein, the president; and Jamie Ross.

The Courtice Millennium Trails Complex is another classic example of my riding and the importance they put on the greenbelt, the Oak Ridges moraine and the sensitive areas that are there.

I would also say that Uxbridge, in my riding, is the trails capital of Canada, made up of people from all sectors of society, all leaders trying to protect the outdoors on the Oak Ridges moraine. I would say the Nonquon provincial wildlife area is another example—the Oshawa marsh.

**1430**

I'm going to allow my good friend Jerry Ouellette, from Oshawa, to have a couple of minutes, because he served as the Minister of Natural Resources. He above all could speak with some authority on this issue. With that, I'm going to leave him two minutes of his own time.

Thank you, and I expect the Liberals to think about this, do the right thing and vote for Ms. Scott's bill.

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

*Interjections.*

**Ms. Lisa M. Thompson:** Thank you very much, Mr. Speaker—

**The Deputy Speaker (Mr. Bas Balkissoon):** Hang on a second. I recognized the member for Oshawa.

**Mr. Jerry J. Ouellette:** No, no—

**The Deputy Speaker (Mr. Bas Balkissoon):** No? Okay. The member for Huron—Bruce.

**Ms. Lisa M. Thompson:** Thanks very much. Just quickly, I too am very pleased to rise today in support of Bill 73—I was here earlier and I'm back again—because our colleague from Haliburton—Kawartha Lakes—Brock has done an absolutely great job on this approach to amending this particular act. I'm pleased to support this bill because I know that she has worked so hard in building consensus. She has reached out to many people, stakeholders from across the board—agriculture to construction to aggregate to individual municipalities—who all have expressed concerns about this very issue.

I'm also pleased to rise in support of this as a farmer as well. We have to think about endangered species. What comes to mind, as a farmer, is the bobolink. Ladies

and gentlemen, this particular species of bird covers 46 jurisdictions as it migrates from northern Canada through to southern and central America as well. It's interesting: In some jurisdictions, it's a delicacy; in other jurisdictions, it's at risk. So we have to take a comprehensive look at how endangered species are defined and worked with within this act. If they were to land in our hayfield, let me tell you, we would have to prolong the cuts of hay. The second cut of hay is the most valuable cut for production of dairy in this province.

Ladies and gentlemen, we have to take a comprehensive look and listen to the experts. That's exactly what my colleague from Haliburton—Kawartha Lakes—Brock has done. We need to support this act—she has done a great job—and I support it with all my heart. Thank you for all your work.

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

**Mr. Gilles Bisson:** I want to take very little time and leave some time for the member from Timiskaming—Cochrane.

Just a couple of things: Obviously, I'm going to support this particular initiative, but I just want to say up front it is not going to have the great impact that people think it's going to have because, essentially, all this bill says is to take into consequence the social and economic benefits, which is a step forward, but it's not going to revolutionize, in my view, some of the issues that are going on around the Endangered Species Act.

I want to say for the record that people in northern Ontario take their responsibility very seriously when it comes to the environment. Why? Because we don't only make our living from the forest, but a lot of us work in the forest. It is where we have our recreation. We live in the forest. The forest is a big part of the reason that people are attracted to northern Ontario. It's not to anybody's advantage—a forest company, a cottager, an angler, a hunter, a naturalist, whoever it might be—to do damage to the forest. That is why in northern Ontario, for years, we've had a process called sustainable forestry development that has a process by which we manage forest activities in northern Ontario so that, in fact, there is a forest there for our children in the generations to come.

I'm quite proud as a member of a government that actually passed that legislation so that we're able to balance off the interests of the environmentalists, the forestry companies, the cottagers, the First Nations and others so that we can draft up forest management plans that take into consequence a living forest and, in the end, we're able to do what's right for all of those people who use the forest—obviously, the animals and the fauna; obviously, the people who live in the area, and those who make their living from the economic activities of the forest.

I was a bit disappointed, but not because we had an Endangered Species Act. I think that's fine. I think all of us understand that we need to have species-at-risk legislation to protect animals and fauna that are at risk. I

think the unfortunate reality is in the way that we drafted it. We have not done it right, in the sense that we now have problems as a result of the ESA. I think that's unfortunate, because it's creating a division.

So I will vote for this bill, but I don't believe in the end it's going to make a huge difference. It might be a step in the right direction. I'll leave the rest of my time for the member from Timiskaming–Cochrane.

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

**Mr. John Vanthof:** I'd like to take a moment and speak in favour of this bill. The one thing this bill does is allow the minister to consider socioeconomic impact. The one thing that does is, if you create a plan without considering socioeconomic impact, what you're doing is further endangering the species, because you're hiding the problem under the carpet.

By considering socioeconomic impact, you can see the cost to society, and then you can decide where to apportion those costs to society, because it's society that wants to protect these species. As a farmer, I'm proud to be part of that society and I also want to protect species. But when you put all the costs on one part of the society, you are further endangering a species.

By taking the economic cost and the social cost into account up front, we are actually going to save more species, because the people who are on the land, the people who are in the forests, won't feel threatened by the Endangered Species Act. They will feel like they are a partner in the Endangered Species Act, and they will be a full partner in protecting species in Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Haliburton–Kawartha Lakes–Brock, two minutes for a reply.

**Ms. Laurie Scott:** Thank you, Mr. Speaker. I'd like to thank all the speakers who rose today in support, and not in support, of the bill, because we do need this discussion.

The parliamentary assistant to the MNR, the member from Eglinton–Lawrence, knows very little about the Endangered Species Act. That's what I can say to his comments. I will say that I was one of the members who did vote against the Endangered Species Act when it was first introduced, because it was done in two months and there was no consultation. Thus, the fallout is happening, which I've spoken about today and have tried to address partially in this act.

When he condemned our PC Party, I just want to add, too, that more land was brought under provincial protection by the PC Party than all the former Premiers of the province of Ontario combined. We also brought in the Oak Ridges moraine act. So the accusations he slandered at us are certainly not accurate, and I wanted to bring that in.

I've had a multitude of support that I have tried to read into the record from broad cross-sections of the province. A farmer in my own riding, David Jewell from Kirkfield, said, "I believe in conservation, but it must allow for common sense. The farming community have been good

conservationists and stewards of the land. I am asking you to support Bill 73."

The president and CEO of the Ontario Forest Industries Association wrote: "Your private member's bill provides an important ... step in bringing balance to the Endangered Species Act and its associated policies." The debate is still going on.

Angelo Lombardo from the Ontario Federation of Anglers and Hunters said that OFAH "has concluded the amendments proposed by MPP Laurie Scott are steps in the right direction to further promote the coexistence of people with nature."

Many municipalities—my own city of Kawartha Lakes and neighbouring Douro-Dummer council—passed support for this bill. The northern municipalities did.

In conclusion, I want to say a special thanks to my staff, John Spink, and our new staff, Sylvia Kim, who is an intern, for helping me prepare for today's bill, and thank the Legislature for listening.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. We will take the vote at the end of regular business.

TOBY'S ACT (RIGHT TO BE FREE FROM  
DISCRIMINATION AND HARASSMENT  
BECAUSE OF GENDER IDENTITY  
OR GENDER EXPRESSION), 2012  
LOI TOBY DE 2012 SUR LE DROIT  
À L'ABSENCE DE DISCRIMINATION  
ET DE HARCÈLEMENT FONDÉS  
SUR L'IDENTITÉ  
OU L'EXPRESSION SEXUELLES

Ms. DiNovo moved second reading of the following bill:

Bill 33, An Act to amend the Human Rights Code with respect to gender identity and gender expression /  
Projet de loi 33, Loi modifiant le Code des droits de la personne en ce qui concerne l'identité et l'expression sexuelles.

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98, the member has 12 minutes for her presentation.

**Ms. Cheri DiNovo:** Thank you, Mr. Speaker. First of all, I want to acknowledge those who have come for the reading of this bill. We have, in the members' gallery, Egale; Trans Lobby Group; Parkdale Activity-Recreation Centre; transition support, 519 community centre; and we also have Kevin Beaulieu, executive director of Pride Toronto. I want to name a few of them. I always hate doing this, because I might leave somebody off: Alex Duffy, Shadmith Manzo, Jonathan Mackereth, Dwayne Shaw, Susan Gapka, Cristin Milloy, Stefonknee Wolscht, Crystal Lee-Cummings, Davina Hader, Paul Denison, Treva Bondarenko, Zephaniah James, and Martine Stonehouse. Welcome all to Queen's Park, and thank you for your advocacy.

1440

**Mr. Mike Colle:** Where's Kevin?

**Ms. Cheri DiNovo:** He's back there.

Mr. Speaker, when I was thinking about how to present this bill—it's a bill that has been tabled four times, but this is the first second reading.

I also want to thank my associates in the other parties. I want to thank Yasir Naqvi from Ottawa Centre. I want to thank Christine Elliott from Whitby–Oshawa—brave folk, both, for signing on to this and for supporting this cause. So thank you both.

I thought about how I could present it. I could start by talking about—and I will—the situation that most trans folk find themselves in. There was a huge study done in the United States. There hasn't been one presented in Canada with the same kind of numbers. This included about 7,000 trans folk in the United States. They discovered in that study that 41% had attempted suicide. That's about 25 times the normal rate of attempted suicide. They also discovered that almost one in two trans folk lived in poverty—again, way, way higher than the general population. They discovered that the vast majority of trans folk are bullied in school. It's interesting: We're talking about Bills 13 and 14 in committee now, and I have to say there's been a huge media influence and excitement about that bill, and so there should be. Certainly, we in the New Democratic Party would like to see GSAs be allowed in schools. I'll say it right up front.

*Applause.*

**Ms. Cheri DiNovo:** Thank you. But, you know, we had a press conference the other day around this issue, and no press showed up. That's what we're dealing with here. We're dealing with a problem that often goes unrecognized. It goes unrecognized, unacknowledged and has the results that I just told you about in the study. That's what happens to trans folk.

I could talk about the legal aspects. I could talk about the recent Human Rights Tribunal action with XY—which is groundbreaking—where XY won against the Ministry of Consumer Services, won a groundbreaking challenge, which was to say that you shouldn't have to go through a surgical procedure to be able to use identification that shows that you're a woman, even though you haven't had the transition surgery—or a man; vice versa—that this is actually anti the human rights of trans folk.

This is exactly the reason that we need explicit protection in the Human Rights Code. It has been argued that it's already implicit. That's not what Barbara Hall says, who, when I first tabled this years ago, wrote a letter to the Toronto Star in support of explicit wording—"gender identity" and "gender expression"—in the Ontario Human Rights Code.

I could talk about the federal instance, where we know that trans folk have been stopped from boarding planes. Human Rights Watch in the United States said, "If you're a trans person, don't try to fly in Canada." Come on, this is an embarrassment on an international scale. Why? Because, very quietly, in 2010, the then Minister of Transport federally brought in a regulation that said that you gotta match the presenting ID—in the minds, of

course, of the people checking. Again, this is an incredible deterrent for trans people just to travel.

Federally, there's a bill before the House for the second time to look at adding gender identity and gender expression federally for that very reason. We all know about Jenna—Jenna, the trans person, the woman who wanted to enter the Miss Universe contest and was denied that. It made a lot of international press.

**Mr. Mike Colle:** And Donald Trump—

**Ms. Cheri DiNovo:** Donald Trump, absolutely. Again, he was forced to backtrack on that, thankfully—but again, another very, very obvious instance of trans phobia. It's real; it's everywhere. It's here in Ontario, it's across Canada and it's international. That's the reality of trans phobia.

I could talk about the trans lobby efforts. What an amazing group of people we have here, Mr. Speaker, an amazing group of brave individuals who have been at this for years—I might say decades. They have been championing this without a great deal of support.

I might also talk about some of the people at Parkdale Activity-Recreation Centre, who have been champions of all of those who suffer oppression in my area of Parkdale, and who have also championed the cause of trans folk as well, so I welcome you here too. It's wonderful to see you.

I could talk about where it's better in the world. It is better in other jurisdictions. The Northwest Territories has gender identity in their human rights code. We know it can be done in Canada. The entire European economic union recognizes gender identity as a way of discriminating against people. So we're a little behind here, but we can catch up. I'm hopeful, today, Mr. Speaker, that that's exactly what we're going to do.

I could speak about all those things, but what I really want to talk about is a person, Toby Dancer, because this is known as Toby's Act. Let me tell you about Toby. Toby died about eight years ago. Toby first walked into my church looking like a man—it turned out Toby was a woman; looking First Nations—it turned out Toby was of Ukrainian heritage; looking like a drifter—it turned out Toby was one of the most accomplished musicians in Canada. She had actually produced Ian Tyson albums. She played the piano for us, and we were blown away when we heard her play. She was a phenomenal jazz musician. She eventually became the music director of my church. Toby also started a gospel choir for us, as well as being the music director over at Parkdale Activity-Recreation Centre. I'm seeing nods because some of Toby's fellow musicians are here.

Toby changed lives.

Toby, like many trans folk, also suffered from depression, also suffered from addiction issues. Toby eventually died from those issues. At Toby's funeral, I said, "We may be the first church"—and let me backtrack a little bit, because this is what we did in our church—"to put a stained glass window in the sanctuary depicting a trans person," because we had one made of Toby playing the piano, and it's up in Emmanuel Howard Park United

Church on Roncesvalles as we speak. I said, “We may be the first church to have done it,” and somebody called out, “What about Joan of Arc?” They’re right, Mr. Speaker. What about Joan of Arc? What about those trans people in history that already have stained glass windows of them? So Toby may not be the first, but we’re very, very proud of that window in that church. It has been the site of many filmings and photographs, and will be there forever and will commemorate a very, very special person.

I want to talk about Toby, because Toby changed the lives of everyone who knew her. We all came to know trans issues in our church through Toby. That same church became the site of the first ordained trans person in Canada.

*Applause.*

**Ms. Cheri DiNovo:** Yes, absolutely—Cindy Bourgeois, who, again, when she first walked into our church, walked in as a man and walked out as an ordained woman in the United Church of Canada and is now in Stratford. If you go to Stratford, go see Cindy preach.

That church became a centre of a wonderful movement around trans folk and around combatting trans phobia, just by our very example.

Toby also was the subject, in part, of a book that I wrote. That book went on, after Toby’s death, unfortunately—because I really wished she could have been with me in Washington to receive the Lambda award for that book for spirituality and religion. It was based on what we had done to be an inclusive church. It’s called Qu(e)rying Evangelism. In light of the great production of Bill 13 and Bill 14 and all of the deputations we heard, it’s particularly pertinent, because the argument of that book was that you can grow a church, you can grow an inclusive community by being inclusive and still being Christian. I want that on the record, Mr. Speaker: You can be inclusive; you can still be Christian. We did it. We proved it. We grew that church. We got that church to survive. Toby was a part of that, and part of the book is dedicated to Toby. Now I can use her real name; in the book, she’s called Mary. That was dedicated to her and to others who have died in our midst.

I’m going to have more to say on this and more to say on the whole issue of adding gender identity and gender expression to the Ontario Human Rights Code, but right now, I just want to say thank you. I want to say thank you to everyone who supported this. I want to say thank you to those who have shown up today, and not just today but have shown up for years, for decades, some of them. I want to say thank you to my colleagues from across the aisle and next to me, the Progressive Conservative and Liberal parties, for also adding to this bill and adding their support for it, because if there’s one thing I know and there’s one thing I really want to see, it’s that at this Pride, this year, we march in a Pride Parade in a province where gender identity and gender expression has been added to the Ontario Human Rights Code and where we celebrate it at Pride. So that’s what I’m looking forward to.

**1450**

I’m going to leave some time for my colleagues, and I look forward to talking more about Toby, more about trans issues, more about inclusivity, in fact, and what it means to be an inclusive society a little later.

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

**Mr. Yasir Naqvi:** Thank you very much, Speaker, for giving me the opportunity to speak on a very important bill, An Act to amend the Human Rights Code with respect to gender identity and gender expression. I stand here today as one of the co-sponsors, along with the MPP from Parkdale–High Park and the MPP from Whitby–Oshawa, wholeheartedly supporting this bill.

My family came to Canada almost 24 years ago. One of the biggest reasons my parents chose this country and this province as their home is because of that quintessential Canadian value of equality, where we all are equal, that all our rights are protected.

We have a situation right now that we have a little gap. There’s a vacuum that exists that we need to rectify. What this very simple piece of legislation does—it’s not very complicated; it’s one page long—is it ensures that members of a trans community in the province of Ontario have the same rights accorded to them as everyone in this province. It makes us greater. It makes us more equal. It celebrates our diversity. That is the reason I’m so happy to be part of this legislation: that we are ensuring that equality is accorded to every single human being in our great province, because that makes us stronger and that makes us even stronger Canadians in terms of the values we enjoy so much.

Now, Speaker, it’s very interesting; I want to bring a perspective here, and that is that, thankfully, under the Ontario Human Rights Code, the rights of the trans community are protected. Under the definition of “sex,” their rights are protected. So what we’re doing today by approving this bill is nothing earth-shattering. What we’re doing is bringing more clarity. By what we’re doing—and I perhaps speak as a lawyer for a second—we’re bringing case law, what the courts have decided and interpreted, into law. That’s our role. We’re supposed to do that. We’re supposed to take what courts decide for us and say, “Yes, that’s the right thing,” and enshrine it in the law. That’s what we’re doing so there is no ambiguity, so there is absolutely clarity when it comes to the rights of trans people in the province of Ontario, so nobody can discriminate against members of the trans community, so that their rights are protected when it comes to employment, when it comes to accommodation, when it comes to just living their daily lives, being who they are. That’s what we’re doing here, and it’s something that I’m confident that all members of this House are going to support.

I’m very proud, Speaker, to represent the great riding of Ottawa Centre, which is home to Ottawa’s perhaps largest trans community. I have a great opportunity to work and learn from the trans community in Ottawa. I want to highlight two women in the trans community

from my riding who have helped me understand, who have helped me learn about this issue. Joanne Law is one individual who has been so active and so involved in the community at large as a transgendered woman. The work she has done for the LGBTQ community in Ottawa Centre, the work she continues to do with Pride, the work she does in going into schools and talking to young people, is incredible. I want to take this opportunity to thank Joanne for educating me, for really making me part of the community and understand why passing Bill 33 is so important.

The other person who I also want to thank is Jessica Freedman. Jessica was the very first transgendered woman who asked me the question about this issue the very first time I ran in 2007. Instead of making up an answer, as some of my other opponents did in that debate, I told her very clearly, "I don't know the answer. Please educate me. Here's my card. Can we go for a coffee so I can ask you questions?" She said yes, and we went—I remember that day—we went for coffee, and I said to her, "My apologies in advance. I'm going to ask a lot of questions, and many of them will be stupid questions." She said, "There's no such thing as a stupid question. Go ahead." And I asked her very personal questions, and she answered and she gave me stuff to read and helped educate me about the trans community, about the transformation that goes through where somebody may recognize that they are not a man, they are a woman, or vice versa.

Jessica and I became good friends. She's actually at Carleton University, I think, doing a master's in social work right now—just an incredible human being. I want to take this opportunity to thank Jessica for informing me, for educating me, for answering my questions whenever I had those questions.

Speaker, I know there are other colleagues of mine who also want to speak on this very important issue. I am just very pleased to be standing here today, the first time ever in this great Legislature that we are debating the inclusion of gender identity and gender expression in Ontario human rights. The time is right. This is the time to ensure that we bring clarity to Ontario human rights. The term "sexual orientation" does not cover the trans community. The term "sex" does not cover the trans community. We need to incorporate the terms "gender expression" and "gender identity" in the Human Rights Code to ensure that members of Ontario's trans community are equal to every single other Ontarian, because by doing so, we're making our province stronger and we are ensuring that we continue to celebrate the diversity in this great province of ours.

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

**Mrs. Christine Elliott:** I am very pleased to rise today and join in this discussion of Bill 33, Toby's Act (Right to be Free from Discrimination and Harassment Because of Gender Identity or Gender Expression), and I am very pleased that I am joined today by my colleagues the members from Burlington and Barrie and sharing my

time with them. I'm also very proud to be a co-sponsor of this bill along with the member from Parkdale–High Park, who originated this bill, and the member from Ottawa Centre.

I would note—and it has probably been mentioned before by other speakers—that this is the fourth time that the member from Parkdale–High Park has raised Toby's Act but the first time that it has been co-sponsored. So I hope that, in this case at least, the fourth time's the charm. We're hoping for the best here.

I'd also like to thank Susan Gapka and the members of the Trans Lobby Group who are joining us here today for both their commitment to this issue and their tenacity in bringing this forward. You are really to be congratulated for getting this to this point today.

I'd just like to go back a little bit and recall when I first met Susan, which was in 2006, just shortly after my election to this Legislature. Some of the very first pieces of legislation I dealt with as a new member, and in my capacity as critic to the Attorney General and as a member of the Standing Committee on Justice Policy, were the amendments to the Ontario Human Rights Code. It was then known as Bill 107. At that time, Susan appeared and was making the same arguments that she has continued to make, which are that everyone is entitled to the dignity and protection of the Human Rights Code, and that the inclusion of gender identity and gender expression, along with race, ancestry, place of origin, colour and all of the other things that we talk about when we speak about the Ontario Human Rights Code, should be included. Gender expression and gender identity should be included with that, to clarify and make sure that the rights of trans people are included as well.

Fundamentally, I agree that this is a matter of basic human rights, and that's why I'm really proud to be able to co-sponsor this bill. I truly believe that everyone has the right to be fully included in our society, and everyone deserves the rights and protection of the Ontario Human Rights Code, period, end of sentence, no exceptions. That's what I think we're fundamentally dealing with here.

I agree with the member from Ottawa Centre that it isn't properly included, although some may say that "sexual orientation" would cover the situation here, but I agree that it's not fully clarified, that what we're dealing with here isn't a huge movement; it's simply making sure that everyone understands that everyone is to be included, and gender identity and gender expression are to be included.

There was a letter that was sent by Ontario Human Rights Commissioner Barbara Hall in 2007 on this issue, and she noted that "the lack of explicit inclusion in the legislation means that trans people's distinct experiences of discrimination remain unacknowledged.... Amending the code would provide clarity and greater recognition of the dignity of transgender people, and would leave no doubt, in the eyes of the public or the law, that they are entitled to the same human rights protections as everyone else."



1500

I totally agree, Mr. Speaker, and I think that some of the problems that people have encountered in terms of obtaining identification and obtaining travel documentation clearly show the fact that it hasn't been completely accepted and understood by everyone. I hope that obtaining all-party support of this—and I hope that all members will join us in supporting this bill—would absolutely clarify the issue once and for all and we could move forward on this issue.

I want to leave some time for my colleagues to speak on this, but I thank you very much for your time here.

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

**Mr. Rosario Marchese:** I want to thank the co-sponsors of the bill, the members from Whitby–Oshawa and Ottawa Centre, but, in particular, to congratulate my colleague who sits beside me, who is very articulate, who is fearless, who is persistent and a passionate advocate for human rights. She never gives up. This is the fourth attempt and I believe this is going to work this time around.

I want to say how afraid politicians are to do the right thing. I saw this when we debated Bill 167 about 20 years ago, the bill that would give gays and lesbians the same rights that heterosexuals have. Politicians were incredibly afraid, and we didn't win enough support from the members to pass that bill. We'd rather let the courts deal with it until they beat us into submission, until we do the right thing, because we are afraid to lead on these issues. I think it's a crime.

Here we have another opportunity to include gender identity and gender expression in the Ontario Human Rights Code, and I am persuaded that we're going to win this time around. It will not end discrimination, but people will know they cannot discriminate. And the time has come.

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

**Hon. Eric Hoskins:** I'm proud to rise today to speak in favour of this bill, and “proud” is an important word here. By taking a stand with this bill, we are showing pride in our diversity. We're showing that we're proud of every single Ontarian, no matter their gender identity, no matter their gender expression, but more importantly, by showing that we're proud, we're taking a stand against shame. We're taking a stand against stigma and discrimination. We're saying to trans people of all ages that they should never be ashamed of who they are and that they should never be made to feel that way; and to young people who may be struggling with their gender identity, although you may feel vulnerable, you are protected. You are loved.

I believe that we have an opportunity with this bill to show leadership. It's the kind of opportunity that doesn't come along every day. We have the opportunity to move society forward and embrace our responsibility, not just as legislators but as citizens in an open society. We have the opportunity with this bill to recognize the funda-

mental human rights of a community that is entitled to all of the protections that that affords, a community that is entitled to feel proud of who they are, a community that is entitled to live their lives free from shame and free from the barriers that our society often puts in place for trans people.

As a medical doctor, I know how difficult those barriers can be. They have adverse effects on the health of trans people, whether it's their physical health or their mental health. Our profession, the medical profession, views being trans as a normal part of the human condition. Many of my colleagues in the medical profession work with many trans people through these very important transitions in their lives.

As an elected official and as a legislator, it is my belief that the laws must reflect and protect the normalcy, dignity and humanity of my transgender friends in the same way that my profession, the medical profession, treats and respects this extraordinary community.

As someone who spends each day fully invested in helping our children and youth meet their full potential, I know how important it is for us as legislators to take a stand today against shame and tear down those barriers, fight that stigma, tell young people struggling with gender identity that nothing is wrong with them. Instead, let's say to that young person, “You are not alone. You are protected. You are loved.”

I want to thank the authors of this bill today for taking that stand, and I want to encourage all members of this Legislature to join us in recognizing the fundamental human rights of all Ontarians, no matter their gender identity.

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

**Mrs. Jane McKenna:** Thank you to the member from Whitby–Oshawa and, of course, the members from Parkdale–High Park and Ottawa Centre.

I have said before that I believe we are all God's children. I firmly believe this to be so. I have said before repeatedly that no one should suffer discrimination or persecution because of who they are and the road they walk in this life. We pride ourselves on being a modern society, a progressive place. We aspire to the ideas enshrined in the Universal Declaration of Human Rights, the idea that “all human beings are born free and equal in dignity and rights”; that all people are entitled to these rights “without distinction of any kind”; that “all are equal before the law and are entitled ... to equal protection of the law,” without discrimination.

We celebrate the home-grown beauty of the Canadian Charter of Rights and Freedoms, under which “everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice;” and under which “every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination....”

And yet, under the current language of the Ontario Human Rights Code, the equalities and freedoms that

most of us enjoy, and which far too many of us take for granted, are spelled out clearly for some and are implied for others. Bill 33 addresses that shortcoming. It amends the Human Rights Code to specify that every person has a right to equal treatment without discrimination because of gender identity or gender expression with respect to services, goods and facilities; accommodations; contracting; employment; and membership in a trade union, trade or occupational association or self-governing profession. The bill also amends the code to specify that every person has a right to be free from harassment because of gender identity or gender expression with respect to accommodation and employment.

There is widespread agreement in legal circles that transgender and transsexual persons, or trans people, are implicitly protected by the Human Rights Code. But because this protection is not specifically laid out in the code, discrimination cases that come before a tribunal suffer because of the fuzziness and the lack of clear historical precedence. It can be a vicious circle. Cases drag on and on. Discrimination seems to carry with it no real consequences, which can lead to an increase in discrimination and, in turn, more discrimination cases being filed.

Beyond the cost that comes with gridlock at the tribunal level, there is also a cost in terms of lost social equality. If we truly want all Ontarians to enjoy these fundamental rights and freedoms, they should be extended to all Ontarians.

We in this House might understand more than most how tenderly the spirit of legislation is often treated. We know how common it is for people to honour only the outline of the letter of the law and no more. Maybe there are some areas where we can resign ourselves to that reality. Human rights isn't one of them. The idea that anyone should be denied the full scope of freedoms, rights and protections that others enjoy as a birthright, even though they could even be identical twins, strikes me as a little bit inconsistent.

The need to specify this detail is even more apparent when you consider the Liberal government's lacklustre track record on human rights enforcement. But setting that aside, it is an issue of equality and fairness, and of walking the walk when it comes to constitutional rights and freedoms.

1510

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

**Mr. Jonah Schein:** I am genuinely happy and proud to stand up here today and speak to this issue. There are days in this Legislature when I feel worried that we're not making progress, worried that this Legislature does not function. But I'm happy to stand and support Toby's Act today.

I worked in the city for a long time as a social worker before I was elected. I was a volunteer counsellor at The 519 in Toronto. I've seen the health issues that face the trans community in the city and the prejudice that people experience, and this is a small step but a very important step moving forward.

I think it's incredibly important to recognize activists for this work. It's inspiring to me to see you here, whatever your cause is, because in many ways you have the hardest work to do. You've taken on one of the hardest causes to fight, but see that it matters. We can't do it without you, and that's the truth. Whatever the issue is, we need activists, we need people, we need everyday Ontarians to stand up and say what's right and what's important, and to come into this House and explain to people here that every single person in this province matters. So I thank you for that.

It's incredible to me to knock on doors in Davenport and see young people who are LGBT and young trans people. There weren't trans kids that I knew about when I was a kid, and to see the older folks—you have done the work to make it easier to be a trans kid today, and I think that younger people have you to thank for that too. It speaks for the entire queer community that the doors have been broken down in many ways, and that's a huge tribute to you.

I want again to thank all members of the House for working together on this. It's inspiring. I'm frustrated by the pace of progress. I'm frustrated that it has taken this long. But President Obama in the United States finally came out yesterday in support of gay marriage. That's a good step. That's an important step.

I'm frustrated that we still have a mayor who will not recognize Pride in Toronto. We need to change that, but I am hopeful.

I do want to recognize the member from Parkdale—High Park for championing this issue. She does it because no matter what the politics are, she knows that it's social justice that's important, that it's people all over this province who are important. She's gone out on a limb to do that, and I'm glad that we're seeing change here today.

Again, I want to thank you in the balconies today for your work. I'll save some time for my fellow colleagues. Thank you.

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

**Hon. Glen R. Murray:** I always try not to be emotional when I talk about these things, but every time we get into this, I'm always taken back to the worst moments in my life. Growing up as a gay man, as a gay kid, when everyone thought you were straight until they discovered you were gay, I didn't understand what prejudice was, because when everyone thought I was a straight kid, I didn't feel much of it. But I remember that when I was in my mid-teens, all of a sudden I was dealing with a level of hatred. Telling my father this news about me—I spoke about this when we were talking about Bill 13—and then not having my father talk to me for three years was very hard for a young person.

I try to imagine if I went to my father and said, "Dad, I know you think I'm a boy, but I'm actually a girl." I think the consequences would have been much more severe than him not talking to me, and our eventual reconciliation and the very close relationship I had with this extraordinarily lovely and honest man.

So, in our entire complex gay, lesbian, transgender—just human—family, it's the “T” that is the most courageous, and to all of you, thank you very much. I cannot imagine the courage it takes to be you. You are an inspiration beyond the transgender community to every young person who feels different and thinks it's impossible to ever have a great and healthy life with love and respect. You are a shining example of the very best of humanity by the simple acts of courage of saying, “I and we,” and coming down today as courageous people.

Émile Zola and Hannah Arendt are two of my heroes. I know, with my friend Cheri, and Rosario—happy birthday, Rosario—I want to thank you. I want to thank all of you: Yasir, Christine, Julia, all of you who have spoken—my friend Kathleen, and Eric and Laurel, who have worked so hard in our caucus.

I want to acknowledge as well that Bill 13, which is now before committee, actually has gender identity and expression in it. We're actually moving this already in law, so hopefully. But this will be a historic day.

For me, there's two things I want to say in 30 seconds. One, it's the first time in my life my straight friends are leading this. I'm the caboose in this parade. But it's a young Muslim guy and a nice United Church preacher who aren't gay. I represent that.

The second thing is, in my last 10 seconds, the most important thing is not what happens today, but what happens next, getting this through committee and back here and every one of us not ever hiding that we're supporting this.

I'm going to the mosques in my community. I'm going to people who I think might be most afraid of this and spending my time explaining why this is a good thing in the coming weeks. God bless. Thank you.

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

**Mr. Rod Jackson:** Speaker, it's a great pleasure to stand here before everybody today and speak in support of Bill 33, Toby's Act. This is, as the member from Parkdale–High Park mentioned, the fourth time this bill has passed through, but this is the first time it's been co-sponsored by members from each party, which I think speaks to the strength of it and it speaks to the need to do what this bill does.

I'd like to take this opportunity to thank the member from Parkdale–High Park, the member from Ottawa Centre and our own member from Whitby–Oshawa for bringing this forward. It takes a certain amount of courage, too, to be a voice for those that don't have their own in this House, especially on subjects that can be as contentious as this one.

There are so many people who are marginalized and vulnerable in our community. I think, as the minister just mentioned, this is one of the most courageous groups, one of the ones that will have the most difficulty, and I'm proud to stand here today to try to get this bill forwarded. I mean, four times—hopefully this thing has done enough mileage that we'll see the light of day on this one.

If my memory serves, when this bill was last introduced in 2010, the Attorney General at the time rejected the bill on the basis that transgendered people's rights are already protected under the code. However, it's necessary, I believe, to further these protections, to clarify the protections in the act. Speaker, it would certainly do no harm.

The purpose of Toby's Act is to explicitly state that transgendered people are entitled to the same human rights protection offered to all Ontarians, regardless of their race, creed, religion, colour, sexual orientation or sexual identity.

Along with the deterrent regulatory functions, law also has an expressive function. It's twofold. First, scholars from academic institutions around the world have produced empirical data and theoretical bases supporting the position that law can affect people's behaviour beyond deterrence. Law can change the way we interact within our own communities. By explicitly stating that every Ontarian is entitled to the same human rights protection, regardless of their gender identity and orientation, we can reduce the amount of hidden discrimination facing transgendered people. Second, the ties we wear, the cars we drive, the charities we donate to, the political parties we belong to, are expressions of who we are and what we value as individuals. Similarly, the laws that we pass in this chamber are expressions of who we are as Ontarians and what we value and cherish as a community.

By passing Toby's Act, we're sending a clear message that we as a community are standing up for the rights of everyone in this great province by reaffirming our continued effort to combat all forms of prejudice and discrimination.

Bill 33 is named in honour of Toby Dancer. Most of us will know that she was a transgendered person and a musical genius.

Since the Conservative Party, led by Premier Robarts, enacted the Human Rights Code in 1961, our province has made leaps and bounds in recognizing and protecting the human rights of people and the most vulnerable and marginalized groups.

Toby Dancer's tragedy is something to be remembered. We have to also remember that the dignity, respect and the heart and soul that we all have is shared by everybody, regardless of their gender, regardless of their identity, and everybody deserves to learn from each other and to move forward with the knowledge that we all have something to share, no matter what our race, creed, colour, religion or sexual identity is.

1520

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

**M<sup>me</sup> France Gélinas:** Je voulais ajouter ma voix à celle de ceux et celles qui ont parlé avant moi pour expliquer ce qu'on essaie de faire aujourd'hui avec le projet de loi 33. Le projet de loi 33 va modifier le Code des droits de la personne pour qu'on ajoute non seulement que la discrimination ne peut pas se faire au

sujet de l'orientation sexuelle, mais qu'elle ne peut pas se faire non plus au sujet de l'identité sexuelle ou l'expression sexuelle.

Donc, que l'on parle des droits du travail, au logement, à un contrat, d'avoir le droit d'exercer sa profession sans harcèlement et sans discrimination, bien, le projet de loi 33 va rajouter à ça l'identité sexuelle ainsi que l'orientation sexuelle. On a parlé beaucoup de ce que ça veut dire d'être trans en Ontario. Ce n'est pas toujours facile. Je peux parler pour mon comté. La communauté LGBTTQ n'est pas très grande.

Maybe I'll say this part in English. In the north, we say LGBTTQ. The second "T" is for two-spirited.

We have lots to learn from the First Nations. One of the beautiful teachings that the First Nations brings is this acceptance of the two-spirited world. When you go to a powwow—I don't know if any of you down here have had the opportunity, but I actually attend quite a few of them—the two-spirited are very easy to spot. They are some of the leaders, and they're easy to see because they will wear different colours. All of their costumes and all of their dancing are done as two. So half of their feathers will be one colour; the other half of their head feathers will be a different colour. And the way they dance is very different because they are looked upon as gifted because they are two-spirited. It's always my pleasure to share with you that, although I am very much in favour of LGBTQ, I always say "LGBTTQ" so we don't forget the two-spirited people.

Ça me fait toujours plaisir d'ajouter ma voix et de rappeler aux gens que les petits pas qu'on fait ici, ce sont des pas qui peuvent nous amener sur un long chemin. Les gens de la communauté trans du nord de l'Ontario n'ont pas la vie facile. J'aimerais remercier Rita et Sky, qui sont deux membres de la communauté trans de Sudbury, qui ont vraiment mené le bal.

On a un bar gay à Sudbury; ça s'appelle Zig's. Mais toute la communauté de Sudbury est invitée. Ils ont le meilleur karaoké à Sudbury, si jamais vous êtes intéressés, et il y a beaucoup de partage qui se fait là et il y a beaucoup de positif qui se fait là. Mais dans la vie de tous les jours, on a la chance de leur rendre la vie un petit peu plus facile parce que, comme mon collègue a dit, lorsque tu annonces à ta famille que, vraiment, tu as l'air d'un homme, tu as une barbe, tu as des gros muscles, tu as la grosseur d'un homme, mais vraiment dans toutes les cellules de ton cœur et de ton corps tu es une femme, ce n'est pas une décision facile à partager. Les gens qui ont eu à vivre ça ont eu de la difficulté.

Là, je vois ma collègue qui me regarde. C'est parce qu'elle veut que je lui laisse du temps.

I will leave my colleague a little bit of time on the clock. It was my pleasure to add my voice in support of Toby's Law.

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

**Ms. Cheri DiNovo:** I'm so humbled by listening to all of this. A couple of points that need to be made: It has been insinuated—not here, but it has been directly said

and insinuated in other places—that we don't need explicit wording, gender identity and gender expression, in the Ontario Human Rights Code. I want to tell you that I'm old enough to remember as a young person fighting for sex, for gender itself, in the Ontario Human Rights Code. I remember being told, "But the word 'man'"—do we all remember this?—"the word 'man' covers everyone." Do we remember that as women? The word "man" covers everyone. But we fought for the explicit: "No, we need 'sex' in the Ontario Human Rights Code." Those were the days of "Help wanted: male" and "Help wanted: female."

We've come a long way since then. We've come a long way, and it's a good way. We live in a kinder and gentler place. We live in a better place. One of the most humbling experiences of this afternoon, I think, is to look around this Legislature and to see this Legislature at its very best, and that is that all people agree on this. Thank goodness we live in Ontario and Canada. I feel extremely proud to be an Ontarian and a Canadian today, because we stand for justice and we all stand for human rights. We have seen the "progressive" in Progressive Conservative today, we have seen true liberals in the Liberal Party today, and we've seen true democrats in the New Democratic Party. I have to say, the "party" part will come later, when we all celebrate after.

I want to thank, in particular, Susan Gapka and Martine Stonehouse—those are the two people who jump out at me when I think about this—and others. I don't want to leave anybody out again. I can tell you that Susan Gapka has visited all of us. We all know Susan, and she has been on this issue for a long, long time. When I think of a good lobbyist—that is to say, not one with money, not one with power and influence but one with just dogged determination to do what's right and to fight for social justice—I mention Susan Gapka. So, Susan Gapka, absolutely, and Martine and all the rest of you. Absolutely.

Yes, I can certainly say that we also do Toby Dancer proud today—Toby, whose other name was Adrian Chornowol, so if you look her up under the male name, you'll find her production assets and her creative genius writ large in music history in Canada. But again, we knew her as Toby Dancer. And when we buried Toby Dancer—Toby always dressed in jeans and T-shirts; Toby was not a flashy dresser—under those jeans was a little black miniskirt, and that's how she wanted to be buried. That image of Toby—long grey hair, playing the piano; absolutely a woman in every sense of the word; absolutely a social justice activist; absolutely ahead of her time; and absolutely a person who struggled with demons we can only fear and imagine—all of those go into this bill. Toby goes into this bill, and today Toby's here. There's no question: Toby's here.

All of those who have died, all of those who have attempted suicide, all of those who struggle with depression, all of those in the trans community: They're here in spirit too. So it's not just two-spirited; it's multi-spirited here today. We are surrounded by a crowd of wit-

nesses—a cloud of witnesses—who watch what we do, who admire what we do and who say, “Thank you for putting aside, just for a moment, partisan differences. Thank you for putting aside all of those things that”—and, quite frankly, we should celebrate those differences. Isn’t it great that we’re different, even here?

But just for this afternoon, we come together as one to say: We need to save lives here. We need to include a group that has been excluded for a long, long time in the Ontario Human Rights Code. And I think we’re going to do it. I think we’re actually going to pass this. And call me optimistic, but I think it’s going to go in and out of committee very quickly so that all of us—particularly the members from Ottawa Centre and Whitby–Oshawa, those brave folk—will be standing in our Pride parades and celebrating that Ontario is, unfortunately, not the first—Northwest Territories was—but, hey, almost the first province in Canada to have gender identity and gender expression in the Ontario Human Rights Code. That’s what it’s about today.

Brothers and sisters—and I say that truly meaning “brothers and sisters”—thank you for your support. Thank you all for your courage and your bravery. Finally, thank you, for the activists. Absolutely, absolutely. And thank you for doing what you do, everyone.

**The Deputy Speaker (Mr. Bas Balkissoon):** We will deal with the vote at the end of regular business.

PROPERTY OWNERS’  
PROTECTION ACT, 2012

LOI DE 2012 SUR LA PROTECTION  
DES PROPRIÉTAIRES FONCIERS

Mr. Marchese moved second reading of the following bill:

Bill 72, An Act to amend the Condominium Act, 1998 and other Acts to increase protection for property owners / Projet de loi 72, Loi modifiant la Loi de 1998 sur les condominiums et d’autres lois pour accroître la protection des propriétaires fonciers.

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98, the member has 12 minutes for his presentation.

1530

**Mr. Rosario Marchese:** Thank you very much, Speaker. I want to thank the condominium owners who have come here today to witness this debate. These are all people who—some are board members, some have struggled in their own way with conflicts they’ve had, either with a board or with a property manager or indeed many of them with developers. I thank you for coming.

We haven’t had one single amendment to the condo act since 1998. And since that time, we have seen an explosion of condominium construction in the city of Toronto, in the GTA and beyond. It speaks strongly to the need, with all of the emerging problems, to change the Condominium Act. Prior to 1998, the building of condominiums was good, was healthy. Construction was good, and there were few complaints. Since 1998,

wherever you build a condominium, we have seen an explosion of problems. And it keeps going along, because now we not only have credible condominium developers who have a long history of great development, we now have an emerging group of developers who are here to make money and move on to the next project and leave a mess as they move on.

The complaints from condominiums and condominium owners are legion. We don’t have enough time to talk about them all. But there are problems that I hear about elevators on a regular basis. Why is it that we have problems with elevators in the first year of construction? Because developers use contractors who clearly don’t have the experience or the expertise and, as a result, in the very first year, elevators are not working. How could that be? We’re talking about condominiums. We’re talking about people who have to go from the first floor all the way to the 40th floor and beyond. We have people who complain about air conditioning, piping, floors that are warped. Yesterday at a meeting, I was told of a case where not only do you have a declaration that you have to look at, that you think is final, but in this particular case, the developer introduced an addendum contract with extra fees attached to it. I had never heard of it. That was the first time. The problems are huge, and we need to be able to deal with them.

What do we have by way of remedy? By way of remedy, what we have is the court system. To be fair to the previous Conservative government that made this change, they have within the bill the ability of any party that has a grievance to be able to go through mediation and arbitration. But even that process, prior to going to court, is a very expensive legal procedure. It doesn’t necessarily bring about the result that a condominium owner might expect or like.

The problem is that the majority of condominium owners don’t even know that that measure exists in the Condominium Act; but even if they did, I still maintain that it’s very expensive, and the majority of people I know who want to defend themselves go to the court system to defend themselves if they have to. The reason why there are very few court cases is because it is incredibly expensive and nobody can afford it. I have mentioned in the past people who have taken issues to the court system, and we’ve heard of \$120,000 in legal costs with this individual, another individual with \$40,000 in costs, another person spent \$20,000. Of course, these cases have not ended with a positive result—except individual owners had to spend a great deal of money defending themselves. It’s simply wrong.

We need to be able to have a place where people can go and defend themselves cheaply and quickly, and that is why I propose in Bill 72, as I have proposed in every other legislation that I’ve introduced here in the past, that we create a review board, a review board that would look something similar to what renters have. Renters have the ability to go to a tribunal to defend themselves. Renters are able to pay a \$25 fee and defend themselves. Landlords, of course—

*Interjections.*

**Mr. Rosario Marchese:** Friends, if you want to speak—hey, guys.

*Interjections.*

**Mr. Rosario Marchese:** Hey, Norm.

Landlords can pay their fee of \$150 and defend themselves, as well—clearly, they bring lawyers with them—but at least a renter has the ability to defend himself or herself. A review board would allow such a process to kick in. It would allow a condo owner who has a problem with a developer to go somewhere and get a speedy result of a grievance that he or she has with the developer.

At the moment, if you've got a problem with whatever it is, whether your floors are warped or your floors have been scratched or the furniture has been ruined along the way, or other appliances, you've got to go to either the developer or Tarion, and you get no satisfaction. You're not going to get the developer, unless the developer is one of the reputable ones—you're not going to get them to fix something unless they fear that by not doing it, their reputation is at stake or somehow they might lose a court case in the process, even though they generally do not. The point of having a review board is to allow a person to take a developer to the review board, to take a board to a review board or to take a property manager to a review board, and the case gets settled.

We think, or the government has argued in the past, that there is mediation, arbitration, and there's Tarion that would help to solve the disputes. The problem with Tarion is this: It represents developers. That is the single most important problem with Tarion. Yes, they are there to provide assistance with warranty problems, but when the board is made up of developers, it's hard to believe that you're going to get justice; it's hard to believe that you're going to get fairness.

One of my friends was up there. We did a quick review of the current Tarion structure, and we noticed that 10 of them were connected to developers, and the other seven we didn't recognize, which doesn't mean they may not have been connected to developers. The problem is, they represent developers, by and large, and while in the last three or four years they've gotten better because of the bills that I have brought forward to this Legislature—because I think somehow they might be a little afraid—the problems are still big, and the condo owners simply don't get the fairness they deserve.

We want to change the structure of the Tarion board to make sure that half of them represent consumers, i.e., condominium owners and homeowners, and until that structure changes, they are not going to get the satisfaction that they deserve.

We want to be able to put in this bill good-faith language. Why do we want to do that? Because when condominium owners go to a showroom and they're told, "This is what you're going to get," by the time they move in, it's not what they get; they get something else. Good-faith language will force the developer to do what he or she said prior to construction. They're bound by law if such language is put in the legislation, and we think it's

critical because the stories we hear are that changes are made when you move in—and it's too bad, so sad.

The majority of people never read the declaration. Why? Because it is an incredibly complex document. It's written by lawyers for developers, deliberately confusing, so you never read them. In order to be able to understand the language and understand what you're getting into, you need to hire a condo lawyer. A condo lawyer will cost you anywhere from \$3,000 to \$5,000. The majority of condo owners are just people with modest-income jobs. Some are wealthy, God bless, but the majority don't have high income and they can't afford it, so they rely on real estate agents for the best advice. Real estate agents are good, but they're not as good as condo lawyers to be able to interpret that declaration. So the majority of people who get into those condominiums don't have a clue what they're getting into. They think they get that key and out they go and everything is hunky-dory, until they move in and realize that the problems are many.

**1540**

The final amendment that I want to speak about—although there are many more amendments that I won't have the time to speak to—is the need to license property managers. Many property managers are good, but many others are not. If they're not good, you as a condominium owner have a serious problem. We believe they should be licensed. If they were to be licensed, as I hope they would be, they would have to follow some rigid criteria, some rigid qualifications—qualifications that would allow them to deal with maintenance issues, allow them to be good managers and allow them to better understand the Condominium Act. The majority of property managers don't have a clue what is contained in the Condominium Act. It's complex to read, and it's pretty thick.

These are the main amendments that we want to make. There are others, such as improving noise protection standards, and for that we'd have to change the building code. That's a big one, because a lot of people complain they are able to hear their neighbours. That cannot be a pleasant experience. So we want to change that, including requiring developers to disclose all previous business names used to construct condo projects.

These are the highlights, Speaker. I'm hoping that this time around we're going to get the support, that we're going to move it to the legislative committee and we're finally going to debate it on third reading.

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

**Mrs. Amrit Mangat:** I would also like to welcome the members from the condominium community in the east gallery. I will be sharing my time with the member from Mississauga East–Cooksville.

It's a pleasure to speak on Bill 72, and I applaud the member from Trinity–Spadina for his commitment to this issue.

Mr. Speaker, as we all know, the condominium marketplace has exploded over the last decade. There are many stakeholders with varied interests, and there is a lot of talk about this issue in my riding of Mississauga–

Brampton South as well. I think it's an important conversation which is very much of interest to all of us.

I have had several conversations with condo owners, developers, builders and condo managers in my riding. These stakeholders have stated that there is a need to amend the condo act and there is a need for change. It's clear that when we talk about the need for change, change is a cause for debate and discussion for the members of the condominium community.

This year, in the month of February, Minister Best delivered a speech at the Ontario Bar Association. She also spoke about the need to amend the act. The ministry staff is currently analyzing many issues in preparation for the review of the act. The ministry also conducted a survey in 2010. The survey was about condo owners' experiences with condo corporations, repair, maintenance, reserve funds and dispute resolution. The survey questionnaire also provided the condo owners with information on their rights and responsibilities. We will also build on the information provided through online questionnaires.

The member has introduced two bills before—

**Mr. Rosario Marchese:** Three.

**Mrs. Amrit Mangat:** This is the third?

**Mr. Rosario Marchese:** Fourth.

**Mrs. Amrit Mangat:** This is the fourth. I'm sorry—three bills before to amend the condo act, which was—the two were similar in content. Bill 72—

*Interjection.*

**Mrs. Amrit Mangat:** Yes.

Bill 72 differs from the previous ones. Bill 72 reads that it would provide for an appeal from a review board to Divisional Court on questions of law. The bill provides that the review board would not be a crown agency but would be a not-for-profit organization designated by the Lieutenant Governor in Council. The review board would deal with dispute resolution matters and would provide public advice and education, among other matters.

After reading this, Mr. Speaker, what is coming to my mind is that it's not clear and there are not enough details. Who would be funding that board? Would it be condominium owners or developers or the government? So it needs clarification. It lacks clarification, and we need more details.

Further, Bill 72 also proposes that the Building Code Act, 1992, be amended to require the Minister of Municipal Affairs and Housing to ensure that a review is conducted and a written report is prepared in respect of noise protection standards for condominiums. This lacks enforcement provisions, Mr. Speaker. And the bill doesn't say how the report will be implemented and, if not implemented, what action will be required.

To review the act is a priority of this government. It's a very important issue. Having said that, it's also a complex piece of legislation, and I don't believe that Bill 72 is the right way to do so, though the idea that the member has put forward is worth looking at; there are no ifs and buts. But we need to hammer out more details as to what idea, shape and form that bill will be going to take on. We need to talk about those issues.

We will review, and we will review it with our stakeholders and partners such as the Canadian Condominium Institute and the Association of Condominium Managers of Ontario, owners, renters, condo managers, other ministries and the legal community.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you—

**Interjection:** It goes around.

**The Deputy Speaker (Mr. Bas Balkissoon):** Relax; relax.

Further debate? The member from Stormont–Dundas–South Glengarry.

**Mr. Jim McDonell:** Thank you, Mr. Speaker. I not only want to congratulate the member from Trinity–Spadina on his birthday—I hear he's 37 today—but also for keeping this Legislature's attention on the condo act for so many years. He has been a tireless advocate for condominium reform, sometimes finding himself the lone voice in this Legislature.

Several weeks ago, I rose to speak to motion 15 on a full review of the condo act. Both the NDP and our party look forward to such a review, but so far we've only heard rumours and speculation from the government side. We must ensure that this law is suitable for both today's issues and tomorrow's challenges.

Condo development is booming in Ontario, and piecemeal measures are not enough. We come, then, to this bill of my honourable colleague. We have supported his efforts in the past and we will do so today, with one condition: that this should serve as a seed for a full review of the condo act and not just an excuse for the government to wash its hands.

We cannot hide our concerns with this bill, and insist on hearing from all relevant stakeholders when a full act review comes to committee.

**1550**

Now for some of our issues: An additional level of bureaucracy, such as a review board, is not a PC policy, but some form of a low-cost, effective dispute mechanism is required. It cannot run on volunteers and goodwill alone; the money has to come from somewhere. Considering the boom in condo ownership that this province is experiencing, the number of cases before the board will be significant and the hours many.

Secondly, we see no reason to privilege solar or other renewable energy projects in condo law. Spending the corporation's reserve funds without notice to the members can only be justified in times of urgency, and placing a windmill on a condo roof does not warrant this approach. The member from Trinity–Spadina should not be tricked into following this government's failed green energy experiments. Their acts run roughshod over municipal consultation and he could easily do the same over condo owners—hardly a reasonable clause in an owners' protection act.

Let me touch on Tarion. The proposed expansion and coverage to five years may sound good, but it does not tackle the root of the problem. Our aim should be for Ontarians not to need Tarion, because we got it right the first time. Tarion is not cheap for builders and developers

to deal with, and increasing the warranty period fivefold will only lock up more money that should be used for further investments. Maybe we should focus on stronger consumer protection and quality assurance at the source, rather than pouring all of our legislative resources into the corporation tasked with fixing the damage.

A point on condo conversions as well: An expansion of Tarion warranties to condo conversions will only discourage the needed new units. Shy of Tarion conducting an inch by inch assessment of every brick, nook and cranny of the structure, how can we ask them to warranty a structure that, many times, is decades old?

I look forward to hearing from developers regarding this topic and wonder if they'd still undertake the condo conversions as they do today if these products had to be covered by Tarion and they had to incur the associated costs and locked-up fees.

But let's be clear: Our society needs a balanced buyer-beware culture and a focus on quality assurance. Shoddy contractors who won't stand by their work should be driven out of business. Does expanding Tarion's mandate accomplish this aim? The question needs answering.

Lastly, licensing for property managers has long been an issue. Considering the enormous funds administered by condo boards and management companies, a seal of approval scheme is in order. But let us not forget the bigger picture: A certification has no guarantee of honesty or good work. What we need are solid laws for transparency and accountability; pieces of paper and embossed stamps can be a means, but they aren't the end.

This bill should be a stimulus for government and the Standing Committee on General Government to re-examine the condo act in its entirety. I hope the member from Trinity-Spadina will push for extensive consultations on the topic so that we avoid a repeat of the aggregate resources review debacle, which with only four short days was conducted in a municipality that doesn't even produce aggregate.

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

**Ms. Cheri DiNovo:** I listened with interest to my benchmate. This is a bill, of course, that, in various transmutations, has come back to this House again and again. This time, I think it's actually the strongest version of the bill that he's produced. Let me tell you, it's desperately needed. He talked about this act as not being opened up since 1998. That's a long time and a lot of condos have been built—one million condo owners.

I can tell you, my own husband and I rented a condo a while back and actually really enjoyed it, and thought, "Well, maybe we should become condo owners." We went to a board meeting of owners and after that board meeting, I can tell you, we bought a house. I'll tell you what happened at that board meeting. First, the developer had left the building at that point, and they were looking at a one-third increase in their maintenance fees—up a third. That's significant—hundreds per month. As soon as the developer leaves a building and the warranty period is over—that first halcyon period—that happens.

The other thing I heard at that meeting, which was even more disconcerting than the fact that they were getting whacked with new fees, was that they were talking about some problems in the building. This was a nice building; it wasn't bad, but there were some problems that needed addressing and needed fixing. One of the members said, "Please don't tell anybody outside this room"—they didn't realize we were just renters at that point. "Please don't tell anybody, because we're trying to sell our unit, some of us, and the unit price might go down." The real problem for condo owners is you're really caught in a hard place, because if you complain about your building to the developer or to whomever—complain about your property manager, complain about anything—all of a sudden that has ramifications on your unit price. This puts condo owners in a completely untenable position right now. And Rosie said it best, the member from Trinity-Spadina. If you have to hire a lawyer every time you're going to challenge something, it's unaffordable. It's also unaffordable in the sense that this investment, the most significant investment in your life—buying a home—could conceivably go down if you do. That's very frightening.

I've said many, many times in this place that condo owners have less rights than tenants. I'm telling you that, and the member who's responsible for housing will say, "Wow, that's not good." It's not like tenants have a lot of rights, but condo owners' rights are even worse, because where do they go? Who do they see, other than a lawyer, if they need some help?

Certainly, Tarion needs more representation from owners. I've done the tour of Tarion. I've talked to the new board chair. It's not that these are bad people, but if you don't structure into the structure of the organization representation from those it supposedly represents, it's not going to do its job well. That's the reality.

Good-faith language, absolutely; licensing property managers—oh my goodness, that's important. I've had owners of condos come to me, talking about this. There's a body that already exists that many property managers are not part of; there's a magazine that goes out. But again, owners and boards don't often know whether their property managers are part of that association or not. They're not licensed, so there's no follow-up. There's no way of holding them to account.

I know the member from Trinity-Spadina needs lots more time to go through a lot in this bill, but the bottom line is, we've got to do something. We have to do something. We have to open up the act. We have to make it stronger. A million condo owners want us to do this. That's what I hear from my condo owners. And if we don't do this, our courts will be tied up with these lawsuits and people will lose, sometimes, their life savings. We can't have that happen to often the most vulnerable. Because who lives in condos, for the most part? The member from Trinity-Spadina was right: some wealthy people, but by and large it's the entry point to all home ownership—young couples—or it's the exit point; it's seniors. Seniors and young couples: They live in condos. We have to help them.



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

**Ms. Dipika Damerla:** I rise today to speak to Bill 72, Property Owners' Protection Act, 2012. I'd like to begin by applauding the member from Trinity–Spadina for his passion and persistence in introducing this bill. This is the fourth time the member is introducing this bill, so thank you so much for keeping this very important issue alive in this Legislature.

Speaker, this bill addresses a very important issue. To me, quite simply, this bill is about making it easier for condo owners to own their property and to enjoy their property. It's about consumer protection. It's about property rights. So at the outset, I would like to say that I do support the intent of this bill.

The facts are quite simple. The condo act was brought in 14 years ago. The province today is a very different place. It was an appropriate bill for its time; however, times have changed. The number of condominiums in this province has increased dramatically in the intervening time. In 2012, Ontario has become a far more urbanized and more densely populated province.

I can speak to my own riding of Mississauga East–Cooksville. I was shocked to find out that my riding has 23,000 condo units and counting, literally counting, because every time I pass by Highway 10, all I see is more condo construction. Clearly, we do need to overhaul and review the condo act. That is why on April 5, I proposed a private member's resolution urging the Ministry of Consumer Services to look at an alternative dispute resolution mechanism.

**1600**

Quite frankly, just this last week I have gone through trying to help two of my constituents who came in with problems with their condo boards. I'm trying to work through with them, but it is a frustrating experience. So I wholeheartedly agree with the member from Trinity–Spadina that something needs to be done, and that is why our government has publicly committed to reviewing this act and has declared it as a priority.

The member from Mississauga–Brampton South quite correctly pointed out that the Minister of Consumer Services has publicly said she will be reviewing this act. That is why, as a first step, our government in 2010 began the task of asking Ontarians for their views on the condo act. The response to our online survey was overwhelming, with 3,000 respondents.

In principle, I agree with what the member opposite is trying to accomplish. However, I do have some concerns with the way the bill is written. Now I would like to say that the purpose of my criticism is not criticism for criticism's sake. I do believe that the reason we debate bills in this House is that the end result is better public policy for all Ontarians, and it is in this spirit that I offer my views. There are a number of issues that I do have, but in the interest of time, I will speak to the top few.

**Condo declarations:** Bill 72 would repeal the provisions in the condo act that specify the contents of condo declarations. Currently the condo act and regulations list certain minimum requirements for declarations but do

allow builders the flexibility to craft unique declarations suitable to individual condo projects. Bill 72 would remove this flexibility, and I'm not sure that is such a good idea.

**Reserve funds:** Bill 72 would allow reserve funds to be used for routine repairs and maintenance and to install green technologies. While I do agree that our condos need to be greener, I'm not sure we should be using reserve funds. The way I understand it, it's a bit like taking the money we have set aside for a rainy day to fix the roof and using it to repair the deck.

**Review board funding:** Bill 72 seeks to create a review board. While I can certainly see the merit of what the member is trying to accomplish through this, what I have a problem with is that the bill does not address how the board would be funded. We can all agree that even the best of ideas are only as good as our ability to pay for them, so I'd like to get a better understanding of how this bill would look at funding this idea.

Bill 72 also looks at extending Tarion protection. Again, this is a great, laudable idea, and I would support it, except for the fact that it suffers from the rule of unintended consequences. Extending Tarion coverage for condos actually leaves people who have freehold properties at a disadvantage, because it's going to create two sets of property owners: condo owners with extended warranties and people who own single-family homes or whatever—what is not a condo. I really cannot support a proposal that would provide superior coverage to one class of property owners over another.

These are just a few of my criticisms. But I do want to say that I don't want to throw the baby out with the bathwater. I do understand the intent of this bill; I do support the intent of this bill. So what I would like to propose is that the member opposite consider working with this government to craft better legislation, improving upon the work here, because I'm quite certain that whatever we come up with will build on a lot of the work you've done. So your work will continue to be fruitful. I believe this House works best when we all work together. Nobody has a monopoly on good ideas. So I really look forward to working with everybody to review the condo act and come up with a better act.

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

**Mr. Rick Nicholls:** I'm glad to have a few minutes to respond to the bill put forward by my colleague from Trinity–Spadina. I only have a few moments, so I'd like to address one or two sections of this bill that are of greatest concern to me.

First of all, let me say that I would be among the first to stand up for the rights of homeowners here in Ontario. That's a long-held Conservative principle, and I believe that any legislation with means to that end deserves close attention to ensure it is effective for families. Unfortunately, I think this legislation goes about ensuring these protections in a slightly wrong manner.

Here's what concerns me the most. It's the exception this bill would grant in the purchase of green energy technology by condominium corporations. Simply put, it

would allow those corporations to dip into the condo's common expense funds in order to purchase new green technologies for the building.

Regardless of the condo corporation's intentions, I view this as a violation, actually, of the property owner's right to be informed about how their condo fees are being spent. Currently, any purchases made out of common expense funds must, in fact, be subject to approval. Normally, these would be considered some kind of upgrade to the property. For example, the only exception that exists currently is in the case of emergency repairs to the building.

I don't think any of us would buy a solar panel to fix a leaky roof. Green technology is expensive, and in some cases it's unproven technology. But let's leave the fund to address the real concerns of property owners when it comes to the maintenance of their building. If a new piece of green technology is something that has demonstrable benefit to the community, then the proper consultations will mete that out and the request to purchase with common funds will, in fact, find approval.

I find this to be a slightly shaky amendment that may undermine the rights of condo owners and local management. I believe that this bill requires a more comprehensive review. Having said that, I will support this bill, qualifying the fact that I personally feel that our stakeholders need to have more input. I look forward to further debate.

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

**Ms. Cindy Forster:** I'm only going to take a couple of minutes because I want the member from Trinity–Spadina to have time to finish off.

But I want to speak as a condo owner who is experiencing all of the problems that the member has spoken about today. I'm in a condo in my riding. The condo is less than three years old. We have spent tens of thousands of dollars on engineering fees to support our claims for our warranty to both the developer and Tarion. The developer: For the simplest things, like \$10,000 promised in cashback for purchases, people in the condo had to litigate to get that \$10,000 back after closing. Hundreds of shingles have flown off my roof, and when we call the warranty company and the developer, they say, "The roof's not leaking. We can't do anything for you yet."

Those are the kinds of things that happen to condo owners. Our developer was from Calgary. After this project, he skipped town and moved back to Calgary. He's changed his name so you can't even actually follow the developer, because one day they're called one thing, the next month they're in another province and they've called themselves something else.

There are huge problems for condo owners that need to be resolved, and this bill will go a long way to supporting condo owners in this province.

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

**Mr. Norm Miller:** I have just a couple of minutes to make some comments. I'm pleased to have the opportunity to speak to Bill 72. Representing a rural riding in

recent years, I haven't had too many condo issues; in fact, I've been elected 11 years and hadn't had any issues. But interestingly enough, two of my constituency meetings last Friday were both to do with problems people were having with condos, one with a relatively new condo, about a nine-year-old condo, where they were all of a sudden faced with \$1.6 million in repairs for roof problems and water damage problems, and challenges with the condo board; and then another very different issue, where—it's not your typical Toronto condo, but semi-detached houses in a subdivision that were a condo. But the condo corporation was defunct, and no fees were being paid so their common areas could be looked after without a corporation.

I think it is important that there be a review. I'm not sure whether this bill is perfect, whether all the solutions that are proposed are the right way to go, but I think a review is important. So I will support it, and hope that it goes to committee and that it gives time for all those involved, obviously the condo owners and the companies involved in building them. I would expect Tarion and others to be there to give comment to make changes that will really make a difference for the industry and for the owners in particular. So I look forward to this bill passing and being referred to committee.

I know we have one other member who would like to speak, so I will end my comments there.

1610

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

**Mr. John O'Toole:** I first want to acknowledge constituents of mine, Arnold and Gail Kerry, who are here to see their grandson, page Brady, in his actions and functions here today.

On this bill—it's quite strange. It was 1998—actually, I was the parliamentary assistant to the minister at that time and was part of the whole process, a very complex disclosure piece of legislation.

Also, I have a couple of other constituents here, Walter and Mimi Kranzl, who were my constituents but now Charles Sousa's constituents. But I welcome them to Queen's Park.

They did bring a couple of issues to my attention—I'm sure they've mentioned it to Charles as well—that have occurred in the debate today, which is really about three issues. There's the governance issue, which is very important. That's the board that runs it. Some say that suddenly when they become board members, they go into a state of secrecy or something. And there's the whole idea of training and competency in both the managers and members of the board.

But, quite frankly, back in April, I would say that Minister Best did make a commitment in this House on the motion from the member from Mississauga East–Cooksville that she did support a review. So it's important to understand that that motion, at that time, was passed on a voice vote—it was confirmed on April 5—to do a review of the Condominium Act.

This is one time where I want the government to listen to the member from Trinity–Spadina, who's worked on

this four times, and do the right thing. It is a very comprehensive thing. It's a very fast-growing mode of accommodation of people in Toronto and other large cities for affordable housing. I think it's right to have on disclosure legislation the rights and responsibilities.

Another thing I would put on the record: Plain-language contracts would save a lot of lawyers' expenses. I think having plain language in the law is important.

I want to recognize the meetings I had with the Canadian Condominium Institute, as well as others that I've met with on this issue. It's all about disclosure. I do support the idea, and I think a full committee hearing would be appropriate.

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

**Mr. Rosario Marchese:** What's clear to me is that the Liberal members who have spoken do not support my bill, and the main parts of it are opposed by the two speakers from Mississauga East–Cooksville and Mississauga–Brampton Valley. No? Mississauga–Brampton—

*Interjection.*

**Mr. Rosario Marchese:** Cooksville—oh, already mentioned.

**Mrs. Amrit Mangat:** South.

**Mr. Rosario Marchese:** South.

For me, having a review board is a critical part of the change. I know that Conservative members and Liberal members are relying on two organizations from whom you're getting a lot of information, which are CCI and ACMO—because you both made reference to it, and the member from Durham just made reference to it. They don't support a review board. So it is quite possible that you are being influenced by them, and your minister is being influenced by them, but if you do not have a review board, I'm not quite sure what you are left with.

The Tories argue that this would be an additional layer of bureaucracy, but the only bureaucracy we have at the moment, if you'd call it that, is the court system. That is the only thing we've got, and in my mind, that's simply inadequate. It doesn't work. It's not fair. It's simply not right. So to argue that that's an extra layer is to say that condominium owners should have no extra legal rights or recourse to another body where they can present their case cheaply and quickly. That's the argument that the Conservative members are making by saying that the review board would be an extra layer.

The member from Mississauga–Brampton South says that I have not explained how this would be paid for. This is true. I wish I were in government. I would tell you how I would do it. This is why I leave it up to you, because you are the government, and I cannot say that, member from Mississauga–Brampton South, in my bill. I'm not allowed to. Only the minister can say how it would be done and how monies would be spent. So you want to hear from me, but I can't tell you that in the bill.

**Ms. Dipika Damerla:** Work together.

**Mr. Rosario Marchese:** So when you want me to work with you, I'm not quite sure—work with you on what? It's not clear what it is that you want to do. You don't know necessarily, because your minister hasn't told

you—except you've done an online survey, and we don't know what results we got from that survey. Mercifully, that is the only thing your previous minister did. That was the only thing he did, and it was limited in scope—and nothing else. Please share the online results so that I know what people have told you. And if you have an inkling of what your minister wants to do or what you want to do, share it with me. If you don't support my bill and you've got another good bill coming, share that with me too. I'm happy to debate your bill. But, please, it's four years now; we need to move on. We need to change the condo act. What we have doesn't work.

When you ask me how it would be paid for, we can model it after the rental tribunal: \$50 million comes from consolidated revenues and \$10 million comes from fees that people pay. We could model it that way. I have no problem with that, but let's not debate the details of that. You can do that once you get it into your hands. Once we pass it here and you've got it, you can fix that through regulation.

The point about explaining what you want me to add in the building code—what I've been trying to say for years is, I'm not the minister. I've been doing your work for four years. Your minister has lawyers, consultants, policy people. They are the ones who should be out there doing that work. I've been doing that work for you, and you're saying, "Well, maybe there are other things we should add." The Tories are saying, "Maybe there are other things we should add." Indeed, there are. I haven't done a complete review of your Condominium Act, because it's not my job; it is your job to do that.

I have added additional elements in this bill because, as we talk to condominium owners, they press me to add a few more things. I honestly wanted to limit it to my first bill, which was a condo review committee, good-faith language and making sure that we simplify the language and declarations so people could read them. That was a simple bill, and every time I put it out to consultations, people pressure me to add some more. Every time I go to a condo meeting, there's more to add. Indeed, there is, but let's send it out to committee hearings, as the Conservatives are pleading, which I agree with, and then we will hear from condominium owners about the multitude of problems that there are out there, in addition to the ones I have recommended by way of changes.

In my mind, a review board is critical. We need to have a tribunal-like body that is able to solve problems, because at the moment no one is solving anything. Condominium owners are on their own, and it's simply unfair to have them tackle developers on their own. That is critical.

Changing Tarion is critically important. They represent developers. I know it, most of you know it, and condominium owners know it. The structure has to change. If you don't accept that, I'm not quite sure what we're going to do.

The other one is that property managers have to be licensed. That's a critical part of this. If you don't support that, I don't know what else you want to talk about.

If you don't support good-faith language that would force developers to do what they said they would do pre-construction, then I'm not quite sure what you're going to get from me by way of co-operation.

These are the big items. Everything else I've added is important but not as big as these four.

I'm quite happy—

**Mr. Mike Colle:** Make the developers live in the condos.

**Mr. Rosario Marchese:** Kick them out?

**Interjection:** Make them live there.

**Mr. Rosario Marchese:** Don't worry. Developers own units that they probably live in as well, and they probably have their children in there or their families, or who knows what else they do with them. They own many units for which, in the first year at least, when the developer controls it, they have proxies that they use, their own 20 proxies if they own 20 units, and they sometimes use them illegally. That's why I say the illegal use of proxies is a critical part and a critical addition of my condominium amendments, because proxies are misused.

1620

**Hon. Laurel C. Broten:** Are you going to vote for our bill?

**Mr. Rosario Marchese:** Your bill? Which one?

**The Deputy Speaker (Mr. Bas Balkissoon):** Please speak through the Chair.

**Interjection:** You're wasting time, Rosie.

**Mr. Rosario Marchese:** We haven't got much time anyway.

I am hoping that we're going to get the Liberals to support me today and that we're going to send it to the legislative committee and that we're going to have hearings and then make amendments, send it here for third reading debate, and finally, the Liberals will proclaim it. That would be really, really nice.

**The Deputy Speaker (Mr. Bas Balkissoon):** The time for private members' public business has expired.

ENDANGERED SPECIES  
AMENDMENT ACT, 2012

LOI DE 2012 MODIFIANT  
LA LOI SUR LES ESPÈCES  
EN VOIE DE DISPARITION

**The Deputy Speaker (Mr. Bas Balkissoon):** We will deal with ballot item number 37, standing in the name of Ms. Scott.

Ms. Scott has moved second reading of Bill 73.

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 believe the nays have it.

We will take the vote at the end of regular business.

TOBY'S ACT (RIGHT TO BE FREE FROM  
DISCRIMINATION AND HARASSMENT  
BECAUSE OF GENDER IDENTITY  
OR GENDER EXPRESSION), 2012

LOI TOBY DE 2012 SUR LE DROIT  
À L'ABSENCE DE DISCRIMINATION  
ET DE HARCÈLEMENT FONDÉS  
SUR L'IDENTITÉ  
OU L'EXPRESSION SEXUELLES

**The Deputy Speaker (Mr. Bas Balkissoon):** Ms. DiNovo has moved second reading of Bill 33.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98(j), the bill is being referred to—

**Ms. Cheri DiNovo:** I'm referring it to the social policy committee.

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

**Ms. Cheri DiNovo:** The social policy committee.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that the bill be referred to social policy. Agreed? Agreed. The bill is so referred.

PROPERTY OWNERS'  
PROTECTION ACT, 2012

LOI DE 2012 SUR LA PROTECTION  
DES PROPRIÉTAIRES FONCIERS

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Marchese has moved second reading of Bill 72.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98(j), the bill is being referred to—

**Mr. Rosario Marchese:** Regs and private bills. Thank you.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that the bill be referred to regs and private bills. Agreed? The bill is referred to regs and private bills.

ENDANGERED SPECIES  
AMENDMENT ACT, 2012

LOI DE 2012 MODIFIANT  
LA LOI SUR LES ESPÈCES  
EN VOIE DE DISPARITION

**The Deputy Speaker (Mr. Bas Balkissoon):** Call in the members. It will be a five-minute bell.

*The division bells rang from 1624 to 1629.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Ms. Scott has moved second reading of Bill 73.

All those in favour, please rise and remain standing.

**Ayes**

Armstrong, Teresa J.	Jackson, Rod	O'Toole, John
Arnott, Ted	Klees, Frank	Ouellette, Jerry J.
Barrett, Toby	Leone, Rob	Scott, Laurie
Bisson, Gilles	MacLaren, Jack	Singh, Jagmeet
Campbell, Sarah	Mantha, Michael	Taylor, Monique
Chudleigh, Ted	McKenna, Jane	Thompson, Lisa M.
Elliott, Christine	Miller, Norm	Vanthof, John
Fedeli, Victor	Munro, Julia	Walker, Bill
Forster, Cindy	Natyshak, Taras	Wilson, Jim
Gélinas, France	Nicholls, Rick	Yakabuski, John

**The Deputy Speaker (Mr. Bas Balkissoon):** All those opposed, please rise and remain standing.

**Nays**

Albanese, Laura	Duguid, Brad	Naqvi, Yasir
Berardinetti, Lorenzo	Flynn, Kevin Daniel	Prue, Michael
Bradley, James J.	Hoskins, Eric	Qaadri, Shafiq
Broten, Laurel C.	Kwinter, Monte	Schein, Jonah
Cansfield, Donna H.	Leal, Jeff	Sergio, Mario
Colle, Mike	MacCharles, Tracy	Sousa, Charles
Coteau, Michael	Mangat, Amrit	Wong, Soo
Damerla, Dipika	Milloy, John	Wynne, Kathleen O.
Delaney, Bob	Moridi, Reza	Zimmer, David
Dhillon, Vic	Murray, Glen R.	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 30; the nays are 29.

**The Deputy Speaker (Mr. Bas Balkissoon):** I declare the motion carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order—

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Order, please. Pursuant to standing order 98(j), the bill is referred to—

**Ms. Laurie Scott:** Social policy, please.

**The Deputy Speaker (Mr. Bas Balkissoon):** The bill is referred to the Standing Committee on Social Policy. Agreed? Agreed.

**ORDERS OF THE DAY****STRONG ACTION FOR ONTARIO ACT  
(BUDGET MEASURES), 2012****LOI DE 2012 SUR UNE ACTION  
ÉNERGIQUE POUR L'ONTARIO  
(MESURES BUDGÉTAIRES)**

Resuming the debate adjourned on May 7, 2012, on the motion for second reading of the following bill:

Bill 55, An Act to implement Budget measures and to enact and amend various Acts / Projet de loi 55, Loi visant à mettre en oeuvre les mesures budgétaires et à édicter et à modifier diverses lois.

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

**Mr. John O'Toole:** It's a distinct pleasure to rise this afternoon to continue the debate on Bill 55.

Bill 55 is quite an interesting bill. It's 327 pages. It's 69 different schedules, and it amends over 50 pieces of legislation. We would call this an "omnibus bill." In fact, members would be surprised to know, even though they're not listening, that section 19 deals with one of the pieces of legislation that we just voted on: the Endangered Species Act. If members on the government side had actually read this bill, they would know that schedule 19 included many of the provisions that Ms. Scott had called for and we will be discussing in hearings. This actually improves the Endangered Species Act by considering the state of agriculture, forestry, as well as the environment itself. There's always a balance in these things.

But what is most discouraging—if you follow the debate on the budget and our leader, Tim Hudak, you will know that one of the important things is, we were looking for two strategies to be addressed. One was jobs for our youth and the economy, and the second one was the size and cost of government. Those are the two focal points that we were missing.

We've had difficulty getting the attention of the government, and in that respect the attention of the government has a context. We have, for three weeks now, been raging on behalf of people in Ontario. Just yesterday, our member from Oak Ridges–Markham, Frank Klees, brought to the Minister of Health and Long-Term Care's attention a death that, in some respects, certainly involved the Ornge helicopter: the lack of a team to evacuate accident victims. The victim died as a result of not being transported responsibly to the hospital. That's evidence that the Minister of Health has refused to acknowledge that the Ornge helicopter organization—the medical evacuation—is a shameful, scandalous waste of public money and, more seriously, a waste of public health money, when we know there isn't enough assistance for seniors living in their communities, there's not enough access to some of the treatments that are required—even the former Minister of Energy, who screwed that file up.

In the context of this, a couple of things: Don Drummond issued a report, and the report he issued was a scathing indictment of the policies of Premier McGuinty. That's really what it was. In fact, the titles of most of the articles I have right here at my desk, as soon as I find them—these are titles that I think are worth repeating.

This is a title from one of the papers; I'm not making this up. This is third party commentary, and it says, "Fiscal Concerns for Education: The Sun Was Warning about Concerns Raised in the Drummond Report Starting Eight Years Ago." It's about the scandalous rate of spending and the increased rate of spending that was not sustainable.

Another issue with respect to suggested changes by Don Drummond: "Suggested Spending Cuts Widespread."

This is another. I think this is the Globe and Mail. It's a very worthwhile read as well. It says Ontario's cash-strapped government now has a world of options. This is

a whole double page that I think members on the other side should read.

**Interjection:** What date was it?

**Mr. John O'Toole:** The date of that piece in the *Globe and Mail*—look it up—is February 16.

This is another very important title—these are all third party comments. This is “Dalton’s Mythical Green Jobs,” and goes on to say, “If You Believe Ontario’s Premier Is Creating 50,000 Green Jobs, You’ll Believe Anything.”

There’s another headline: “Ontario Given Stark Road Map,” and the Minister of Finance is there trying to explain his way out of that one.

This is another article: “The Fiscal Follies of Duncan and Dalton.”

This is quite an honest one. It’s a worthy read as well. This is from February as well. It’s from the *Globe and Mail*. It says we can’t save Ontario, “Only Reform Will.” This is quite an informative article.

The point I’m making is that they are the government at the moment. It’s a minority, as we all know. They’re governing as if they have lots of money. It reminds me of Joe Clark years ago when he thought he’d try to get through with it.

Here’s the issue, though: One more serious thing is that we’ve been calling for a select committee—in fact, I would say a public inquiry—which was voted on in this Legislature, and in that select committee, the minister herself voted for this. The vote, I believe, was 54 to 53. The vote carried that we would have a select committee. What have they done? Nothing.

Now, understand why we ring the bells. I want the people of Ontario to know that we think wasting public money, especially health care dollars, is scandalous. And so on that matter, I move adjournment of the debate.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Durham has moved adjournment of the debate. Agreed? I heard a no.

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the nays have it. Call in the members. This will be a 30-minute bell.

*The division bells rang from 1639 to 1709.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Durham has moved adjournment of the debate.

All in favour, please stand and remain standing.

All those opposed, please stand and remain standing.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 13; the nays are 24.

**The Deputy Speaker (Mr. Bas Balkissoon):** I declare the motion lost.

The member for Durham.

**Mr. John O'Toole:** Thank you very much, Mr. Speaker. I’m somewhat disappointed that the government side doesn’t realize just how important the issue—that I caused the ringing of the bells for a specific reason. The reason was trying to get the government to have a select committee—

*Interjections.*

**Mr. John O'Toole:** Quite genuinely, Mr. Speaker, through you—

**The Deputy Speaker (Mr. Bas Balkissoon):** Can I ask the member to speak to the bill that’s in front of us.

**Mr. John O'Toole:** All right. It’s always part of the motive for the procedural wrangling, but if you want to be that specific, I have another document here.

**Hon. Kathleen O. Wynne:** No props.

**Mr. John O'Toole:** This is not a prop. See, they’re now calling the auditor’s report a prop. Can I not refer to the auditor’s report? This is a report issued June 28—I won’t hold the prop up, then.

**Hon. James J. Bradley:** This is a prop.

**Mr. John O'Toole:** That is a bad prop, though.

**The Deputy Speaker (Mr. Bas Balkissoon):** Would the Minister of the Environment please come to order.

**Mr. John O'Toole:** What I am trying to get to—

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Peterborough, come to order, please.

**Mr. John O'Toole:** Speaker, I’m trying to be—

*Interjections.*

**Mr. John O'Toole:** This is the bill. This is what we’re debating, and I find there are very few people interested in what I have to say. I’ve tried to—

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Peterborough, please come to order.

**Mr. John O'Toole:** I know the Minister of Economic Development spoke on this on May 1. I know he did. Now, he is the minister, and what he should do is take some responsibility for the state of disrepair of our energy system, because he was the former Minister of Energy, and one of the most expensive abuses right now is the whole energy file that I see is causing us great grief. I’ve got to find out exactly what it is here. The one thing—

**The Deputy Speaker (Mr. Bas Balkissoon):** I would ask the member, no electronic devices.

**Mr. John O'Toole:** No, no. There are no electronic notes here, that’s for sure.

I would say that the one thing in the energy file that you should know about is the global adjustment. Our critic, Vic Fedeli, has talked on this relentlessly. What he’s trying to educate the people about is that the economy is so dependent on having safe, reliable, affordable energy. We have safe—because nuclear is in my riding. Reliable—it’s nuclear, and it’s in my riding. Affordable? We haven’t got any.

Affordable energy is a thing of the past, and I worry most about seniors. I worry because they’re terrified to open up their electricity bills, and I know that they’re now going to put a charge on there for the smart meters. You’re going to be paying a monthly rental fee for the smart meter.

Your energy at home is going up by 43%. That’s what auditors have told us, and that’s what you can expect out of the current part of the—now, here’s another. This document that I referred to earlier, which is what I want

to read from for Hansard, is called the Auditor General's Review of the 2011 Pre-Election Report on Ontario's Finances, so this is prior to the election. The Auditor General wrote this report, and I'm reading it. Here's what he said. He said that your forecasts were aggressive and optimistic—

**Mr. Ted Arnott:** And needed to be taken with a big grain of salt.

**Mr. John O'Toole:** Yeah, and they needed to be taken with a grain of salt.

Now, here's what they said: The growth between 2003 and 2011 in health care was, on average, over the past eight years, 7.1%. What are they changing it to? To 1.5%, and some additional money for long-term care or home care. Education: Over the last eight years, it was 4.8%. What are they moving that to? To 1%. Post-secondary education: They've been spending 8.6%, and they're moving it down to 1%. Children's services: They've been spending 6.7%, and they're moving it down, I think, to 0%. Now, the average spending—we won't cover them all—from 2003-11 has increased by 6.9% per year for eight-plus years. It's moving down to 1.2%, 1.5%.

Tim Hudak has put something on the table here. One thing he put on the table—and the Premier, in his speech to the economic club this week, I think it was, said, "I agree with Tim." Basically, that's what he said, if you read the paper. We've put on a public sector wage freeze. That's what we put on.

*Interjection.*

**Mr. John O'Toole:** You'll have your time; you can refute what I say. But here's the truth: We've said a public sector wage freeze will save you \$2 billion a year.

Premier McGuinty, I believe, is starting to listen to Tim. I really believe that.

**The Deputy Speaker (Mr. Bas Balkissoon):** If you'd please refrain from using names.

**Mr. John O'Toole:** Procedurally—

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Can I ask the members on the government side to please come to order.

I would remind the member who is speaking not to refer to people's names. Carry on.

**Mr. John O'Toole:** Thank you, Mr. Speaker. I sometimes get so emotionally engaged in my speeches that I should stick my notes more often.

I want to put a few things on before I actually move forward with another motion of sorts. The 2012 budget: Here's the problem, and Don Drummond told you this—I have to use some names. The 2012 budget anticipates a provincial deficit for 2011-12 of \$15 billion. Mr. Drummond said that if they don't make changes before 2017, it's going to be \$30 billion.

*Interjection.*

**Mr. John O'Toole:** Good luck. You've made a lot of promises; you've never kept any of them.

Here's the other one: a provincial deficit of \$15.2 billion. If you look at this, what I'm saying is, you relate the

cost—the cost of servicing your accumulated debt right now is about \$10.5 billion. If they don't make changes and you double it, then the cost of servicing the debt at today's interest is going to be \$20 billion. The third-largest expenditure in the provincial budget of \$120-some billion is the cost of servicing debt. All you need to do there, Minister Duguid, is basically look at Italy, look at Greece, look at Ireland, look at Portugal and look at Spain. The writing is on the wall. You've got to stop spending more than you're earning. You can't spend more than you earn for long.

Right now you've got a deficit, and the deficit is forecast to continue. The debt interest is going to go up. Our trading partners are in trouble: Europe is in some trouble, as well as the United States. These are difficult times, so it makes for difficult medicine.

I can only say that we still want—through you, of course, Mr. Speaker—the respect of the people's money, the public taxpayers' money, especially in health care, with the aging population. There's not sufficient enough attention being paid to long-term care or aging in the community. All I can say is this: One area that I know they could save hundreds of millions of dollars in, perhaps \$1 billion, would be the efficient organization of ambulance services in Ontario. We want a select committee. We have been asking for it for weeks now. This blockade—some people watching, they've got to understand that these procedural things are to ask Premier McGuinty, respectfully, to fulfil his commitment and have a select committee.

What could be wrong with that? What have they got to hide? Do you understand? Come clean; "Leave the keys on the desk" sort of thing. We believe that that would solve a lot of the problems.

With that, I think it's time—they seem to be unwilling to listen, unless some of them stand and say that you will have a select committee. We'd be more than happy. But with that not being the case, I'm going to move adjournment of the House.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Durham has moved adjournment of the House. Agreed? I heard a no.

All those in favour, please say "aye."

All those opposed, please say "nay."

I believe the ayes have it.

Please call in the members. It will be a 30-minute bell.

*The division bells rang from 1720 to 1750.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. O'Toole has moved adjournment of the House.

All in favour, please stand and remain standing.

All those opposed, please stand and remain standing.

**The Deputy Clerk (Mr. Todd Decker):** The ayes are 9; the nays are 20.

**The Deputy Speaker (Mr. Bas Balkissoon):** The motion is lost.

Mr. O'Toole, you have the floor.

**Mr. John O'Toole:** It appears that the other side is not prepared to have a select committee deal with the outlandish spending in the billion-dollar boondoggle.

But I want to put a couple more things on the record in the limited time I have left. I'm looking at all this independent commentary on the state of the economy, and this particular one is A Transformative Agenda, by Allan O'Dette, who's the head of the Ontario Chamber of Commerce. What does he say as an alert? Now, these are independent business people that are telling you that you're on the wrong road.

One of the things he says here: "The Challenges: 38% of business and civic leaders feel the province is either not that innovative or not innovative at all." Over 30% of the business leaders in the chamber of commerce membership believe that you're either not innovative at all or not very much.

They go on to say that we lag behind in infrastructure investment for the IT economy. We are 12% behind our competition in investment in infrastructure. That's the technology economy. We all know it's an innovation economy that's required. We know that.

*Interjection.*

**Mr. John O'Toole:** Well, the former member—now, I have another report and he's maybe not interested in this. This is Roger Martin—the task force on competitiveness and productivity at the Rotman school of business. It's highly regarded, often cited, and referred to as an independent expert. What does he say here in the first couple of pages? He goes on to say that we have to be a leader and all the rest of it. But what he said was, "Between 2002 and 2009, Ontario's manufacturers shed 300,000 jobs." This is a quote, Mr. Speaker. "While the hemorrhaging has stopped, there is no evidence that these jobs will" ever return. This is Roger Martin. This isn't Tim Hudak or Andrea Horwath. Premier McGuinty—

**The Deputy Speaker (Mr. Bas Balkissoon):** I remind the member again to refrain from using people's names.

**Mr. John O'Toole:** Oh, well, the leader of the NDP. Pardon me. I should pay more attention.

I guess the key is—look, this isn't me criticizing you. I'd like to work together, but you're unwilling to work with us. If I had time left, I would actually ask for another motion, but we'll just get on here.

This is from the Canadian Council of Chief Executives. What are they saying? "I am proposing a war on the provincial debt..."

The member from Wellington–Halton Hills moved a motion that we have a mandatory commitment to balanced budget financing.

**Interjection:** And they voted it down.

**Mr. John O'Toole:** And they voted it down two weeks ago. There's no willingness—

*Interjections.*

**Mr. John O'Toole:** Mr. Speaker, they're interrupting.

Here's the issue: To go through a recovery plan, you have to admit you have a problem. I recommend that Dwight Duncan—the Minister of Finance—should say, "My name's Dwight Duncan and I have a spending problem." Then we can get to the recovery part of it.

So, really, with all due respect, if there was time left, I would move that we need—I could talk to the House leader. We need to have a select committee. All of this would be over. We would be working together harmoniously for the people of Ontario. Come on. Do the right—we can be better. We can do better.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Seeing the time on the clock, this House stands adjourned until Monday, May 13, at 10:30 a.m.

*The House adjourned at 1755.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Dave Levac

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Armstrong, Teresa J. (NDP)	London–Fanshawe	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du Comité plénier de l'Assemblée
Bailey, Robert (PC)	Sarnia–Lambton	
<b>Balkissoon, Bas (LIB)</b>	Scarborough–Rouge River	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Chair of Cabinet / Président du Conseil des ministres Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Minister of Energy / Ministre de l'Énergie
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Consumer Services / Ministre des Services aux consommateurs
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	House Leader, Recognized Party / Leader parlementaire de parti reconnu
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of the Environment / Ministre de l'Environnement Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Brotten, Hon. / L'hon. Laurel C. (LIB)</b>	Etobicoke–Lakeshore	Minister of Education / Ministre de l'Éducation Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Campbell, Sarah (NDP)	Kenora–Rainy River	
Cansfield, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Tourism, Culture and Sport / Ministre de Tourisme, de la Culture et du Sport
<b>Chiarelli, Hon. / L'hon. Bob (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Infrastructure / Ministre de l'Infrastructure Minister of Transportation / Ministre des Transports
Chudleigh, Ted (PC)	Halton	
Clark, Steve (PC)	Leeds–Grenville	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Colle, Mike (LIB)	Eglington–Lawrence	
Coteau, Michael (LIB)	Don Valley East / Don Valley-Est	
Crack, Grant (LIB)	Glengarry–Prescott–Russell	
Craitor, Kim (LIB)	Niagara Falls	
Damerla, Dipika (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Economic Development and Innovation / Ministre du Développement économique et de l'Innovation
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Deputy Premier / Vice-premier ministre Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Fedeli, Victor (PC)	Nipissing	
Flynn, Kevin Daniel (LIB)	Oakville	
Forster, Cindy (NDP)	Welland	Deputy House Leader, Recognized Party / Leader parlementaire adjointe de parti reconnu
Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Attorney General / Procureur général
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Natural Resources / Ministre des Richesses naturelles
Hardeman, Ernie (PC)	Oxford	
Harris, Michael (PC)	Kitchener–Conestoga	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
<b>Hoskins, Hon. / L'hon. Eric (LIB)</b>	St. Paul's	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse
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
Jackson, Rod (PC)	Barrie	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
<b>Jeffrey, Hon. / L'hon. Linda (LIB)</b>	Brampton–Springdale	Minister of Labour / Ministre du Travail Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Leal, Jeff (LIB)	Peterborough	
Leone, Rob (PC)	Cambridge	
<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	
McDonell, 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>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<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
Milligan, Rob E. (PC)	Northumberland–Quinte West	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	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)	Richmond Hill	
<b>Munro, Julia (PC)</b>	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 Minister Responsible for the 2015 Pan and Parapan American Games / Ministre responsable des Jeux panaméricains et parapanaméricains de 2015
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
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	
Vacant	Kitchener–Waterloo	

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

**Standing Committee on Estimates / Comité permanent des budgets des dépenses**

Chair / Président: Michael Prue  
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

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

Chair / Président: Bob Delaney  
Vice-Chair / Vice-présidente: Teresa Piruzza  
Bob Delaney, Victor Fedeli  
Cindy Forster, Monte McNaughton  
Yasir Naqvi, Teresa Piruzza  
Michael Prue, Peter Shurman  
Soo Wong  
Committee Clerk / Greffière: Valerie Quioc Lim

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

Chair / Président: David Oraziotti  
Vice-Chair / Vice-président: David Zimmer  
Sarah Campbell, Michael Coteau  
Joe Dickson, Rosario Marchese  
David Oraziotti, Laurie Scott  
Todd Smith, Jeff Yurek  
David Zimmer  
Clerks / Greffiers: Tamara Pomanski (pro. tem), Sylwia Przezdziecki

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

Chair / Président: Bill Mauro  
Vice-Chair / Vice-président: Phil McNeely  
Donna H. Cansfield, Helena Jaczek  
Bill Mauro, Jim McDonell  
Phil McNeely, Randy Pettapiece  
Peter Tabuns, Monique Taylor  
Lisa M. Thompson  
Committee Clerk / Greffier: Trevor Day

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

Chair / Présidente: Laura Albanese  
Vice-Chair / Vice-président: Shafiq Qadri  
Laura Albanese, Teresa J. Armstrong  
Lorenzo Berardinetti, Mike Colle  
Frank Klees, Jack MacLaren  
Paul Miller, Rob E. Milligan  
Shafiq Qadri  
Committee Clerk / Greffier: William Short

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

Chair / Président: Garfield Dunlop  
Vice-Chair / Vice-présidente: Lisa MacLeod  
Laura Albanese, Bas Balkissoon  
Gilles Bisson, Donna H. Cansfield  
Steve Clark, Garfield Dunlop  
Jeff Leal, Lisa MacLeod  
Jonah Schein  
Committee Clerk / Greffier: Trevor Day

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

Chair / Président: Norm Miller  
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: Ernie Hardeman  
Vice-Chair / Vice-président: Ted Chudleigh  
Ted Chudleigh, Dipika Damerla  
Cheri DiNovo, Kevin Daniel Flynn  
Ernie Hardeman, Tracy MacCharles  
Amrit Mangat, Michael Mantha  
Jane McKenna  
Committee Clerk / Greffier: Katch Koch



Continued from back cover

**MEMBERS' STATEMENTS /  
DÉCLARATIONS DES DÉPUTÉS**

<b>Garth Webb</b>	
Mrs. Jane McKenna .....	2271
<b>Ontario Northland Transportation Commission</b>	
Mr. John Vanthof .....	2271
<b>Jamieson Laboratories</b>	
Mrs. Teresa Piruzza.....	2271
<b>Orchards</b>	
Mr. John O'Toole.....	2272
<b>YWCA Hamilton Women of Distinction Awards</b>	
Miss Monique Taylor.....	2272
<b>Humber River Regional Hospital</b>	
Mr. Mario Sergio.....	2272
<b>Community service awards</b>	
Mr. Jim McDonell.....	2272
<b>Phenylketonuria</b>	
Mr. Bob Delaney .....	2273
<b>Parry Sound Salvation Army</b>	
Mr. Norm Miller .....	2273
<b>Private members' public business</b>	
The Speaker (Hon. Dave Levac).....	2273

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

<b>PKU Awareness Month Act, 2012, Bill 89, Mr. Delaney / Loi de 2012 sur le Mois de la sensibilisation à la phénylcétonurie, projet de loi 89, M. Delaney</b>	
First reading agreed to.....	2273
Mr. Bob Delaney .....	2273

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

<b>Education Week / Semaine de l'éducation</b>	
Hon. Laurel C. Broten.....	2273
Mrs. Jane McKenna .....	2274
Mr. Peter Tabuns.....	2275

**PETITIONS / PÉTITIONS**

<b>Water quality</b>	
Mr. John O'Toole.....	2275

<b>School nutrition programs</b>	
Ms. Sarah Campbell .....	2276
<b>Anti-bullying initiatives</b>	
Mr. Yasir Naqvi .....	2276
<b>Environmental protection</b>	
Mrs. Julia Munro .....	2276
<b>Tourism</b>	
Ms. Sarah Campbell .....	2276
<b>Domestic violence</b>	
Mr. Yasir Naqvi .....	2277
<b>Horse racing industry</b>	
Mr. Jim McDonell.....	2277
<b>Dog ownership</b>	
Ms. Cheri DiNovo.....	2277
<b>Anti-bullying initiatives</b>	
Mr. Yasir Naqvi .....	2277
<b>Air ambulance service</b>	
Mr. Jerry J. Ouellette.....	2278
<b>Air-rail link</b>	
Mr. Jonah Schein.....	2278
<b>Cellular transmission equipment</b>	
Mr. Kevin Daniel Flynn .....	2278
<b>Rural schools</b>	
Mr. John O'Toole .....	2278

**PRIVATE MEMBERS' PUBLIC BUSINESS /  
AFFAIRES D'INTÉRÊT PUBLIC  
ÉMANANT DES DÉPUTÉS**

<b>Endangered Species Amendment Act, 2012, Bill 73, Ms. Scott / Loi de 2012 modifiant la Loi sur les espèces en voie de disparition, projet de loi 73, Mme Scott</b>	
Ms. Laurie Scott .....	2279
Ms. Sarah Campbell .....	2281
Mr. Mike Colle.....	2282
Mr. Michael Harris.....	2283
Mr. Jonah Schein.....	2283
Ms. Tracy MacCharles .....	2284
Mr. Norm Miller.....	2284
Mrs. Donna H. Cansfield.....	2285
Mr. John O'Toole .....	2285
Ms. Lisa M. Thompson .....	2286
Mr. Gilles Bisson .....	2286
Mr. John Vanthof .....	2287
Ms. Laurie Scott .....	2287

<b>Toby's Act (Right to be Free from Discrimination and Harassment Because of Gender Identity or Gender Expression), 2012, Bill 33, Ms. DiNovo, Mrs. Elliott, Mr. Naqvi / Loi Toby de 2012 sur le droit à l'absence de discrimination et de harcèlement fondés sur l'identité ou l'expression sexuelles, projet de loi 33, Mme DiNovo, Mme Elliott, M. Naqvi</b>	
Ms. Cheri DiNovo.....	2287
Mr. Yasir Naqvi .....	2289
Mrs. Christine Elliott.....	2290
Mr. Rosario Marchese .....	2291
Hon. Eric Hoskins .....	2291
Mrs. Jane McKenna .....	2291
Mr. Jonah Schein.....	2292
Hon. Glen R. Murray .....	2292
Mr. Rod Jackson .....	2293
Mme France Gélinas .....	2293
Ms. Cheri DiNovo.....	2294
<b>Property Owners' Protection Act, 2012, Bill 72, Mr. Marchese / Loi de 2012 sur la protection des propriétaires fonciers, projet de loi 72, M. Marchese</b>	
Mr. Rosario Marchese.....	2295
Mrs. Amrit Mangat .....	2296
Mr. Jim McDonell.....	2297
Ms. Cheri DiNovo.....	2298
Ms. Dipika Damerla.....	2299
Mr. Rick Nicholls.....	2299
Ms. Cindy Forster .....	2300
Mr. Norm Miller .....	2300
Mr. John O'Toole.....	2300
Mr. Rosario Marchese .....	2301

<b>Endangered Species Amendment Act, 2012, Bill 73, Ms. Scott / Loi de 2012 modifiant la Loi sur les espèces en voie de disparition, projet de loi 73, Mme Scott</b>	
The Deputy Speaker (Mr. Bas Balkissoon).....	2302
<b>Toby's Act (Right to be Free from Discrimination and Harassment Because of Gender Identity or Gender Expression), 2012, Bill 33, Ms. DiNovo, Mrs. Elliott, Mr. Naqvi / Loi Toby de 2012 sur le droit à l'absence de discrimination et de harcèlement fondés sur l'identité ou l'expression sexuelles, projet de loi 33, Mme DiNovo, Mme Elliott, M. Naqvi</b>	
Second reading agreed to .....	2302
<b>Property Owners' Protection Act, 2012, Bill 72, Mr. Marchese / Loi de 2012 sur la protection des propriétaires fonciers, projet de loi 72, M. Marchese</b>	
Second reading agreed to .....	2302
<b>Endangered Species Amendment Act, 2012, Bill 73, Ms. Scott / Loi de 2012 modifiant la Loi sur les espèces en voie de disparition, projet de loi 73, Mme Scott</b>	
Second reading agreed to .....	2303

#### ORDERS OF THE DAY / ORDRE DU JOUR

<b>Strong Action for Ontario Act (Budget Measures), 2012, Bill 55, Mr. Duncan / Loi de 2012 sur une action énergétique pour l'Ontario (mesures budgétaires), projet de loi 55, M. Duncan</b>	
Mr. John O'Toole.....	2303
Second reading debate deemed adjourned .....	2306

# CONTENTS / TABLE DES MATIÈRES

Thursday 10 May 2012 / Jeudi 10 mai 2012

## ORDERS OF THE DAY / ORDRE DU JOUR

### Attracting Investment and Creating Jobs Act, 2012, Bill 11, Mr. Duguid / Loi de 2012 visant à attirer les investissements et à créer des emplois, projet de loi 11, M. Duguid

Mr. Monte McNaughton ..... 2253  
Third reading debate deemed adjourned ..... 2259

## INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. Monte McNaughton ..... 2259  
Hon. Christopher Bentley ..... 2259  
Mrs. Julia Munro ..... 2259  
Mrs. Teresa Piruzza ..... 2259  
Mr. Victor Fedeli ..... 2259  
Hon. Brad Duguid ..... 2259  
Mr. Randy Pettapiece ..... 2259  
Hon. Glen R. Murray ..... 2259  
Mr. Bob Delaney ..... 2259  
Hon. John Milloy ..... 2259  
Hon. Margaret R. Best ..... 2260  
Mr. Michael Coteau ..... 2260  
Mr. Mike Colle ..... 2260  
The Speaker (Hon. Dave Levac) ..... 2260  
**Use of question period**  
The Speaker (Hon. Dave Levac) ..... 2260

## ORAL QUESTIONS / QUESTIONS ORALES

### Ontario public service

Mr. Peter Shurman ..... 2260  
Hon. Dalton McGuinty ..... 2260

### Ontario public service

Mr. Peter Shurman ..... 2261  
Hon. Dwight Duncan ..... 2261

### Mining industry

Ms. Andrea Horwath ..... 2262  
Hon. Dalton McGuinty ..... 2262

### Mining industry

Ms. Andrea Horwath ..... 2263  
Hon. Kathleen O. Wynne ..... 2263

### Air ambulance service

Mr. Frank Klees ..... 2263  
Hon. Deborah Matthews ..... 2264

### Mining industry

Ms. Sarah Campbell ..... 2264  
Hon. Rick Bartolucci ..... 2264

### Mining industry

Mr. David Oraziotti ..... 2265  
Hon. Rick Bartolucci ..... 2265

### Air ambulance service

Mrs. Christine Elliott ..... 2265  
Hon. Deborah Matthews ..... 2265

### Air ambulance service

Mme France Gélinas ..... 2266  
Hon. Deborah Matthews ..... 2266

### Children's mental health services

Mr. Bas Balkissoon ..... 2266  
Hon. Eric Hoskins ..... 2266  
Hon. Deborah Matthews ..... 2267

### Concussions

Mr. Jerry J. Ouellette ..... 2267  
Hon. Laurel C. Broten ..... 2267

### Road safety

Mr. Jonah Schein ..... 2267  
Hon. Dalton McGuinty ..... 2268  
Hon. Kathleen O. Wynne ..... 2268

### Mining industry

Mr. Jeff Leal ..... 2268  
Hon. Kathleen O. Wynne ..... 2268

### Prescription drugs

Mr. Jeff Yurek ..... 2269  
Hon. Deborah Matthews ..... 2269

### Ontario Northland Transportation Commission

Mr. Gilles Bisson ..... 2269  
Hon. Dalton McGuinty ..... 2269

### Pesticides

Mr. Phil McNeely ..... 2270  
Hon. James J. Bradley ..... 2270

### Members' birthdays

Mr. Rob Leone ..... 2270  
Ms. Cheri DiNovo ..... 2270

## INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. Jagmeet Singh ..... 2270  
Mr. John O'Toole ..... 2271  
Mrs. Jane McKenna ..... 2271

*Continued on inside back cover*