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of Debates
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**Journal
des débats
(Hansard)**

Monday 15 October 2012

Lundi 15 octobre 2012

Speaker
Honourable Dave Levac

Clerk
Deborah Deller

Président
L'honorable Dave Levac

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Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
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Service du Journal des débats et d'interprétation
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LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 15 October 2012

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Lundi 15 octobre 2012

The House met at 1030.

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

Prayers.

CORRECTION OF RECORD

The Speaker (Hon. Dave Levac): The Minister of Energy on a point of order.

Hon. Christopher Bentley: I rise today on a point of order for the purpose of correcting the record. Speaker, I would like to take this opportunity to correct my record with respect to statements made in the House regarding the production of documents in response to the motion passed by the Standing Committee on Estimates on May 16, 2012.

On September 24, 2012, approximately 36,000 pages were delivered by the Ministry of Energy and the chief executive officer of the Ontario Power Authority to the clerk of the Standing Committee on Estimates and the Clerk of the Legislative Assembly. At the time, it was my honest belief that the documents that had been produced to the Clerk comprised all of the documents in the possession of the Minister of Energy, the Ministry of Energy and the Ontario Power Authority that were responsive to the motion passed by the Standing Committee on Estimates on May 16, 2012.

Interjections.

The Speaker (Hon. Dave Levac): I'm going to ask—I'm trying to listen very carefully, and I know that the minister will get to the point at which he is going to be correcting the actual things that were said.

Hon. Christopher Bentley: Speaker, as you know, I personally signed a letter to the clerk of the Standing Committee on Estimates indicating it was my understanding that the documents provided to the clerk on September 24, 2012, constituted all responsive records. In and around the date on which the documents were produced, I made a number of statements in the House and the media to the effect that all documents that were responsive to the committee's motion of May 16 had been produced.

Interjections.

The Speaker (Hon. Dave Levac): I'm hearing phrases that I know are not acceptable in this House, and I won't accept them. If I hear them again, I will ask individual members to withdraw.

Hon. Christopher Bentley: Several days after the production of the 36,000 pages to the Clerk, it was brought to my attention by officials at the Ministry of Energy that

both the ministry and the Ontario Power Authority had determined that their initial search for records may have missed records of certain inactive employees, and that some employees may not have used consistent search terms. When I was notified that the ministry and OPA would be conducting an additional search, I asked officials to ensure that they take the necessary steps to determine whether any responsive records had been missed and, if so, to produce those to the Clerk as soon as possible.

Late last week, I was notified that the Ministry of Energy and the Ontario Power Authority had confirmed that a large number of additional documents had been identified and they would be produced to the Clerk of the Legislature on Friday, October 12.

At the time that I made the statements that all documents had been produced, there was no deliberate intention to provide incorrect information to this House. Any incorrect information provided to this House was provided inadvertently and unintentionally. I am very disappointed that the error was made. That said, I know officials at the ministry and the Ontario Power Authority have always conducted themselves in good faith, as I have.

CORRECTION OF RECORD

Hon. John Milloy: Point of order.

The Speaker (Hon. Dave Levac): The government House leader, on a point of order.

Interjections.

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

It is my intention to move forward, and I wish to do so as calmly as possible, and I will continue to work for that.

Government House leader on a point of order.

Hon. John Milloy: Thank you very much, Mr. Speaker. On a point of order, I would also like to take this opportunity to correct my record with respect to statements made in the House in relation to the production of documents by the Minister of Energy, the Ministry of Energy and the Ontario Power Authority.

Interjection.

The Speaker (Hon. Dave Levac): The member from Prince Edward–Hastings will come to order, and if I hear it again, he will receive his first and only warning.

Mr. Paul Miller: Pinocchio's got nothing on you guys.

The Speaker (Hon. Dave Levac): The member from Hamilton East–Stoney Creek will now receive a warning. Government House leader.

Hon. John Milloy: As the Minister of Energy has just noted, on September 24, 2012, approximately 36,000 documents were delivered by the Ministry of Energy and the chief executive officer of the Ontario Power Authority to the clerk of the Standing Committee on Estimates and the Clerk of the Legislative Assembly. It was my understanding at that time that all documents that were responsive to the motion passed by the Standing Committee on Estimates on May 16, 2012, had been delivered. On this basis, I made a number of statements in the House and the media to the effect that all documents that were responsive to the committee's motion of May 16, 2012, had been produced.

Approximately two weeks ago, I was notified that officials at the Ministry of Energy and the Ontario Power Authority would be undertaking a second search because they had determined that there was a possibility that some documents had been inadvertently missed in their initial search. As the minister has just informed the House, there was no political involvement in either the original or secondary searches. They were directed and executed by the ministry and the Ontario Power Authority.

Late last week, I was advised that the ministry and the Ontario Power Authority had identified and would immediately be delivering an additional package of responsive documents to the Clerk of the Legislature.

Mr. Speaker, I shared the honest belief of all government members at the time that all documents had been produced to the Legislature on September 24, 2012. I would therefore like to correct my record and assure you that any incorrect statements that I made in this House were made inadvertently and unintentionally. Thank you.

The Speaker (Hon. Dave Levac): The third party government House leader, the member from Timmins–James Bay, on a point of order.

Mr. Gilles Bisson: Mr. Speaker, I'm not so sure how that corrects the record. The facts are what they are, so I would ask that you take this for what it was: It was a statement other than what it was intended to do, and I guess my biggest question now is, is the Premier about to make a third—are we about to hear the Premier giving us a similar type of statement?

This in no way changes the facts. This in no way changes the record. This is strictly a statement on the part of the government, and quite frankly, the opposition should have been made aware when these documents were available—that were rumoured to be available. We should have been made aware.

1040

The Speaker (Hon. Dave Levac): I thank the member for his point of order.

I recognized both members under the premise of correcting a record. It took a while. It got to that point. There was a comment to make regarding changing or correcting the record, and every member has that right and opportunity to do so.

The House leader for Simcoe–Grey on a point of order.

Mr. Jim Wilson: Mr. Speaker, I'd like to echo what the House leader for the NDP has just said. Clearly those were ministerial statements and should have been done during that period of time, so we want that on the record; and clearly, now that the Minister of Energy has tried to clear the air and the government House leader has tried to clear the air, I think we'd all agree that it's time for the Premier to get up and do the same, because he said the same statements in this House, that all the documents were delivered, and clearly all the documents were not delivered.

Interjections.

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

I thank the member. I would also now provide an opportunity to introduce our guests.

INTRODUCTION OF VISITORS

Mr. Bill Walker: I'd like to introduce Paul Boulter. He's the father of one of our new pages, James Boulter, and a great community fellow who puts lots into our community. I'd like to welcome him to Queen's Park.

Hon. John Gerretsen: Speaker, I'd like to introduce to you Merle Koven and her granddaughter Stella Koven, who are here to visit Queen's Park from Kingston today.

Mr. Jerry J. Ouellette: I'd like to introduce the family members of Oshawa page Danielle DeWilde: Pam DeWilde; John DeWilde; Janny DeWilde; Chris DeWilde; Sharon Watkins; Don Watkins; and Phil Reinders. Welcome.

Ms. Helena Jaczek: Please join me in welcoming students from St. Augustine Catholic High School from the great riding of Oak Ridges–Markham.

Mr. Garfield Dunlop: I'd like to introduce to you today Cindy McCarthy, Julie Garner, Susan McGovern, Patrick McManus, Stephen Sell, Sean Reid, Greg Richardson and Don Del Vecchio, who are here today representing members of the Ontario Construction Employers Coalition—and there are some tradespeople as well.

Ms. Dipika Damerla: I rise today to introduce my mother, who is in the members' gallery, Sesh Damerla.

Mr. Todd Smith: I'd like to welcome Tanya Fox-Swan, who's the mother of one of our new pages, Olivia Fox.

I'd also like to welcome long-time friends of mine, and former colleagues at Quinte Broadcasting, Lorne and Jody Brooker, sitting in the west members' gallery.

Mr. Jack MacLaren: Mr. Speaker, it gives me great pleasure to introduce my greatest campaigner and my greatest fan, my wife, Janet MacLaren.

ORAL QUESTIONS

JOB CREATION

Mr. Tim Hudak: My question is to the Premier. Premier, in order to achieve great things, you'd set bold

goals. The Ontario PC caucus has done so to make Ontario the best place in all of Canada to find a good job, the kind of job that will give you middle-class security. We put on the table bold ideas like creating 200,000 jobs in the skilled trades.

I'd ask the Premier, given that 600,000 women and men woke up this morning with no job to go to, will you accept our plan that will put 200,000 men and women to work today in the skilled trades—carpenters, welders, electricians? Will you take up our plan, Premier?

Hon. Dalton McGuinty: Speaker, I'm delighted to see that my honourable colleague is putting forward some ideas. Unlike the NDP, at least the PCs are putting forward some ideas. They're the wrong ideas, but they're ideas nonetheless.

In particular, they're built around the notion that if we cut our taxes in Ontario by \$5 billion at a time when we're running a \$13-billion deficit—they somehow feel that this is progressive, positive, thoughtful, responsible and intelligent. It is none of those. We've seen that movie before, Speaker. Ontarians have no interest whatsoever in any kind of a sequel. They want positive, balanced, responsible planning when it comes to the economy. That's what our plan to eliminate the deficit is all about.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Tim Hudak: Back to the Premier: You know if you want to balance the books, you need to do two things: First, you stop the digging; and then second, you need a growth plan, a jobs plan. I am proud of and stood with the Ontario PC deputy leader and brought forward *Paths to Prosperity: An Agenda for Growth—15 bold ideas* to put Ontario back to work again, to make us a leader in Canada.

I'm going to focus on one in particular here, Premier. We have with us the coalition of construction employers, representing 4,000 employers in our province and 100,000 skilled tradespeople. They have suggested, and we agree, that the College of Trades is an unnecessary bureaucracy. You have given it the right to impose a new tax on tradespeople and on small businesses, and it limits access to the workplace.

Our point of view: Stop the trades tax and abolish the College of Trades to help us create 200,000 jobs in the skilled trades. Will you do that, Premier?

Hon. Dalton McGuinty: No government has ever done more to employ construction people in the province of Ontario than this government—no government.

Speaker, our infrastructure plan at present calls for us to spend, this year alone, about \$11 billion; contrast that with the federal government, which is spending about \$6 billion for the country as a whole. Some \$11 billion this year, Speaker; in fact, it's \$35 billion over the course of the next three years. Each and every year we're creating over 100,000 construction jobs as a result of the investments that we make in capital projects.

If my honourable colleague wants to do something about construction jobs, he should support our plan to invest in infrastructure.

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

Mr. Tim Hudak: Of course we do not support your plan to take us to a \$30-billion deficit; that's going to cost us jobs.

Let me give you another aspect, Premier. Again, this is supported by 4,000 employers across the province representing 100,000 skilled trades workers, and that's to take our apprenticeship ratios out of the 1970s, out of the era of bell-bottoms, and bring them into the 21st century where they belong and move to a one-to-one journeyman-to-apprentice ratio.

Our plan is to create more jobs for people who want to be in the skilled trades: electricians, welders, plumbers, machine shop operators. We support handymen and handywomen across the province of Ontario. These are good, well-paying, middle-class jobs. If you want to create 200,000 jobs in the skilled trades like we do in *Paths to Prosperity*, Premier, you move to a one-to-one journeyman-to-apprentice ratio like every other province has done.

Will you take up our plan and help pave the way for more well-paying jobs in the province?

Hon. Dalton McGuinty: We are proud of the fact that we are going to be the first province in Canada with its own independent body of colleges, a college for trades. We are proud of the fact that we have doubled apprenticeship opportunities in Ontario.

If my honourable colleague is so interested in creating jobs, he needs to answer this question: When he cuts that \$5 billion in taxes and when he lays off thousands and thousands of public servants, how does that contribute to employment opportunities in the province of Ontario?

We've got a better approach. We're going to freeze public sector wages; we are going to protect public sector jobs; and we're going to protect public services for Ontario families.

POWER PLANTS

Mr. Tim Hudak: Back to the Premier: Premier, when did you first learn that 20,000 documents related to the cancellation of gas plants in Mississauga and Oakville were kept hidden from members of the assembly? When, Premier, did you exactly learn that fact?

Hon. Dalton McGuinty: There has been much—and I fear there will be much more—innuendo coming from the opposition on this matter, but I think what we owe Ontarians are the facts.

Here are the facts: Ministry of Energy and OPA officials released documents on September 24, believing in good faith those documents fully satisfied the committee's request. Subsequently, those same officials concluded there was a possibility that additional documents should have been released. That was brought to the minister's attention. He expressed his strong disappointment. He instructed officials to get it right and get it done. That led to the production of the additional documents. All the documents produced were selected by ministry officials

and OPA officials, not by political staff. Those are the facts.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Tim Hudak: Well, that's avoidance of my question, and it says something about this Premier and his attempt to continue to hide information from members of the assembly, but most importantly, from the taxpayers who are being hit with a billion-dollar bill.

1050

I asked a very specific question, Premier. The Minister of Energy just moments ago said he found out, I believe he used the term "a few days later," after September 24 that there were more documents to come. You, on October 2, said all the documents were here.

So, Premier, I'm going to ask you: Exactly at what point in time did you find out that there were documents that had not yet been submitted to the Clerk, to the assembly or the committee? What was the exact date that you were briefed on this?

Hon. Dalton McGuinty: I think the facts, as distinct from innuendo and allegations and speculation, are important, Speaker. I think we should revisit the facts because those would be helpful to Ontarians, if not to my honourable colleagues opposite.

Officials, and only officials, were involved in the selection of documents to meet the committee request, Speaker. They did their very best the first time around. It came to their attention—the attention of the officials—that there may be additional documents that should have been included in the first round. When this was brought to the attention of the minister, he expressed his profound disappointment. He asked them to get it right and to get it done. The officials conducted yet another search. They came up with more documents. We've made those documents public, Speaker. That's the beginning, the middle and the end; those are all the facts.

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

Mr. Tim Hudak: Speaker, the Premier strangely continues to avoid a very simple question. We did have the Minister of Energy and the House leader stand up and say when they found out. I was surprised; I thought the Premier would stand up and apologize to Ontario families and take responsibility for his actions. He failed to do so.

This is the third time I'm asking you, Premier: When exactly were you informed that there were more documents yet to come? Let me tell you why this is important. We're not only talking about you intentionally hiding information from members of the assembly. We're talking about the energy sector and—

Interjections.

The Speaker (Hon. Dave Levac): That's the second time I've heard that, and it's tightrope walking—in an area. I want the member to be aware that I'll be listening carefully, but I would ask him to move away from that line.

Mr. Tim Hudak: Thank you, Speaker.

Premier, this is about the energy system of the province of Ontario that requires billions of dollars of investment. It's a prime indicator of our attractiveness for investment and for job creation, and you have turned it on its head in order to keep information that has not been made public. You refuse to answer basic questions.

This is about jobs. This is about the future of the province of Ontario. This is about trust in the basic infrastructure—

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

Mr. Tim Hudak: —that government is supposed to provide in the province of Ontario. Premier, why won't you come clean? Tell us what you knew and—

The Speaker (Hon. Dave Levac): Premier?

Interjections.

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

Hon. Dalton McGuinty: I'm more than delighted to speak to the big picture. Speaker, from 2003 to the end of our long-term energy plan, we are investing over \$1 billion and rebuilding an electricity system that they neglected. Their plan, you may recall, was to put in place temporary diesel generators, Speaker. We have rebuilt capacity at Niagara Falls. We have invested in 17 new gas plants. We are refurbishing our nuclear plants. We have thousands of clean energy projects under way. We are driving hard on energy conservation, and along the way, we're building the most aggressive clean energy industry in all of North America, creating some 20,000 new jobs so far. That's our full record on energy in the province of Ontario—

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. I'd like to remind everybody that I did get to the point where I'm going to be identifying individuals from their riding, and I am going to do that. Bring it down.

New question?

POWER PLANTS

Ms. Andrea Horwath: My question is for the Premier. On Friday, the people of Ontario saw, once again, that the facts their government had given them about multi-million-dollar electricity decisions were not accurate—not even remotely accurate. Where does the Premier think responsibility should lie for this: with himself or with the Minister of Energy?

Hon. Dalton McGuinty: The Minister of Energy has made it very, very plain that he was very disappointed in the fact that the culling the information for—

Interjection.

The Speaker (Hon. Dave Levac): The member from Renfrew, come to order.

Hon. Dalton McGuinty: —meeting the committee's request was less than thorough. It was less than what we all wanted it to be.

On the basis of that, we believe, Speaker—in fact, we know—that the officials acted in good faith. They went

back; they provided us with more information. We've made that available to the public.

I think it's important to understand that the minister, throughout this, acted in good faith. We have every reason to believe that the officials, throughout this, acted in good faith. We have made this information available at the earliest opportunity.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: On September 24 the Premier said, "We provided all of the documentation in question and now the opposition intend to ride off on this for some reason unbeknownst to me."

Does the Premier agree that he made that statement, not his minister, and that it wasn't even remotely an accurate statement?

Hon. Dalton McGuinty: Again, I think we can all talk about allegations and innuendo and speculation, but I think facts remain important in this House. I think they're certainly important to the people of Ontario. Here are the facts—

Interjection.

The Speaker (Hon. Dave Levac): The member from Renfrew is now—second time. That means one more.

Premier?

Hon. Dalton McGuinty: The Ministry of Energy and OPA officials released documents on September 24, believing—they did, as we did—in good faith that those documents fully satisfied the committee's request. Subsequently, those same officials concluded—

Interjection.

The Speaker (Hon. Dave Levac): Member from Oxford, come to order.

Hon. Dalton McGuinty: —there was a possibility that additional documents should have been released. When this was brought to the minister's attention, he said, "Get it right and get it done." That led to the production of additional documents.

I want to make it clear to my honourable colleagues opposite and to Ontarians generally that the selection of these documents is done by officials and not the political—

The Speaker (Hon. Dave Levac): Thank you. Final supplementary.

Ms. Andrea Horwath: Speaker, the Premier claimed moving the Oakville plant would cost the public \$40 million. Then, internal documents added at least another \$200 million to the cost, and then an independent expert pegged the cost at about \$700 million.

Is the Premier of this province prepared to take personal responsibility for any of the figures cited?

Hon. Dalton McGuinty: Speaker, a few things: First of all, again, I want to thank the leader of the NDP for her support when it comes to relocating these gas plants. It's important that we bring a unanimous approach to listening to communities when they express genuine, reasoned concerns on this kind of a thing, and I'm very grateful for the support we received from the NDP.

On the matter of the cost, Speaker, it's \$40 million. But what would be helpful would be to receive the cost-

ing from the leader of the NDP as to what they estimated the cost would be, given their decision to relocate the plant as well. Ours is \$40 million, Speaker; we've nailed that down. I'd be interested to see exactly what their costs are.

POWER PLANTS

Ms. Andrea Horwath: Speaker, the Premier should know by now that New Democrats don't support any private power deals, and we certainly don't like to ignore communities.

My next question is for the Premier. The Premier will note that I haven't necessarily called for the resignation of the Minister of Energy today because I don't believe that that would change one iota the poor decisions that this government keeps making when it comes to our electricity system or this government's bad habit of putting their party ahead of what's good for the people.

It's clear that this mess rests clearly at the feet of the Premier. Is he ready to take some responsibility? Is he prepared to appear before the committee studying this matter and finally let all of the facts, regardless of whether it's in his own partisan interests, come to the fore?

Hon. Dalton McGuinty: Speaker, we're going to be staying focused on those things that Ontario families want us to stay focused on. I'll let my honourable colleagues engage in whatever it is they choose to engage in, but we've got a job on our hands and we should be working together when it comes to strengthening our economy. That means we've got to eliminate the deficit, and an integral part of that is freezing public sector wages.

Interjection.

The Speaker (Hon. Dave Levac): The member from Bruce-Grey-Owen Sound, come to order.

Hon. Dalton McGuinty: So we've been very, very courteous to my colleagues opposite. We have yet to introduce a bill. What we've done is given notice to my colleagues opposite about a way that we could come together and freeze public sector wages. We have yet to receive any support in that regard, but if we were to do that together we would go a long way toward eliminating the deficit and putting the Ontario economy in a stronger position. That's a matter that Ontario families want us to focus on, Speaker, and that's why we're focused on it.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: It's clear that the Premier is focused on avoiding responsibility. It's clear that he had a central role in this and he needs to take some responsibility.

1100

On May 25, 2011, a senior bureaucrat wrote, referring to the Oakville plant, "The government cancelled the contract and communicated that ... to TransCanada before the Minister of Energy was advised."

The bureaucrat went on to say in this particular document that this came straight from the Premier's office.

The Premier made the decision. The Minister of Energy didn't even know what was going on, Speaker.

Will the Premier acknowledge this mess came directly from his office, show up at committee and give the people of Ontario, who are now stuck paying the bills, some explanation and an apology?

Hon. Dalton McGuinty: Again, Speaker, in the matter of gas plants in Ontario, we've built 17. Two of those we did not get right. And again, I want to acknowledge the support that we've received from both opposition parties on the matter of those two gas plants, and their strong representations made in many quarters that we relocate those gas plants, which is in fact what we're doing.

But if I might speak again to the big picture for a moment: We just came through our hottest summer on record. I'd ask you to compare our electricity circumstances this summer with those that we inherited back in 2003. Back then, we just nursed ourselves along; we just got by. This year, there was no question whatsoever of our ability to meet all the demand, and we did it in the cleanest way we've ever done it in the province of Ontario. Coal-fired generation is down by 90% in Ontario.

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

Ms. Andrea Horwath: Well, Speaker, one thing is clear: The Premier has left a huge mess for the people who pay the electricity bills in this province. They were told that private power deals would lower bills and take the politics out of electricity. Instead, Ontario families have the most expensive electricity in the country, and the Premier let his campaign team cut private power deals without even telling the energy minister.

Leadership means taking responsibility. When will the Premier show some leadership, instruct his team to stop the delay tactics and actually let that committee get started, and make it clear that he will appear at that committee, and when he appears at that committee, he will apologize for this mess and the sorry state of our electricity system?

Hon. Dalton McGuinty: Speaker, so we're all clear: My honourable colleague is opposed to nuclear energy. She's opposed to wind turbines. She's opposed to gas plants. She's opposed to coal. I gather she's opposed to energy of any kind. It would be nice if we didn't have to produce electricity in the province of Ontario, but actually we live in the real world and we've got to find a way to do that.

I'm proud of the way that we've been advancing. We are shutting down coal-fired generation in Ontario. We are enhancing the supply that comes from renewable sources. We're expanding our capacity at Niagara Falls and another location in northern Ontario. Gas plants are in fact cleaner than coal-fired generation, and we continue to refurbish our nuclear plants. That gives us clean, emissions-free electricity, Speaker. Reliability is up, clean air is up and jobs are up as well.

The Speaker (Hon. Dave Levac): New question. The member from Simcoe—Grey.

POWER PLANTS

Mr. Jim Wilson: Through you to the government House leader: A little more than two weeks ago, when we challenged the government on the release of its original tranche of documents, the government House leader said the following, "I have here two official documents that have been tabled with the Legislature. Those documents are signed ... by the head of the Ontario Power Authority, and ... the Minister of Energy, stating that every document requested has gone forward.... I come from a tradition that believes that when a member of the Legislature says something in the Legislature, that is the truth.... I ask them to stand up and furnish proof or evidence, or if not, to shut up...."

Mr. Speaker, in light of 20,000 additional documents the government shamelessly released late on Friday, can the government House leader assure us now that we have all the documents? Or can we expect another document dump next Friday?

Hon. John Milloy: Mr. Speaker, the comments that I made in the Legislature that the honourable member quotes from—I corrected my record earlier today.

But I think the easiest way to understand the situation is to quote the letter from Colin Andersen that was sent to the committee last week on Friday: "On behalf of the Ontario Power Authority, I would like to apologize to the members of both the estimates committee and the provincial Legislature. It was always our intention to provide all responsive records and respect the ruling of the Speaker. Our initial efforts fell short...."

"Our due diligence on the September 24 disclosure revealed the need to search additional terms and OPA employees' mailboxes."

Interjections.

The Speaker (Hon. Dave Levac): The member from Cambridge, come to order.

Hon. John Milloy: "We then moved expeditiously to notify the clerk of the estimates committee and to produce the additional records. This yielded an additional 7,570 pages. During this process we also discovered a variance in the approach used by the OPA and the Ministry of Energy in assembling the records already disclosed. A further 6,365 responsive pages were subsequently identified."

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Jim Wilson: Again, to the government House leader: Mr. Speaker, this government has been caught red-handed as being in direct contravention of your order and an order of this House to produce all of the documents. What we can say without reservation is that the new tranche of 20,000 documents is again missing entire chains of correspondence between political staff and ministry officials, not to mention that once again the documents tabled on Friday are heavily redacted or whited out. While the government can scapegoat bureaucrats and throw them under the bus like they did to the energy minister, we know that this is not a bureaucratic or research mistake, and that this is deliberate and orchestrated on behalf of the government.

All of the documents have still not been released, so I ask the government House leader the following: First, to stand in his place today and apologize to this House for repeatedly saying that all documents were in fact tabled when they were not; and secondly, that he undertake to direct all staff to produce all documents—and when I say all, I mean all remaining documents—unredacted, complete and—

Interjections.

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

Government House leader.

Hon. John Milloy: Mr. Speaker, in the same spirit, I'd like to quote from the letter sent by the Deputy Minister of Energy—the ministry's search to identify was sent last Friday to the estimates committee.

“The ministry's search to identify—

Interjections.

The Speaker (Hon. Dave Levac): The member from Chatham, come to order.

Hon. John Milloy: “—and produce all documents responsive to the May 16, 2012—

Interjections.

The Speaker (Hon. Dave Levac): The member from Oxford, second time.

Hon. John Milloy: “—motion was conducted in good faith with every intention to comply with the committee's motion. No responsive information or documents were deliberately withheld from the September 24 package. However, after tabling the documents, I became aware of potential omissions in the ministry's original search, and I immediately initiated a review.”

I go to later in the letter: “Second, questions have also been raised about apparent redactions from certain documents in the September 24 release. In the interest of creating a complete disclosure package, early drafts of certain documents, such as slide decks, which were not yet complete and comprised of blank sections, were included in the release. The only redactions in the September 24 disclosure package and the documents attached—”

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

POWER PLANTS

Mr. Peter Tabuns: Speaker, my question is to the Premier. On September 27, 2012, the CEO of the Ontario Power Authority contacted the Clerk to say there were potentially more documents that hadn't been released. Why did it take more than two weeks to admit that there were documents that were still being hidden and then release them?

Hon. Dalton McGuinty: To the Minister of Energy.

Hon. Christopher Bentley: I want to start by saying that I deeply regret that when the 36,000 pages were released, they did not contain all of the documents. I know there were good-faith efforts that fell short by the OPA and the ministry. When, on or the about the 27th,

the chief executive officer of the OPA indicated to the Clerk that there were potentially more, my determination was that they should do whatever they had to do, get the search done, get it right and provide all the documents that responded to the motion. They did that on the 12th of October.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Premier, the minister didn't answer the question, so I'm going to go back to you. The Ontario Power Authority was supposed to be an independent, arm's-length agency. It's clear this government has treated it as yet another tool to advance its political objectives. Did the Ministry of Energy at any point, before or after the release of these thousands of additional documents, provide the Ontario Power Authority with direction on what documents should be released and when they should be disclosed?

1110

Hon. Christopher Bentley: No, Speaker, and that is outlined in the letters by the Ontario Power Authority. Both the Ontario Power Authority and the ministry—the non-partisan public service side of the Ministry of Energy—directed their searches. They decided what documents should be disclosed. The letters speak to that very clearly. When the chief executive officer of the Ontario Power Authority realized that there were potentially more, he advised the Clerk. They conducted a very extensive search. It concluded within hours of the release of the documents on October 12—searches that were directed by the OPA and the Ministry of Energy, free of political direction.

SCHOOL TRANSPORTATION

Mr. Grant Crack: My question is to the Minister of Infrastructure and Transportation. Every day, thousands of children across Ontario travel to school on school buses. We can all agree that we have to ensure that our kids remain safe, and that means making sure all drivers know and obey the rules regarding road safety on school buses.

Today marks the start of School Bus Safety Week. Can the minister tell this House what is being done to keep our kids safe on their way to school and on their way home?

Hon. Bob Chiarelli: I thank the member from Gengarry–Prescott–Russell for the question. The safety of our children on their way to and from school is our top priority. I am proud that Ontario has the safest roads in North America. Every weekday, about 800,000 students travel to school by bus, and that's why it's so important that motorists know and follow the rules whenever they see a school bus on the road.

School Bus Safety Week is an annual event that starts today. It helps educate motorists on the importance of coming to a full stop when approaching a stopped school bus with its upper red lights flashing. We want to warn drivers of the dangers involved in passing a stopped bus.

The law is clear: Drivers and vehicle owners can be charged up to \$2,000 if their vehicle illegally passes a

stopped school bus. It's the law. It's laws like this that keep our kids safe.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Grant Crack: Thank you to the minister for the update. I'm glad to hear that we're taking strong action when it comes to the safety of our children.

I know that road safety partners like school bus drivers and other school staff are key players in road safety as well. Minister, can you tell us about the work we do with our partners in school bus safety?

Hon. Bob Chiarelli: Again, our top priority is ensuring the safety of the 800,000 students who ride our buses each school day. In fact, travelling on a school bus is 16 times safer than travelling in a motor vehicle. We have that record because of the hard work of our excellent bus drivers and school staff, who work hard on over 18,000 buses to ensure that students arrive at school and get back to their homes safely.

I want to take this opportunity to thank the drivers and staff for their help in making our roads safer for students. We work closely with schools, our road safety partners, police services and school bus companies across Ontario to promote school bus safety, and we thank them for all their great work.

POWER PLANTS

Mr. Victor Fedeli: My question is for the Minister of Energy. Minister, you assured members of this House—in a sworn, written oath, no less—that all documents related to power plant cancellations had been turned over. Yet the Premier, the House leader, you and 30 members of your caucus continued to state that every document was delivered even after you knew that they weren't.

We put up with the smug comments, the fake moral indignation, the mocking: all to keep us from getting to the truth. You're still going through great pains to keep us from seeing all the documents. Fess up now. No more games, no more nonsense. Tell us what you're hiding. Salvage some semblance of dignity and order all the documents to be turned over before you tender your resignation.

Hon. Christopher Bentley: It was my belief, it was the belief of the OPA and it was the belief of the Ministry of Energy that all of the documents that were released responsive to the committee's motion were released with the original 36,000 pages. When it became clear to the OPA and to the ministry that there may be an additional search required, they did that, and all of the documents responsive to the motion that they found were released on the 12th.

I want to very clearly indicate, Speaker, that I stand by the letter and that I believe the letter I sent to the Clerk to be true. I've been advised by ministry staff that the documents attached to the letter comprise all documents responsive to the committee's request, regardless of privilege or confidentiality. I want to further state this—the government House leader has spoken to his issue—none of my colleagues and no member of this House was ad-

vised by me any differently about the documents released on the original day until October 12.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Victor Fedeli: Minister, we've been through this movie before. You tell us one thing, but the facts are completely opposite. You have all the documents—oops, here's 20,000 more, but still no document from the Premier, his staff, the former minister or yourself, for that matter. We shouldn't need a bloodhound and a flashlight to find these documents, Minister. It should be all there in black and white. Instead, we're getting blackouts and whiteouts.

I ask you again, what are you hiding? Minister, no one believes you anymore. You're through here. You're done. There's no credibility left for you or your government. Resign today.

Hon. Christopher Bentley: My colleague's question arises out of the release of additional documents, a release that resulted from the efforts of the OPA and the ministry to find all responsive documents to the motion. The non-political directed the search. The non-political decided what was in and what was out. The non-political have indicated in here that nothing relevant was redacted. Those decisions were made by them. The documents were released. It has always been my intention to comply with the Speaker's ruling, and their good-faith efforts to make sure that the compliance—

The Speaker (Hon. Dave Levac): New question.

COMMITTEE SITTINGS

Mr. Peter Tabuns: A question to the Premier: The committee that's tasked with examining the decision to cancel the gas plants and examining why the government has consistently hidden documents has a short window to complete its work. The deadline to report back to the House is November 19, a little over a month away. The members of the committee have called for an immediate meeting, but government members are using delay tactics to drag the process out. Will the Premier tell his members to stop the delay tactics and political games and let the—

The Speaker (Hon. Dave Levac): Excuse me. Stop the clock.

Contrary to what some people might even think, I've been trying to listen very carefully on how the questions are put and how the answers are coming. We're now starting to move into the application of what the committee's work is, and I'm concerned that that question be put in a different way. You cannot start to talk about how the committee is going to function.

Mr. Peter Tabuns: Sorry, Speaker. You want me to re-put the question?

The Speaker (Hon. Dave Levac): Briefly.

Mr. Peter Tabuns: Will you let the committee go forward immediately? What are you doing to hold it up?

Hon. Dalton McGuinty: To the government House leader.

Hon. John Milloy: Mr. Speaker, I think members of the Legislature are aware that the terms under which this

committee was set up are spelled out in the standing orders. I am confident that the Chair of the committee as well as the members of the committee will work together to make sure that the hearings start within a time period outlined in the standing orders, and hold the hearings in relation to the motion that was passed by this Legislature.

But again, Mr. Speaker, to go back to several weeks ago, after having heard now over nine years the NDP going on and on and on about limiting debate, to have that member, who stood in this place and stifled debate on a motion and government efforts to have a committee seized with the important issue of how do committees balance information—I find that a little rich, Mr. Speaker.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Speaker, we've had 20,000 more documents put on the table. November 19 is coming at us very quickly. We need to convene and we need to convene now.

You have some influence in your caucus. Can you move things forward and make sure this committee meets now?

1120

Hon. John Milloy: Mr. Speaker, the standing orders have not changed in the last few weeks. When the opposition moved the motion, they knew what the standing order rules were and the timeline in which the committee would sit, and the November 19 date was chosen by the opposition. So maybe the opposition should have got together and come up with a different motion to put forward.

The fact of the matter is, we debated this motion in the Legislature. We came forward with an amendment, which we filed with every member of this House, an amendment which would have asked the committee to undertake very valuable work, and that member, despite over 10 years of listening to the NDP go on about never wanting to limit debate in this Legislature, stood in his place with his colleagues and stifled debate on an important motion, an important matter for this Legislature.

AFFORDABLE HOUSING

Mr. Bas Balkissoon: Mr. Speaker, my question is for the Minister of Municipal Affairs and Housing. I often hear from my constituents that more affordable housing is needed in Ontario, and I'm sure my colleagues are hearing the same from constituents in their communities. Ontarians want to be sure that we're working to help families who are less fortunate and need help keeping a roof over their head.

I understand that our government made an announcement last week regarding the creation of new affordable housing in the Donlands area of Toronto. Could the minister tell us more about this announcement and how it will help ensure that more Ontarians have access to safe and affordable housing in Toronto?

Hon. Kathleen O. Wynne: I want to thank the member for Scarborough—Rouge River, who is an advocate

for social justice. He knows how important affordable housing is to people in his constituency, across the city and across the province.

Last Thursday, I was joined by my colleague the Minister of Citizenship and Immigration to announce that, following the completion of the Pan/Parapan American Games in 2015, the athletes' village will be transformed to include 253 affordable rental units and up to 100 affordable ownership units.

Along with those affordable housing units, these new buildings will provide 882 jobs in the construction sector. These buildings, these units are very important because they are one-, two-, three- and four-bedroom units. I think everyone who knows about affordable housing knows that finding those larger units is important.

I was very happy to be able to announce that these units will be owned and operated by the Fred Victor mission and Wigwamen Inc., two fantastic organizations. We're happy to be able to work in partnership with them.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Bas Balkissoon: It is great to hear that our government is making important investments in affordable housing projects like this one here in Toronto. I'm sure it will go far in helping to benefit both the community and the people who live in those new housing units. We know that our government has made investing in affordable housing in Ontario a key priority with this announcement.

Toronto is benefitting from additional housing units, but we need to ensure that communities all across the province also benefit. Can the minister tell this House what our government is doing to ensure that people living in communities all across the province have access to affordable housing?

Hon. Kathleen O. Wynne: I hear the NDP harping that we haven't done enough. What I would suggest is, they should be supporting these investments. They should be supporting the \$2.5 billion that we have put into affordable housing. They should support the 270,000 units of affordable housing that we have put in place for families across the province. We have worked in partnership, as I said, with Fred Victor, with Wigwamen Inc. and with Dundee Kilmer Developments to show what can happen when government works with organizations that are committed to providing housing.

Where we're at now is we need that other partner, the federal government, to work with us. We know that the money that has been invested will—there will be no more money after 2014. We have a plan up to 2014. We need the federal government to be working with us. I call on the parties opposite to talk to their federal cousins and come to us and work with us so that we continue to make those investments that particularly the NDP should be supporting.

SKILLED TRADES

Mr. Garfield Dunlop: My question is for the Minister of Training, Colleges and Universities. Minister, I've

been working with dozens of construction associations across Ontario this year, and they are unanimous in agreeing that your College of Trades is a huge, expensive barrier to job creation and growth.

Your communications plan around the College of Trades is a dismal failure. I, along with the Ontario Construction Employers Coalition and other key stakeholders, have had to inform thousands of men and women, because neither you nor the college has informed them, of massive taxes they are facing, and they see absolutely no benefit to the youth of our province who are desperately trying to find work. In fact, most people say that too many youth are sitting watching, playing Nintendo.

Minister, can you explain to representatives of the Ontario Construction Employers Coalition, who are here today and who represent over 4,000 Ontario companies and 100,000 employees, and other key stakeholders as well—many of them—why you continue to support the College of Trades? It's nothing but a boondoggle and you know it is.

Hon. Glen R. Murray: I don't think it's young people who have been playing too much Nintendo; I think it's the member opposite.

Mr. Speaker, I continue to be perplexed, waiting for the apology from the party opposite for, in 60 years in government, it failed to have an apprenticeship strategy, saw the slowest growth in apprenticeships in Canada, and were smugly happy with 17,000. We are now at 30,000 apprenticeships per year, and we are ahead of schedule, exceeding the number of apprenticeships that the economy can absorb.

Mr. Speaker, what a remarkable economy it is. There are 47 office and residential towers going up in my constituency alone. It speaks to the outcomes of this government's economic development policy, because there are jobs.

I will challenge the member opposite again: Where's the beef? Show me the numbers for the 200,000, because they're nonsense, Mr. Speaker.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Garfield Dunlop: While I wasn't playing Nintendo, I was at 75-some meetings, and most people in Ontario have no idea who you even are. I don't think you understand the groundswell of opposition that is growing against your College of Trades. The new trades tax is not going over well, and now thousands of businesses and employees are saying they will treat their fee invoices as another McGuinty tax. In fact, the only person I found that likes it is Pat Dillon.

Minister, you must know by now that this is nothing but another McGuinty boondoggle that has the potential to cost Ontario workers hundreds of millions of dollars a year with this College of Trades.

Minister, will you follow the advice and plan of Tim Hudak and the PC caucus, as announced in our white paper *Paths to Prosperity: An Agenda for Growth*, and scrap the College of Trades once and for all?

Interjections.

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

The Minister of Training, Colleges and Universities.

Hon. Glen R. Murray: Thank you very much, Mr. Speaker. I'm still waiting to understand. It would cost \$115 million, in the construction boom going on in this province coming out of a recession that is unprecedented, something never achieved by the party opposite in power—the party opposite, and some of your friends whom you quote, had a terrible record on two fronts: one, on apprenticeship completion. We have just had public hearings where we got submissions from all of industry, labour and educators, tabling the records of what they would like. We actually have had four apprenticeship ratios set by the college recently. That's four more than in the decade that they were in power. As a matter of fact, I don't think they even ever approved a single ratio adjustment in probably 30 or 40 years. No wonder the Leader of the Opposition likes to talk about bell-bottoms, because that was the last time those guys looked at the apprenticeship ratios—

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

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Miss Monique Taylor: My question is to the Minister of Community and Social Services. On Friday, 21-year-old Emilia Arthurs's mother and her sister were here at Queen's Park. Emilia lives in Sarnia and is a young woman with complex physical and intellectual disabilities requiring around-the-clock care.

For years, Emilia's family has worked with local agencies and the ministry to secure care for Emilia. Now the family is in a crisis, and they are being told that their 21-year-old daughter will have to be placed in a nursing home. Is the minister going to allow this shameful episode to continue?

1130

Hon. John Milloy: I am of course aware of the press conference that was held here at Queen's Park. I think the member recognizes, as all members of the Legislature do, that a minister cannot comment on a specific case.

Obviously, Mr. Speaker, I am aware that there are families who are struggling with children with developmental disabilities, and I want to assure the member and assure all members that our ministry works tirelessly with the family, with community agencies to make sure that they have the care they need and to make sure we put in every effort to make sure that a child or an individual is never left in crisis.

As I say, as the minister, I am not able to comment on this specific case. But I do want to impress upon the member our commitment to work with all families in these situations to make sure that the individual in question receives the care that is most appropriate.

The Speaker (Hon. Dave Levac): Supplementary?

Miss Monique Taylor: Thank you, Mr. Speaker, but I'm not sure if the minister means wiping his hands of the issue is working tirelessly.

Mother Wilma Arthurs described her decision to give up Emilia as the hardest decision she has ever made. What is happening to this family should not be the fate of any family in Ontario, and it's disgraceful. Even worse, the local Community Living has the capacity to care for Emilia, but they are unable to do so because the minister has refused to do their part.

I ask the minister once again: Will he step up to the plate and work with the community and the Arthurs family to find a real solution?

Hon. John Milloy: As I say, our first priority is the needs of the client. We work very, very closely with local agencies, with the family, of course, and with the individual to make sure that in all cases, we can find a way to provide them with care and make sure that no one is left in crisis.

Despite the tough economic times, I'd remind the member that since 2003, our government has increased money in this sector by about half a billion dollars. Is there more to do? Is there more need out there? Of course there is, and we continue to work to reform the system and we continue to work on individual cases. But I remind the member again, and I think all members respect the fact that as the minister, I cannot comment on a specific case. But I can assure members that on all these cases that are brought to their attention, we work very, very diligently behind the scenes.

AUTOMOTIVE INDUSTRY

Mrs. Amrit Mangat: My question is for the Minister of Economic Development and Innovation. Ontario's auto sector is a vital part of our economy, both across the province and locally in my community. In Mississauga and Brampton, Chrysler is a significant employer, and we were pleased when the CAW and Chrysler reached their agreement and work is continuing at the plant.

We are told that the auto sector is recovering well. Mr. Speaker, can the minister point to some concrete evidence that the auto sector is bouncing back?

Hon. Brad Duguid: I'd like to begin by echoing my colleague's enthusiasm that a deal, in fact, was reached with the CAW and the auto companies that is both fair to Ontario workers and competitive for the auto industry. That's really good news for each and every one of us here in Ontario because it secures jobs and investment in our auto sector.

We've been North America's leading auto producer since 2004, and production is already up. The auto sector alone supports the jobs of 485,000 hard-working Ontario workers, directly or indirectly. Since the global recession, Ontario's auto companies have created 11,000 more direct jobs, and they've invested more than \$2.3 billion in our auto plants.

According to the *Globe and Mail*, the "industry's recovery is jumping into a higher gear." Auto sales are

up. This is good news for auto workers and good news for a growing economy.

The Speaker (Hon. Dave Levac): Supplementary?

Mrs. Amrit Mangat: Speaker, it is great to hear that the industry is going so strong across the province that production is already higher this year than last year. That is particularly good news for those of us in the House who have auto plants and parts manufacturers in their ridings.

Minister, you mentioned that the industry was jumping into a higher gear. Can you please inform this House how well the industry fared in September auto sales?

Hon. Brad Duguid: I'm delighted to report that last month, Canadian auto sales had their best month of September since 2000—the best in 12 years—and the second-best September on record. Mr. Speaker, that's good news.

Overall, auto sales topped 143,143 vehicles in September 2012, an increase of 6.4% from September 2011, when sales were 134,544. So far this year, we're up 6.6% in year-to-date sales.

The member will be happy to hear that Chrysler saw its 34th straight monthly gain, while Ford was the top vehicle maker in Canada and GM rebounded by 12% after several months of decline. Toyota and Honda are also showing outstanding sales of 22% and 16% increases respectively.

Mr. Speaker, our auto sector is going in the right direction; our economy is going in the right direction. It's good news for Ontario workers and good news for all Ontario families.

POWER PLANTS

Mr. Todd Smith: My question is for the Minister of Energy this morning. On Friday, a letter from the CEO of the Ontario Power Authority accompanied the release of 20,000 additional documents about the ongoing scandal in your ministry. In that letter, Colin Andersen states that he informed the clerk of the Standing Committee on Estimates on September 27 that the OPA had additional documents to disclose regarding the Oakville and Mississauga power plants.

When you clearly knew on the 27th, more than two weeks ago, that documents were still outstanding, why did it take you two weeks to do the honourable thing? Why did you allow your colleagues to bring disgrace and disrepute to this Legislature, and when will you end your tenure as the Minister of Energy, do the honourable thing and resign?

Hon. Christopher Bentley: On the 27th, the head of the OPA indicated to the clerk that there was the potential. That's an important fact. The OPA and the public service side of the ministry both conducted a second very extensive search, and within hours of the release of the documents on October 12 they concluded that search.

I want to be very clear: At no point did I tell my colleagues in the caucus or the cabinet—did I tell them, apart from the House leader, who has spoken to this

issue—about the additional search, and at no time did I know what the search came up with. I didn't know the final results of the search until the documents were provided to the House, and I was advised within hours of that happening.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Todd Smith: Mr. Speaker, I would just like to say that the potential has become reality for the Minister of Energy. We don't believe that the CEO and the OPA would inform the Legislature without first informing you, the minister responsible for this agency.

Last week, Minister—I believe it was on Friday—you spoke with the Toronto Star about ministerial responsibility. Do you remember that? And now this morning you're throwing bureaucrats under the bus. That is unacceptable for a minister of this Legislature. You are shirking your responsibility. You can't hide behind these bureaucrats.

You saw our energy critic, the member from Nipissing, stand here after receiving the first tranche of those documents—36,000 of them—reading from whited-out, redacted pages that clearly had cover-ups on them, and a lot of the information was not available.

We're going to hold you responsible. That's our job as the official opposition. On behalf of the people of Ontario, we're going to do this. But I can't believe that you would throw other members of your caucus and other ministers under the bus. The House minister has stood up several times—

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

Minister of Energy?

Hon. Christopher Bentley: To the government House leader.

Hon. John Milloy: I'd like to just spend a second on this concept of ministerial responsibility and quote a very prominent expert. He had this to say:

"The minister is under no obligation to resign for something a civil servant alone has done. This was never what ministerial responsibility meant ... the doctrine of ministerial responsibility, therefore, cannot always mean that a minister must resign for everything that goes wrong in his department."

The member may be interested: That comes from a thesis entitled *Debunking Decision-Making: How Do Governments Decide When Ministers Resign?* It's by one Dr. Rob Leone, the MPP for Cambridge.

1140

ACCESS TO PUBLIC LANDS

Mr. Michael Mantha: My question is to the Minister of Natural Resources. Minister, northerners are upset, and rightfully so. It has been brought to my attention that there are MNR employees who are in the outfitters business. Working for MNR gives them the ability to influence the rules in order to restrict access to crown land.

Subsection 39(1) of the Public Lands Act says: "No person holding an office in or under the ministry and no

person employed in or under the ministry shall, directly or indirectly, purchase any right, title or interest in any public lands either in the person's own name or by the interposition of any other person or in the name of any other person in trust for the person without the approval of the Lieutenant Governor in Council."

Minister, are you prepared to investigate these claims and guarantee equal access to crown land for all Ontarians?

Hon. Michael Gravelle: Indeed we are proud of the very open access that all Ontarians have to crown land. It's actually quite remarkable in terms of the reality of that fact. Certainly, with the kinds of accusations I think you're making, it would be important for you to be providing us with some information in that regard because I stand here quite proudly saying that, compared to any other jurisdiction, Ontarians' access to their crown land is virtually unprecedented. When indeed there are any restrictions put in place, it is indeed for the betterment of Ontarians as well in terms of protecting those natural resources that we hold so dear.

But, indeed, if you have specifics, may I say to my colleague and friend, I'd be grateful if you brought them forward.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Michael Mantha: Again, to the Minister of Natural Resources: Every year Ontarians are restricted from accessing more of our natural resources due to MNR putting up restriction signs and tearing up roads. A two-tier system has been created, and worse still, MNR staff are in the middle of this problem.

People in northern Ontario are saying that MNR staff have purchased or leased crown land. Instead of protecting our natural resources, they are benefiting from that land, and they're setting the rules that leave local residents out and advantage others with greater means to pay.

What is your ministry prepared to do to investigate these claims?

Hon. Michael Gravelle: Again, you're making allegations without being specific. One thing we can say is that Ontarians are extremely fortunate to have a free-use policy where people can enjoy all sorts of family activities on our crown lands, such as hiking, biking, camping and various other things as well. When forestry access roads, for example, are built and companies are no longer accessing them, yes, it's always difficult to maintain them all and keep them safely accessible to everyone. Crown land roads are only closed to vehicles, but they do remain open for Ontarians who want to use them for activities.

Again, if I may, this is not the first time, Mr. Speaker, this particular issue has come up in the House. Other colleagues have brought it up. If, indeed, you're making specific allegations, I think they should be brought forward in perhaps a different fashion, but I'd be grateful to hear you talk about it.

Again, we should be proud of the access that all Ontarians have to crown land here in the province of

Ontario, and we're going to continue to work to see that's the case.

BREAST CANCER

Ms. Tracy MacCharles: My question is for the Minister of Health and Long-Term Care on a very serious health care issue in Ontario. Too many women, and some men, are diagnosed with breast cancer every year—almost 9,000 this year alone. About 80% of women diagnosed with breast cancer are over the age of 50, but breast cancer in younger women is often aggressive and more life-threatening.

I know about this first-hand, Speaker, having been diagnosed with a very aggressive form of breast cancer in 2010, and I'm still under active treatment for that. My constituents in Pickering–Scarborough East, particularly women and families affected by breast cancer, are concerned about this deadly disease and want to make sure the government is taking strong action to combat it.

Minister, can you tell us more about what Ontario is doing to fight breast cancer?

Hon. Deborah Matthews: Thank you to the member for having the courage to talk about her own particular experience with breast cancer and other cancers. It means a lot when women will stand up and talk about their experiences.

Applause.

Hon. Deborah Matthews: The good news is that Ontario has one of the highest cancer survival rates in the world. We're enormously proud of this, but we know there's more we can do. Regular screening and early detection are key to beating this disease.

The Ontario Breast Screening Program has been providing regular breast screening for women in Ontario for over 20 years. It has screened more than 1.1 million women and it has detected over 19,000 cancers. That means 19,000 women got treatment earlier than they otherwise would have, thanks to this program.

But we're going further. We're expanding the program to include high-risk women beginning at age 30. This means 90,000 more screens over three years. Speaker, it means more lives will be saved. More mothers, more daughters, more grandmothers, more sisters will be alive to share life.

MEMBERS' PRIVILEGES

The Speaker (Hon. Dave Levac): The member from Newmarket–Aurora on a point of order.

Mr. Frank Klees: My point of order arises out of the proceedings today. Both the Minister of Energy and the government House leader confirmed for us that, notwithstanding the fact that they had confirmed that all of the documents had been presented further to your order, the clerk was advised on September 27 that in fact there is a strong potential for additional documents to be tabled.

This House—members of this Legislature—was not made aware of that until October 12. I would ask you, sir:

For 15 days, members of this Legislature were not made aware of important information. Notwithstanding the fact that there is no committee to report to, I would have expected—we all would have expected—that you, Speaker, having delegated the responsibility to the House leaders, that at the very least, the House leaders would have been apprised of that important information. I would ask for your explanation, sir.

The Speaker (Hon. Dave Levac): I noticed another point of order. Is it the same?

Interjection.

The Speaker (Hon. Dave Levac): I actually had it in my head and I just had to get it confirmed. If the member's concern is that the Speaker should have dealt with this under my office, the clerk of the committee is responsible for the clerk of the committee and not to report to the House. Therefore, there's nothing out of order in that process, except to say that lately we've been trying to ask the House leaders to work together to provide that information. There's nothing untoward happening, except for clarity purposes, the clerk of the committee reports, and their duty is to the committee itself. What the committee does is it reports to the House, so there's a difference between the two.

Interjections.

The Speaker (Hon. Dave Levac): That's not helpful.

I want to hear this point of order and then I'll come back for the purpose of clarity.

The member from Timmins–James Bay on a related point of order.

Mr. Gilles Bisson: For the record, just a couple of things: At the last release of the documents, because there were no committees that were sitting at the time, it was understood that when the documents would be released to the clerks, the House leaders would be advised. I would have hoped that's what would have happened in this particular situation.

The second part is that it's pretty clear from the comments that we got from the government House leader and others today that in fact they knew there was a possibility of documents not being released. There were documents to be released that they were aware of two weeks ago, and I think that's a pretty serious situation. I would ask the Speaker to ponder that, because it might actually be that this government is in further contempt to what the original motion—

The Speaker (Hon. Dave Levac): At this point what I want to do is to make sure that I have an understanding of this, and I'll walk through this with you. The point that I just explained to the member from Newmarket–Aurora is just that: There would be a difference if this was directed to the Clerk of the House, and the difference between the two is that if there was that happening, then the Clerk of the House would have to immediately make that available, and my understanding is to the House leaders as well. I think there's some minutia here that we have to make sure that we don't go over. I will allow the member from Newmarket–Aurora a supplementary on that.

Mr. Frank Klees: I do understand that. I believe that all of us do understand this. There is a nuance here that is very important, and the nuance is this: We're all aware that the notice was given to the clerk of the committee, but there is no committee in existence, and so the clerk of the committee has no one to report to. We do believe, however—and we stand to be corrected—that the clerk of the committee would have advised the Clerk of the House of that notification. Once the Clerk of the House has that information, we would expect that the Clerk of the House would advise the Speaker, and because of the structure directed by the Speaker, that in fact then the House leaders would have been made aware.

The Speaker (Hon. Dave Levac): I thank you for this, and I'm pleased with the patience everyone is showing in this. I will reserve any other further comment until I evaluate and investigate this to ensure that we're all talking about the same thing so that no one is misunderstanding how the process works within this House and within committees, and under the circumstances that the member described.

The member from Oshawa?

Mr. Jerry J. Ouellette: I believe you answered my question. My question was that during points of privilege, when they're brought forward to the Clerk's desk, those points of privilege are distributed to the other parties to ensure they have the opportunity for rebuttals or understanding of what's being discussed in the House. I believe that was answered, although I would hope you would take it into consideration when you're looking at how this issue is resolved.

The Speaker (Hon. Dave Levac): And I thank the member from Oshawa.

Now I believe it's time for the member for Parkdale–High Park.

VISITOR

Ms. Cheri DiNovo: On a totally different topic, Mr. Speaker, I just wanted to introduce—she just got here—my friend from Salt Lake City, Vivian Dowsett. She's visiting us today.

DECORUM IN CHAMBER

The Speaker (Hon. Dave Levac): Just before we lose any other people, I do have a comment to make. I've been saddened in the last little while by comments made, directed to individuals, and some of the hurtful comments that are being—I'm saddened by it. I think we are above that, and I would hope and remind all of us that we need to encourage each other to stay on the course of comments on policy issues and remove ourselves from personalizing this, which I've heard a few times, even today, from all sides. I ask the members for your forgiveness if I sometimes react strongly on some of those issues, because I am absolutely convinced that we can do all of the things we need to do in this House without becoming personal. I offer you that challenge.

There is no further business. This House stands adjourned until 1 p.m.

The House recessed from 1152 to 1300.

MEMBERS' PRIVILEGES

The Speaker (Hon. Dave Levac): The member from Prince Edward–Hastings on a point of order.

Mr. Todd Smith: Thank you very much, Mr. Speaker. I rise today having given notice that I intend to raise a point of privilege.

The Speaker (Hon. Dave Levac): A point of privilege it is.

Mr. Todd Smith: It's in regard to contempt in accordance with standing order 21(c). In my written summation that I provided to you earlier today, Mr. Speaker, I provided you with a brief summary of the situation before us and will now highlight some of the key points of that summation.

On September 24, 2012, Minister Bentley tabled an attestation to the House attached to 36,000 documents which stated, "The documents attached to this letter comprise all"—and I emphasize "all"—"documents that are responsive to the committee's request regardless of privilege or confidentiality."

On October 12, 2012, after being told by the Premier, countless ministers and parliamentary assistants that all the documents had been tabled, the opposition parties received an email from the government House leader's office advising us that more documents pertaining to the committee's request were being released.

This raises two questions, Mr. Speaker. The first issue that I draw your attention to is that it appears that multiple members of the government could have misled this Legislature. The second issue that I raise is that despite your ruling that the Legislature was entitled to all documents that it requested, documents relevant to the committee's request were still withheld from the Legislature by the Minister of Energy, on behalf of the Ministry of Energy and the Ontario Power Authority.

I'm concerned that some government members' statements could have misled the Legislature regarding the Minister of Energy's compliance with the Speaker's ruling to produce all documents related to the request from the estimates committee that was made back in May.

Back here in the Legislature, parliamentary authorities are unanimous and state that the House may treat the making of a deliberately misleading statement as a contempt. Furthermore, as set out by McGee's Parliamentary Practice in New Zealand, "In order to establish a prima facie finding that a breach of privilege and contempt has occurred, three elements must be present: one, it must be proven that the statements were misleading; two, it must be established that the member at the time knew the statement was incorrect; and three, in the making of the statement, the minister intended to mislead the House." I'm extremely confident that all three elements are present in the case that I'm bringing to your attention today.

First, since September 24, 2012, when the initial set of documents had been tabled, members of the opposition were criticized heavily by government members about our assertions that all the documents had not been tabled. The comments directed at us included some very strong statements from the government House leader when he described the opposition as pursuing “vindictive, gutter politics.”

During the debate on the motion to send the issue to the finance committee, Liberal cabinet ministers and parliamentary assistants insisted that there were no more documents because they’d all been tabled. However, on October 12, 2012, it became clear that these statements were incorrect when 20,000 additional documents were tabled.

Furthermore, in a letter written to the Clerk of the Legislature and attached to the second batch of documents, Colin Andersen, the CEO of the Ontario Power Authority, states, “On the evening of September 27, 2012”—15 days ago—“I notified the clerk of the Standing Committee on Estimates that the Ontario Power Authority potentially had additional records to disclose.”

Serge Imbrogno, Deputy Minister of Energy, also wrote that “after the tabling of the documents I became aware of potential omissions in the ministry’s original search.”

Based on the statements by the deputy minister and CEO of the OPA, it’s evident that the government was made aware of the second batch of documents on September 27, and demonstrates that the comments made by the aforementioned government members after the 27th could have misled this Legislature.

I’d like to highlight two of these statements from the Liberal members. In a press conference held in the legislative precinct that was directed at every member, Premier McGuinty said on October 2, 2012, “The opposition asked for all documents, Minister Bentley released all 36,000 pages.”

Here’s another one: “The Minister of Energy has complied with the request to release the documents; 36,000 pages of documents have been tabled. That work is done; there’s a lot more work to do.” That’s from Deb Matthews, MPP, London North Centre and the Minister of Health and Long-Term Care, on October 1, 2012.

I highlight these quotes because they were made multiple days after the OPA and the Ministry of Energy found out that they had not tabled all of the documents to satisfy the committee’s request.

The second criterion that must be evaluated is whether the member at the time knew the statement was incorrect. All of the quotes highlighted above were said days after the Ministry of Energy and OPA realized that they did not table all the documents requested. The statements made by the deputy minister and CEO of the OPA make it abundantly clear that the government and its members became aware of these new documents on September 27, 2012.

This criterion is further satisfied by Minister Bentley’s and Minister Milloy’s statements to the Legislature this morning when they indicated that they were made aware

two weeks ago that a second search was being conducted by the Ontario Power Authority and the Ministry of Energy. It’s evident that the government was aware on September 27 that all the documents were not produced. Yet, the aforementioned Liberal members continued to make statements advising the House that all the documents had been produced.

The third criterion that must be satisfied is that the member intended to mislead the House. Based on the actions of previously mentioned Liberal members, I respectfully suggest that their failure to inform the Legislature about the incomplete documents demonstrates a direct intention and could have misled this Legislature.

In criminal law, the *actus reus*, also known as the guilty act, includes the omission to act. Premier McGuinty and Minister Bentley, through ministerial responsibility, and the other members, through their duty to speak the truth in this Legislature, had the duty to immediately inform the Legislature that the documents tabled were not complete. Their omission to inform the Legislature about the remaining outstanding documents from the ministry and OPA demonstrates intent and, in my opinion, could constitute a breach of privilege for misleading this Legislature.

The same principles apply to this House that apply to court, and when an attestation is signed saying that all documents are provided or a member states it in the Legislature, it is expected that that be the truth.

I’m also raising concerns that a breach of privilege for contempt of the Legislature has occurred because not all documents, as per your ruling, were provided to the Legislature on September 24, 2012. In your ruling on September 13, 2012, you stated, “The right to order production of documents is fundamental to and necessary for the proper functioning of the assembly.” You went on to say, “The Standing Committee on Estimates was unquestionably entitled to request the documents sought from the Minister of Energy, and in the end the minister had an obligation to comply with the committee’s call for those documents.”

However, despite your clear ruling, the Minister of Energy still did not properly hand over all documents requested by the committee. It’s important that we stop this behaviour immediately as it shows a lack of respect to the Legislature and its members. To stop this pattern of disrespect, I would ask that you also rule on the Minister of Energy’s most recent actions and whether or not they demonstrate a further breach of privilege.

In conclusion, Mr. Speaker, you’re the guardian of the spirit of openness, accountability and transparency in our democratic institution. Any ruling other than a *prima facie* case of a breach of privilege in these instances could inevitably lead to more egregious abuse in this Legislature. Thank you, Mr. Speaker.

The Speaker (Hon. Dave Levac): The member has presented the proper materials, and it is a privilege that has been presented.

I will now turn to the House leader of the third party, the member from Trinity—

Mr. Gilles Bisson: Trinity–Spadina, thank you.

The Speaker (Hon. Dave Levac): Timmins–James Bay.

Mr. Gilles Bisson: The weather might be a little bit better than Timmins–James Bay today.

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Speaker, not with great pride or satisfaction, I get up to speak to this, but this is a rather serious matter. You, as Speaker, have made a decision in this House that documents that are requested by committee members or are requested by this House must be released; those documents have to be made available to all. Under no circumstance is anybody allowed to withhold documents of any type.

As a result of the motion that was passed in this House, the process that we were going through, the government released some 36,000 documents to the clerks of the committees, that were eventually released to the House, the leaders of the opposition parties, saying that this was going to be all of the documents. In fact, we have signed documents from two authorities—the OPA and the Ministry of Energy—that essentially say, “We attest that these are all the documents that exist on this particular issue.” For the better part of two or three weeks in this House, the government continued, through the period of debate on the motion and then through the process of question period thereafter, contesting that there were no more documents.

So if you’re an observer just looking at this thing from the outside, whose word are you going to take? You had the opposition saying there were more documents: “Look, there are holes in the documents, entire parts that are redacted, and emails that point to other documents that don’t exist.” The government, for the period of four weeks, kept on saying that that was all the documents. I remember the government House leader saying something along the line of, “When it’s the minister who speaks the truth, then it’s the truth. In other words, all the documents are there.”

Well, here we are. As of last Friday we found out, first of all, that in fact there were more documents that were being released to the clerk of the estimates committee, that were documents that should have been released initially and, for whatever reason, were not released and were now being released at that time.

We then came to the House this morning, and I was a bit surprised and taken aback when I listened to the government House leader make the point that he knew two weeks ago there was a possibility that there were some documents that were not released at the time of the original release. It seems to me, Speaker, that if the government House leader knew there was a possibility that more documents would be released, then cabinet knew, and if cabinet knew, for sure the Premier of this province knew. There should have been a requirement upon them—because of your ruling—to say, “Listen, there is a possibility more documents will be released. Therefore, we’re going to advise the House, or advise the clerks, or advise the Speaker that in fact we think there might be more documents coming. Stay tuned; we’ll let

you know.” That’s not what happened. The government House leader said, “I knew two weeks ago there were possibly more documents.” Not until those documents were eventually released did the government finally get up and do a mea culpa this morning and say, “Oh, my God. There were more documents. Sorry. We didn’t know.”

It seems to me, Speaker, where we’re at is, the fact of the government knowing there was a possibility that documents existed that weren’t released should have been made public. That should not be information that the government House leader or the government should have sat on and said, “No, I’m not going to give it,” because your ruling was quite explicit—and rulings of previous speakers: Any committee in this House has a right to those documents. The fact that the government knew for two weeks there was a possibility of more documents that were there, it seems to me, says they should have made that information known. I think on that basis you should take a look at this particular—

Interjection.

Mr. Gilles Bisson: I’m very glad the minister of—what’s her ministry?

Interjection.

Mr. Gilles Bisson:—corrections is an expert on this.

I just want to finish on this point, Speaker: The fact is, the government knew there was a possibility that more documents were to be released. The fact is, the government did not advise the clerk of the estimates committee, did not advise the clerk of the finance committee that was constituted at that point, did not advise anybody from the government side that there was a possibility of those documents. Somebody else had to do it, and then the government finally had to come clean. I think, with that, you need to take a look at this particular point of privilege and decide in fact if the scope of the current committee would have to be expanded.

The Speaker (Hon. Dave Levac): Government House leader.

Hon. John Milloy: Thank you, Mr. Speaker. I’m pleased to take this opportunity to respond to the member for Prince Edward–Hastings’ point of privilege, which includes both his written statement which was filed with your office this morning and oral submissions that he just delivered in this House. I’d like to notify you and the House that the government will also be filing detailed written submissions with you and would ask that you take these into consideration as a part of your deliberations. As is the practice, they will, of course, be shared with the opposition.

I’d also like to provide a brief oral submission to you at this time. The Minister of Energy and I rose on a point of order this morning to correct our respective records with respect to a series of statements we made in the House in and around the tabling of documents on September 24, 2012, in response to a motion passed by the Standing Committee on Estimates on May 16, 2012.

As you know, on September 24 approximately 36,000 documents were delivered by the Ministry of Energy and

the chief executive officer of the Ontario Power Authority to the clerk of the Standing Committee on Estimates and the Clerk of the Legislative Assembly. It was the government's understanding at that time that all documents that were responsive to the motion passed by the Standing Committee on Estimates on May 16, 2012, had been delivered. This was evidenced by the content of the attestation letters from the Minister of Energy and the CEO of the Ontario Power Authority that accompanied the 36,000 documents.

On this basis I, along with the Minister of Energy and a number of other members of the government caucus, made statements in the House to the effect that all documents that were responsive to the committee's motion of May 16, 2012, had been produced. The statements were made during the course of question period and debate on the motion moved by the member of provincial Parliament for Cambridge in relation to your ruling of September 13, 2012, and your statement in the House on the morning of September 15, 2012.

Approximately two weeks ago, the minister was notified that officials at the Ministry of Energy and the Ontario Power Authority would be undertaking a second search because they had determined there was a possibility that some documents had inadvertently been missed in their initial search. I also understand that the CEO of the Ontario Power Authority, of his own volition, notified the clerk of the Standing Committee on Estimates that it was possible that an additional package of documents would be forthcoming. From this point in time until the end of last week, officials at the Ministry of Energy and the Ontario Power Authority directed and executed the secondary search. There was no political involvement in this search.

Late last week, the Minister of Energy was advised that the ministry and the Ontario Power Authority had identified, and would immediately be delivering, an additional package of responsive documents to the Clerk of the Legislature.

Mr. Speaker, as was stated in the House this morning, I, along with the minister and other members of the government caucus, shared the honest belief at the time the impugned statements were made that all documents had been produced to the Legislature on September 24, 2012. On this basis, the minister and I corrected our records at the earliest opportunity in advance of question period this morning.

Any of the relevant incorrect statements that were made in this House were made advertently and unintentionally by the minister, me and other members of the government caucus referenced by the member for Prince Edward–Hastings in his written statement. As the member has identified in his letter, the test you are to apply in order to find that a prima facie breach of privilege exists in relation to an alleged attempt to deliberately mislead the House sets a very high threshold indeed.

There are two key components to a point of privilege related to an allegation of misleading the House. First, the member making the statement must know at the time

that the statement was incorrect. Secondly, the member must have deliberately intended to mislead the House. It is respectfully submitted that neither of these components have been made out. In your ruling of March 29 this year, you confirmed this very point when you said, "The standard of proof demanded is the civil standard of proof on a balance of probabilities but, given the serious nature of the allegations, proof of a very high order."

In the absence of an admission from the member accused of the conduct, there must be clear and tangible evidence of an intention to mislead the House. In the absence of such evidence, a Speaker must assume that no honourable members would engage in such behaviour or that, at most, inconsistent statements were the result of inadvertence or an honest mistake. No admission has been made and no evidence has been presented as to any intention to mislead the House—

Interjections.

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

Hon. John Milloy: In fact, both the Minister of Energy and I stood on points of order earlier today to clarify their earlier statements.

I would respectfully submit that this is a clear indication that any earlier statements were honest mistakes. As the Speaker found in his March 26 ruling, attempts by a member to correct the record are taken into account in assessing whether the point of privilege has been made out. I would also point out that the Speaker was clear in his ruling that such attempts to correct the record are not to be taken as evidence of any strategy or intention to mislead the House.

The member for Prince Edward–Hastings included a list of other members of the governing party he alleges to have intentionally misled this House. Those individuals had no personal knowledge of these facts and were simply repeating in good faith assertions that had been made by the Minister of Energy. Again, these statements were, at most, a result of honest mistakes.

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In the absence of any evidence that these members had any personal knowledge of the potential inaccuracy of those statements, and in the absence of any evidence of a clear intention to deliberately mislead the House, I would respectfully submit that no point of privilege has been made out.

As I indicated at the beginning, Mr. Speaker, I will be sharing with you a further written submission on this matter and, of course, as is the tradition and practice of this House, sharing it with the opposition members as well.

The Speaker (Hon. Dave Levac): The member for Leeds–Grenville.

Mr. Steve Clark: I want to supplement the point of privilege by the member for Prince Edward–Hastings, especially after what the government House leader has just said.

I want to draw to your attention a case of parliamentary precedent from 2002, when a former Speaker of this Legislature, the Honourable Gary Carr, set out param-

eters for finding a prima facie case of contempt related to a charge of misleading the House. In his ruling on June 17, Speaker Carr stated that to satisfy a charge of contempt for misleading the House, there must be “an admission from the member accused of the conduct, or of tangible confirmation of the conduct independently proved.”

In this case, the tangible confirmation is the letters from the OPA CEO and the Deputy Minister of Energy, where they state very clearly that after tabling the documents, they found more documents that were not released. As such, these letters clearly demonstrate the tangible confirmation that the government knew on September 27 that all the documents were not tabled on September 24.

The Speaker (Hon. Dave Levac): The member for Kitchener–Conestoga.

Mr. Michael Harris: I also wish to rise on the point of privilege by the honourable member for Prince Edward–Hastings. Contained within the documents are various references to one Mr. David Livingston. Mr. Livingston is the Premier’s chief of staff. However, before Mr. Livingston was the Premier’s chief of staff, he was assigned as a senior bureaucrat to the Ontario Power Authority, one of the main producers of these documents. It should be noted that in the government’s initial partial release of documents, there were countless emails from Mr. Livingston that were, in fact, missing.

What does this mean with respect to the honourable member’s point of privilege? Well, it means that Mr. Livingston, as the Premier’s most senior political adviser, his chief of staff, who no doubt signed off on the release of the original 36,000 documents, must have known, or at least ought to have known, that the documents and emails he authored while at the Ontario Power Authority were, in fact, missing.

This means that the Premier’s chief of staff, potentially unknowingly, sent the Premier out in public to his infamous crocodile-tears press conference and allowed the Premier to once again—publicly and in the House—suggest that all documents were tabled when in fact they were not. This means that the chief of staff to the Premier likely informed the Premier himself that documents he tabled were, in fact, not complete.

I’d like to add those comments to the point of privilege of my colleague from Prince Edward–Hastings.

The Speaker (Hon. Dave Levac): Further comment, the House leader from the third party, the member for Timmins–James Bay.

Mr. Gilles Bisson: Thank you. I get a second try because of that.

I’m not going to go very long. I just want to make the point, because I think it needs to be made, that the test is, you must knowingly make a statement that is misleading in order to be found in contempt; in other words, you have to be of knowledge.

I think the point here is that the government knew for two weeks, at the minimum, because this is what we get from the statement from the government House leader:

“Approximately two weeks ago, I was notified that officials at the Ministry of Energy and the Ontario Power Authority would be undertaking a second search because they had determined that there was a possibility that some documents had been inadvertently missed in their initial search.”

It raises the question that they then knew there was actually a possibility of other documents being in existence. It seems to me that your ruling was quite clear: The House and the committees are within their rights to have documents, and that includes, if there’s a possibility that documents were available, that fact should have been made known to the House so that everybody had the same knowledge. In this case, the government decided to withhold, in case maybe they could get by and not have other documents—who knows what was going on in the background? But the point is, they knew there was a possibility of documents and did not inform this House, Mr. Speaker, and I think that is a very serious offence of parliamentary privilege.

The Speaker (Hon. Dave Levac): The member from Lambton–Kent–Middlesex.

Mr. Monte McNaughton: Thank you very much, Speaker. I wish to rise on another point related to this point of privilege as well.

I want to quote from volume 145, section 133, from the third session of the 40th Parliament of Canada, and I quote from Hansard. I quote the federal Liberal member from Scarborough–Guildwood. Again, I am quoting a Liberal.

“Mr. Speaker, if I lie to you or mislead you in a personal relationship, an apology may well suffice, assuming no further harm. However, if you were a judge sitting in a court and I lied to you, there would be consequences regardless of an apology. It is called perjury. I may even go to jail because we have the highest expectations that truth be told in court; so also in Parliament and before a parliamentary committee.”

Speaker, while I cannot say some of these words in this House, the Liberal member from Scarborough had a point. When he was speaking on a point of privilege to a matter of a federal minister misleading the House, these words ring true. Interestingly, if you have numerous members of caucus and numerous members of the cabinet speaking and all saying clearly, in an orchestrated manner, and all suggesting that all documents have been tabled, clearly it is a major problem. It is not only a major problem with respect to the facts; it is a major problem with respect to how information is communicated to this House.

All members are considered honourable, and while this debacle has been blamed on bureaucratic mistakes, it is clear that these matters are orchestrated. If something is orchestrated, Speaker, it is deliberate. If the Premier’s chief of staff knew about this information, it necessarily follows that the Premier himself knew. That means if the Premier knew, so did his cabinet. If the cabinet knew, then so did the entire Liberal caucus.

Interjections.

The Speaker (Hon. Dave Levac): Order.

Mr. Monte McNaughton: There can be no other conclusion that this House is being misled, and I call on you to find a prima facie breach—

Interjections.

The Speaker (Hon. Dave Levac): Order. While I'm asking for some patience and some quiet during this particular and serious issue, it's going both ways. So let's all just tone it down.

Before I do continue, there has been some language used that is inadvertently there, simply because of the very nature of this particular request. I would also say that it does not allow other comments being made that I'm starting to hear and I will deal with immediately. So keep the heckling down; keep the language proper.

The member will continue.

Mr. Monte McNaughton: Thank you, Speaker. I am just going to conclude.

There can be no other conclusion that this House has been misled, and I call on you to find a prima facie breach of privilege, Speaker, in this case. Thank you.

The Speaker (Hon. Dave Levac): On the same issue, the member from Simcoe–Grey.

Mr. Jim Wilson: Briefly, Mr. Speaker, I think anyone who has gone through even the original 36,000 documents would realize, as we pointed out time and time again in this House—and we presented blank documents, whited-out documents, blank pages, blank charts; hundreds and hundreds of pages. Anybody since the time the original documents were dumped, all 36,000—anybody looking at them—it would be self-evident that we didn't get all the documents.

Therefore, I submit to you, Mr. Speaker, that in every case, whether it be a parliamentary assistant or a minister, in this House when they said they had presented all the documents, they were misleading this House, because it was quite evident, if you looked at the original pile—emails ended halfway through emails; charts were missing; no correspondence from any politicians in the original batch whatsoever; nothing from the Premier's office; no senior political aides in the original batch.

I submit, Mr. Speaker, that the second batch, a tranche of 20,000 documents, is worse. They've clearly gone through those with even more of a fine-tooth comb, and rather than taking out entire paragraphs, they sneakily go along and you find that every fifth word is missing in some of these emails or selected words are whited out in these emails.

So, right from the very beginning, Mr. Speaker, everyone who spoke on that side of the House, on the government side of the House, who said to us that we had all the documents, was misleading this House.

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The Speaker (Hon. Dave Levac): The same issue?

Mr. Victor Fedeli: The same issue.

The Speaker (Hon. Dave Levac): The member from Nipissing.

Mr. Victor Fedeli: Thank you, Speaker. When we now look at the date that the House leader has told us that

they first became aware of the documents—let me read directly from Hansard some comments made after the date was disclosed that they knew more documents were coming. The Minister of Labour: “The documents in their entirety have been provided to this Legislature.” The Minister of Health and Long-Term Care: “The documents have been tabled. That work has been done.” The member from Don Valley East: “We have complied with the Speaker's orders and we've handed over over 36,000 pages of documents....” The member from Windsor West: “They ask for documents; they receive documents.... Details are in the large number of documents that have been released.” The member from Ottawa–Orléans: “You have your documents.... He has met the requirements as established by the Speaker....” The member from Ajax–Pickering: “We believe in accountability to those we serve and we take full responsibility for decisions we make.” I'll go to the member from York Centre: “The opposition received all 36,000 pages of documents that complied with their request.... The request of this committee for these documents has been satisfied; the matter should be over.” The Minister of Community Safety and Correctional Services: “We sent 36,000 pages of documents—so they have it....” The member from York West: “Having provided all the documentation.... We have delivered—the minister has delivered—what they were looking for.” The member from Mississauga East–Cooksville: “The opposition received all 36,000 pages.... The request of the committee ... has been satisfied.... These documents were provided to the committee.” The member from Scarborough Southwest: “He released the documents.... They were released.... The documents were all put forward.” The Minister of Energy basically said, “These are honestly all the documents I have. These are the documents I have.” He signed a letter saying, “These are the documents I have in my possession. I think the documents are there. The information has been released.” The member from Richmond Hill—

The Speaker (Hon. Dave Levac): Member, I would like you to get to your point because now we're starting to duplicate those issues. If you have any written submissions that just tell me those quotes, then I would take them as well. We need to sum up.

Mr. Victor Fedeli: Thank you, Speaker. The point, of course, is the fact that they have now told us that they knew 15 days ago that there were additional documents yet speaker after speaker after speaker stood and told us, “You have all the documents.” That's the point I'm making.

The Speaker (Hon. Dave Levac): On the same point of order?

Mr. John Yakabuski: Thank you very much, Mr. Speaker—

The Speaker (Hon. Dave Levac): Just for clarity, is it on the same point of order?

Mr. John Yakabuski: Yes, the same point of order.

The Speaker (Hon. Dave Levac): If it is, I would ask you to be brief and to your point.

The member from Renfrew–Nipissing–Pembroke.

Mr. John Yakabuski: Thank you very much. What has been raised here today by my colleague from Prince Edward–Hastings is a motion of breach of privilege and the fact that this House was misled by members of the government. That is in fact what we—

Interjections.

The Speaker (Hon. Dave Levac): Order. I would ask everyone just to bring it down a bit. I have already indicated that there are going to be moments in which this is going to be discussed in this manner because of the very nature of this issue—but I would like that to be simply mentioned and move on without the interruptions.

Mr. John Yakabuski: Thank you, Mr. Speaker. I don't know why they get so upset; I guess they're a little sensitive about it. But they have to understand that what is in fact being levelled against them here is that members of their cabinet, members of their government, of their caucus, have misled this House. Now we have the evidence of the statements they've made to the Legislature.

I further say, Mr. Speaker, that I subscribe to the conspiracy theory that this was completely orchestrated to try to minimize the amount of information that the opposition would have access to. In fact, on October 2, the day of the vote on the original motion, the Premier basically threw himself on the mercy of the court, as they say, hoping that people would change their minds and not proceed with this motion.

I contend that had that plea been successful, we would not be seeing any more of this new information. It is only because we, as an opposition—and I thank our fellow members in the third party—stood strong and said no to that plea that, as a result, the government then had to go back to their reading rooms and their thinking rooms and say, “You know what? We didn't win that battle. Now I guess we're caught. We're going to have to go back to the folks at the OPA and the folks in the Ministry of Energy and we're going to have to actually reveal more documents, because we never intended to table these additional 20,000 pages. We were hoping we could appeal to these people in this House and get away with it like we've been getting away with it for nine years.”

But on October 2, in front of the press out there, the Premier in his press conference repeated that all the documents had been turned over—repeated more than once that all the documents had been turned over.

I find it pretty rich to believe and expect that a Minister of Energy or the head of the OPA would be aware of facts that potentially would lead to more documents and would not have informed the Premier and/or the Premier's office. There is a lot more here that needs to be investigated, and that's why this motion of privilege should be adopted by the Speaker.

The Speaker (Hon. Dave Levac): I thank all the members for their contributions, and now I'm beginning to hear the same over again.

I will take under consideration—first of all, I thank the member from Prince Edward–Hastings for his submission, and I thank all the members for their contribu-

tions. I will allow, which we always do, any other written submissions that need to be heard to make my decision, and I would hold that until I have enough time to seriously evaluate this issue.

It is now time for members' statements.

MEMBERS' STATEMENTS

D.J. KENNINGTON

Mr. Jeff Yurek: I'm proud to stand and recognize a remarkable accomplishment by one of my constituents from St. Thomas. D.J. Kennington came into the final race of the NASCAR Canadian Tire Series on September 22, needing only a 24th place finish to claim his second series championship title. This proved to be no trouble for the talented driver, as he brought home his number 17 Castrol Edge Dodge in first place at the Pinty's 250 held in Kawartha, Ontario.

This capped a record-setting season for D.J. This final race marked his seventh win of the season, breaking the record for most wins in a season previously set by Andrew Ranger in 2009.

Kennington accomplished another record-breaking feat by winning five consecutive races. Those wins occurred at the Canadian Tire speedway, Delaware Speedway in London, MotoPlex Speedway in BC, City Centre Airport in Edmonton and Riverside speedway in Nova Scotia.

We in Elgin–Middlesex–London could not be more proud of how well D.J. has represented our community across the country. I congratulate him and his pit crew and wish them luck for next year. I also want to wish him well in his upcoming role as a new father, as his wife, Jaime, is pregnant with their first child.

WOUND CARE

Ms. Cindy Forster: Mr. Speaker, a resident and her family from my riding are baffled by the fact that post-surgery wound care treatment strongly recommended by a Toronto surgeon is available to Toronto patients from the CCAC in Toronto but not to patients in the Niagara region, through the HNHB CCAC.

Alexis MacLean and her husband called me and told me that the Niagara branch of the CCAC told her that the wound care treatment she needs is simply not a service that is available in Niagara, and that she would have to rely on conventional dressing care that requires the use of antibiotics. She was also told that the problem with this treatment is that it will take substantially longer than the recommended medical treatment to heal her wound.

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I'm sure the dedicated RNs and health care professionals at CCAC Niagara are aware of this inconsistency. However, geography, resources and funding seem to be the driving forces for what is available to the people of my riding, and that is simply wrong.

I would ask the Minister of Health to please review the situation and critically assess CCAC services in Ontario. Health care dollars need to be applied appropriately and consistently for the treatment of the people of Niagara using the CCAC, as well as other people in the province.

SENIORS' INFORMATION EXPO

Ms. Tracy MacCharles: A few weeks ago, I held a 50-plus information expo in conjunction with my federal MP, working in a non-partisan way in the interests of our constituents. It was a wonderful expo, with lots of great presentations and information for everyone.

On the second day of the expo, our Central East LHIN CEO, Deb Hammons, provided the audience with a very detailed summary of the investments the LHIN has made to improve the lives of seniors in my riding of Pickering–Scarborough East and across the entire Central East LHIN. These investments include more assisted living spaces for high-risk seniors, with 24-7 on-call support; geriatric assessment and intervention network clinics for our largest hospitals; restorative care programs in our hospitals, so that seniors can regain their ability to care for themselves and return home safely; and the LHIN's nurse practitioners supporting teams, which avert transfers to the ER by placing highly skilled nurse practitioners in the community to support their colleagues in local long-term-care homes.

My constituents appreciated this opportunity to hear from our local LHIN about the great work they are doing, in partnership with local health service providers, to improve and transform our health care.

I'm very pleased that the LHINs are being held accountable to provide these services and the investments they're making, and that monitoring is being done.

I'm very proud to share this information today in the House.

BULLYING

Ms. Lisa MacLeod: A year has passed, today, since Jamie Hubley passed away from suicide as a result of bullying. In many ways, things have changed in the last year, and in other ways they haven't.

I think many of us read with sadness, in the last week, about Amanda Todd, a young British Columbian who took her life.

We also look to our federal colleagues, who are now addressing this very issue today in debate.

As Allan Hubley, Jamie's father, said to me earlier today, it's no longer sufficient just to pass laws and to fund further studies. We need to do something about this to give our children hope. We need to stand up. We need to speak.

It compels me to read into the public record today an article from a reporter who used to live in Ottawa, who is now with the *Globe and Mail*. Carly Weeks says, "It's time to recognize bullying is not about a headline or an isolated incident or a tragedy you heard on the news. It is

a problem that affects all of us. There are bullies. There are victims. And there is everyone else watching from the sidelines. It's time for us to take a long look in the mirror. It's time to speak up, say something, and refuse to be the complicit bystander."

I urge all members of this assembly to have conversations in their own community about what we can be doing as parents, as members of this assembly, as neighbours and as friends to simply not be bystanders, but to speak up and to stand up.

EVENTS IN KITCHENER–WATERLOO

Ms. Catherine Fife: This past week, I had the opportunity to celebrate the 44th Oktoberfest in the region of Waterloo, in addition to meeting with many constituents.

This famous festival continues to grow. It attracts thousands of visitors, creates new jobs and continues to generate economic activity throughout the region. At last count, over \$21 million was brought into the region, in addition to \$1.5 million towards not-for-profit organizations and charities. This annual celebration recognizes and shares Kitchener–Waterloo's unique cultural heritage with Ontarians from across North America.

Each year, we also celebrate German Pioneers Day, which provides an opportunity to reflect on the foundations of our community and to remember who worked hard to help make our cities places to be proud of.

At the Oktoberfest parade, for instance, we raised over 15,000 pounds of food for the food bank—we shouldn't need food banks, but we do—and we also raised over \$15,000 that day.

I'm proud to be part of the Kitchener–Waterloo community and indeed proud also to celebrate the 100th anniversary of the city of Kitchener, founded as Berlin.

Kitchener has undergone many important changes, but its roots as a German community still show in outdoor markets, German clubs and our Oktoberfest celebrations.

Congratulations to the Oktoberfest planning committee and the over 2,000 volunteers who made this festival safe and successful for Ontarians and the broader community at large. Prost!

YOUTH SERVICES

Mrs. Laura Albanese: In response to the incidents of violence that took place this past summer in Toronto, our government has come forward with the implementation of a youth action plan. I was pleased to welcome the Minister of Children and Youth Services, Dr. Eric Hoskins, to my riding of York South–Weston last Thursday. He announced at our very own Jane Street Hub that the province will be adding 35 youth outreach workers across Ontario to help young people make positive choices and stay on track.

The youth action plan has sparked an ongoing dialogue with youth in our province. Just this past weekend, I participated in a round table organized by the Toronto Youth Cabinet, and in my riding I co-hosted a town hall

meeting at the end of August, bringing together our three levels of government and special guest MPP Michael Coteau, community organizations and youth to discuss youth services and crime prevention.

I want to thank everyone who took time out of their busy schedules to come out and share their thoughts on how to keep our community safe by helping young people find jobs and succeed.

Mr. Speaker, every young person in our city and our province has the potential to contribute in a positive and productive manner in their community. Every young person must feel valued and be valued. We all have a responsibility to ensure that our youth have access to the right supports and the right opportunities so they can make positive choices and reach their full potential.

NORTH GRENVILLE DISTRICT HIGH SCHOOL

Mr. Steve Clark: It's a privilege today to add my voice to those in Kemptville and North Grenville celebrating the official opening of the community's new high school. Unfortunately, I can't attend Thursday's ceremony at the new North Grenville District High School, just a few short weeks after the school's doors swung open for the first time to welcome grade 7 to 12 students.

This special event also marks the end of a very long and often trying journey for teachers, parents, municipal officials, community leaders and the Upper Canada District School Board. More than a few times, I'm sure, many of them wondered if they would ever see such a celebration. I know this because as executive assistant to the former Leeds–Grenville MPP, Bob Runciman, I was involved with a number of meetings with these community groups as they moved forward. I can recall vividly emails, meetings, seminars and discussions about this. I have to tell you, Speaker, I admired their tenacity as they fought to convince decision-makers that Kemptville and their former high school, although very grand, just simply no longer served the community in that capacity.

There are so many who deserve credit for the opening of the school, which will allow teachers to deliver a first-class education to students in a safe, accessible and technologically advanced setting.

Today, like the bricks in the new school's walls, everyone who played a part should be very proud to know they are part of something greater than themselves. On behalf of today's students and tomorrow's, I want to join all in North Grenville in celebrating today.

RUSH

Mr. David Zimmer: As rock 'n' roll fans know, last night the band Rush played their first of two hometown shows at the Air Canada Centre.

I want to congratulate Rush on their nomination to the Rock and Roll Hall of Fame in Cleveland.

Here's the scoop: Rush was formed 44 years ago by Alex Lifeson and Geddy Lee in my riding of Willowdale. Their rise to fame began when they started playing as a high school band in the local high schools in Willowdale: A.Y. Jackson and Drewry Secondary School. Then Neil Peart joined them and they went on to record 24 gold records, selling 40 million albums.

This summer, Rush released their 19th studio album, *Clockwork Angels*. Critics have called it their very best in years, Speaker.

1350

And it gets better. This time, for the first time, rock 'n' roll fans can vote on who they think deserves to be inducted into the hall of fame, so I want everybody here and all rock 'n' roll fans to get out and vote for Rush, because as Geddy's maxim goes in his song *Free Will*: "If you choose not to decide, you still have made a choice."

For my constituents and for Rush fans all over the world, and especially my constituents in Willowdale, and indeed all members of this Legislature—congratulations to Willowdale's great rock band, Rush.

Interjections.

The Speaker (Hon. Dave Levac): I can't resist one of my favourite bands. I'll send the Hansard to Rush to say that there was heckling going on. My goodness gracious. Good-hearted, I hope.

Mr. John Yakabuski: Point of order.

The Speaker (Hon. Dave Levac): No, no, not now. I get to do those; you don't.

SCOTIABANK TORONTO WATERFRONT MARATHON

Mrs. Christine Elliott: It's a pleasure to rise today to speak about an amazing event that happened here in Toronto yesterday. The Scotiabank waterfront marathon attracted over 24,000 participants from across Ontario and indeed from around the world. There were 4,000 people registered for the marathon, 10,000 people for the half-marathon and the rest ran the five-kilometre run.

Even though the weather wasn't the greatest, the air was filled with good cheer and optimism. That was because the Scotiabank run allows you to raise money for your favourite charity, and many groups were represented, from children's aid to autism groups, children's treatment centres and many more. So far, a total of \$2.6 million has been raised, with more to come because pledges can be collected until the end of October.

I had the opportunity to get involved to raise money for one of my favourite charities, the Abilities Centre, Durham, and managed to complete my first half-marathon. It wasn't pretty, and I wasn't the fastest, but I managed to finish in two hours and 22 minutes. But more importantly, our team was able to raise over \$15,000 for our charity. The Abilities Centre is a 125,000-square-foot sports, recreation and arts facility for people of all abilities, promoting inclusion for everyone, and recently it was announced that it is going to be a preferred venue

for the Parapan American Games when they come to Toronto in 2015. The Abilities Centre is on the map.

In closing, I'd just like to thank Scotiabank for putting on this run. It was a great act of corporate social responsibility and a great day for all.

The Speaker (Hon. Dave Levac): I was able to preempt a point of order with that one.

INTRODUCTION OF BILLS

PROTECTION OF PUBLIC PARTICIPATION ACT, 2012

LOI DE 2012 SUR LA PROTECTION DU DROIT À LA PARTICIPATION AUX AFFAIRES PUBLIQUES

Mr. Naqvi moved first reading of the following bill:

Bill 132, An Act to encourage participation on matters of public interest and to dissuade persons from bringing legal proceedings that interfere with such participation / Projet de loi 132, Loi visant à favoriser la participation aux affaires d'intérêt public et à dissuader quiconque d'introduire des instances judiciaires qui entravent une telle participation.

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

First reading agreed to.

Mr. Yasir Naqvi: The bill enacts the Protection of Public Participation Act, 2012. The new act authorizes a defendant in a proceeding to bring a motion for dismissal if the proceeding is in respect of a communication or conduct that involves a matter of public interest. The act sets out the test to be considered by a court or tribunal when considering whether to dismiss the proceeding, rules regarding the payment of costs, the procedure to be followed when such a motion is brought, and a right to appeal. In addition, the act includes rules relating to the suspension of related proceedings and qualified privilege.

The bill also amends the Statutory Powers Procedure Act to provide that, except in specified circumstances, applications for orders to pay costs must be made in writing.

STATEMENTS BY THE MINISTRY AND RESPONSES

ECONOMIC OUTLOOK AND FISCAL REVIEW

PERSPECTIVES ÉCONOMIQUES ET REVUE FINANCIÈRE

Hon. Dwight Duncan: I rise to present the 2012 Ontario Economic Outlook and Fiscal Review. Monsieur le Président, j'ai l'honneur de vous présenter le document Perspectives économiques et revue financière de l'Ontario de 2012.

I do so at a time when Ontario families are still feeling the effects of the global recession. The world continues to confront challenges brought on by an uncertain economic environment. A number of European economies have fallen into recession, and the situation remains volatile. In many other places, government debt levels are enormous and eclipse those here in Ontario and Canada. The economic recovery in the United States, our largest trading partner, has been slow and burdened by high unemployment. Slowing growth in emerging market economies adds to the global insecurity.

Ontario is directly affected by the changing global economy and the uncertainty that comes with that change, which is why our government is taking strong, determined action for Ontario's economy and job creation. I am pleased to update Ontarians on how the strong action taken by the McGuinty government is working. Les mesures décisives prises par le gouvernement McGuinty sont efficaces. The strong action taken by the McGuinty government has confronted the challenges facing Ontario leading up to and through the global recession. We overcame those challenges by working together. When I say "we," I mean all Ontarians together.

Before the recession, we rebuilt our schools and hospitals after years of neglect by the previous government. Now we have one of the best-educated workforces in the world to compete in the global marketplace of ideas, of products and of services, and a better health care system to help the ones that we love.

Working together, we rebuilt our electricity system because it was aging and unreliable. Now it is stronger, with over 10,000 megawatts of new and refurbished capacity to support our growing economy.

The McGuinty government eliminated the hidden deficit that that party and their government left to this government, Mr. Speaker. Then we balanced three budgets in a row before the global recession hit.

In 2008-09, the global economy experienced its largest downturn since the Great Depression. It affected everyone around the world, people in both advanced and emerging market economies. Again, Ontarians took action to weather that world-wide economic storm, to keep people at work in existing jobs or to put them back to work in new jobs. To do that, the province invested substantial stimulus into the economy. We invested in the auto sector. We invested in forestry and mining. We made considerable infrastructure investments to turn aging infrastructure into opportunities for growth. Ontario took strong action to keep literally hundreds of thousands of people at work. We reformed an outdated tax system to make Ontario more competitive. Now Ontario is one of the most attractive places for businesses to invest, and that investment creates jobs.

Ontarians took strong action during turbulent times to turn the corner on the global recession, to keep our economy on the right track, to create good jobs for people and to build a shared prosperity for current and future generations of Ontario families.

Like many places around the world, Ontario's economy is growing steadily, yet more modestly than we

would like. The province's economic and job growth have both fully recovered to pre-recession levels. Since the bottom of the recession, Ontario's real gross domestic product has increased by 8.1%, and more than 350,000 net new full-time jobs have been created. Since 2003, Ontario has created 565,600 net new jobs. That means an average of 5,200 per month every month, or approximately 172 jobs every day. Business investment in machinery and equipment, which increased almost 19% last year, is a key driver of Ontario's economic growth.

1400

Mr. Speaker, the facts are clear: There is no place better positioned to grow and take advantage of new opportunities than Ontario is, sir.

Il n'y a pas de meilleur endroit que l'Ontario pour prendre de l'expansion et profiter des nouvelles occasions.

Eliminating the deficit is the single most important step the province can take to grow the economy and create jobs. Our government is on track to eliminate the deficit. For the fourth year in a row, Ontario is ahead of its targets in lowering the deficit.

Pour la quatrième année de suite, l'Ontario devance ses objectifs de diminution du déficit.

We are prudently managing growth in program spending while protecting jobs and public services. Last year, program spending in Ontario grew by less than 1%. That marks the second-lowest rate of growth in program spending in Ontario in a decade. On average, over that decade, Ontario's growth and program spending has been roughly the same as that of the federal government.

Our government is taking strong action because we know that the status quo is not an option. We know that eliminating the deficit will make the economy stronger. We will continue to strengthen and support job creation and protect the schools and health care that Ontarians value. The strong action taken by the McGuinty government is working, yet the fact remains, there is still more to do.

Ontario has made and continues to make important investments in public services. In recent years, when economic growth was robust, these investments included fair pay increases for our public sector workers. We value the important work that public sector workers do for Ontario families, and we want to protect their jobs and the important services that they provide.

One fact keeps things in perspective: More than half of what government spends, over \$55 billion, goes to wages and benefits for employees in the broader public sector. Given the deficit and ongoing economic uncertainty, Ontario faces a very clear choice: Restrain wages and benefits or lay off thousands of hard-working Ontarians, the people who provide the public services relied on by Ontario families. It is fair and reasonable to ask all of our government workers to take a two-year wage freeze so that we can protect public services and, more importantly, save public sector jobs. MPPs are in the middle of a five-year wage freeze.

We recently passed legislation to protect the gains we have made in education. The Putting Students First Act,

2012 is based on an understanding reached with 55,000 teachers after 300 hours of negotiations that took place over six months. Over the next two years, it would support savings of \$2 billion to taxpayers and protect nearly 20,000 jobs in education, both in the classroom and in educational services.

Mr. Speaker, our doctors are back at the negotiating table to help us meet our targets and better serve patients. Just recently, a government union of 10,000 employees has reached a tentative agreement that includes a two-year wage freeze.

Now we want to work with the almost half a million more government workers to negotiate similar agreements. Three weeks ago, I proposed the Protecting Jobs and Public Services Act for consultation. This draft legislation proposed our preferred approach to keep people working and protecting public services. It would protect the jobs of some 55,000 Ontarians and help avoid increased spending in the public and broader public sectors of \$2.8 billion over three years.

Ce projet de loi protégerait les emplois de 55 000 Ontariennes et Ontariens, et éviterait des hausses de dépenses dans les secteurs public et parapublic de 2,8 milliards de dollars sur trois ans.

This is a minority Parliament, as we all know, so the government needs the support of one of the opposition parties.

Interjections.

The Speaker (Hon. Dave Levac): Order.

Hon. Dwight Duncan: Mr. Speaker, we briefed both opposition parties. We wrote to them and asked for their support of this initiative to protect public sector jobs. The NDP said no, and they had nothing to offer as an alternative. The PCs said, "Yes, but only if you tear up collective agreements." We disagree with this approach; however, the door opened by the PCs is the only door available to us in this minority Parliament. So we will continue talking to the PCs and working with them while we also look to options outside of the Legislature to deal with this situation.

We have always said we will work with anyone willing to work with us to meet the objective of eliminating the deficit and protecting jobs and public services. That is why we are prepared to sit down with our labour partners and pursue framework agreements. We know it is possible to achieve negotiated agreements when our partners are willing. This has always been, and remains, this government's preference. Cela a toujours été, et demeure, notre préférence.

We took this approach with about one third of our teachers, with 10,000 government employees. In the private sector, we have seen that employers and employees can come together and achieve wage freezes through hard bargaining. It remains to be seen if we can achieve the necessary results with half a million more public sector workers. It is our preference that we do so, and we will continue working to reach that goal.

One way or another, sir, we need compensation restraint as a tool to reach our fiscal targets and protect jobs and public services. The fiscal plan provides no funding

for incremental compensation increases or new collective agreements, so pay hikes could only be offset through job cuts and cuts to public services or tax increases. The NDP appear willing to bury their heads in the sand and accept that. The McGuinty government cannot and will not accept these alternatives. Given the choice between protecting jobs and public services or cutting jobs, which means fewer services, the McGuinty government will choose protecting jobs and those vital public services every single time.

Speaker, the strong action we are taking to eliminate the deficit is working. We are further ahead in lowering the deficit than we thought we would be by now. The province's deficit for 2012-13 is projected to be \$14.4 billion, an improvement of some \$400 million from the 2012 budget forecast. The public accounts of Ontario for last year confirmed a deficit of \$13 billion, which is \$3.3 billion ahead of where we thought we would be at this point in time. Our government will keep working to lower the deficit each and every year until it is completely eliminated.

Sir, the global economy is going through uncertain times. Governments around the world cannot sit idly by and wait for the uncertainty to pass. Here in Ontario, we are restoring confidence, growing the economy, and building prosperity for families brick by brick and job by job. We will continue to hit our fiscal targets and we will continue to transform how we deliver public services to people to ensure the best possible value for the best possible services.

We have taken the steps required to ensure that Ontario's economy is competitive.

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Now, eliminating the deficit is the most important thing we can do to strengthen our economy and create jobs. Long-term prosperity is achieved through job creation and balanced budgets.

La prospérité à long terme est le résultat de la création d'emplois et de l'équilibre budgétaire.

Our competitive economy and a balanced budget are the pathway to continuing to deliver the best education and health care in the world.

Ontario is a strong province with a proud tradition of jobs and economic growth. By taking strong action and making the right choices today, we will continue that tradition and build a better tomorrow.

The Speaker (Hon. Dave Levac): Responses?

Mr. Tim Hudak: It's a pleasure to respond, on behalf of the Ontario PC caucus, to the 2012 fall economic statement.

I will say, off the top, that I had hoped for much better. Minister, with all due respect, it was an unremarkable, unimaginative and unhelpful embrace of the status quo. People in the province of Ontario today, they want to see hope. They want to see opportunity. They want to see jobs. They want to see change. The Ontario PC caucus will fight for hope and jobs and bringing needed change to our province.

It's been a year since the last election, when Ontarians sent a very clear message to this government and this

Legislature: that they wanted to end the overspending and see a focus on private sector job creation again. A year has now passed without progress on either; the hole is deeper, we have lost private sector jobs.

We could have actually used the time to address Ontario's jobs and debt crisis with a comprehensive and integrated plan. Today's economic statement should clearly have been an opportunity to debate action-oriented measures that reduce the overspending that is holding back Ontario's engine of growth, but instead all we got was another set of red ink, another set of excuses, another can kicked down the road.

I want to begin my remarks today to say that I believe resolutely that Ontario can and will lead this country again in job creation. We will be number one again. We should accept nothing less than a strong and confident and growing middle class. In fact, we can't accept anything less, because we can only invest in core public services with a healthy, thriving private sector economy.

These two aspirations—to be the engine of Canadian job growth again and to have top-quality public services—are interdependent, not separate, goals. You can't have one without the other, and Ontarians deserve both. These are the goals of the Ontario PC Party, and they provide a clear choice for the people of Ontario when compared to the tired approach of this government.

Outlined in a spring budget passed in conjunction with support from the third party, this approach of continuous borrowing, spending and debt has led to neither private sector job creation nor sustainable public services. Instead of a change in course, today's economic statement simply doubles down on the failed jobs plan and the growing debt of the McGuinty government.

This is how we differ: We do not believe that the sun is setting on this great province of Ontario, and that government's role is to gently manage the decline. We reject that notion. We believe Ontario's best days are still ahead of us. We've always been the leader in job creation, a beacon from around the world for people to come to find a good job, to set up shop. That's the kind of Ontario we want to see, and the kind of Ontario we will have again.

This kind of prosperity was not simply handed to us. We earned it: driven entrepreneurs; hard-working, dedicated workers; vast and valuable resources. That can be ours again, but we need to take a different path than the one we're on here today. We're laying that out: a bold, optimistic, conservative vision to make Ontario lead again, to put Ontario back to work and to say to those unemployed in our province, "Help is on the way. Change is on the way. We will see an Ontario that leads this great country again in opportunity, in jobs."

How do we do that?

(1) You balance the books before 2017. The government does not need to grow each and every year, inexorably, deeper in debt. A PC government will balance before 2017 because you can't run the government on the credit card.

(2) We believe fundamentally that tax cuts create jobs to put money back into people's pockets, to say to businesses and entrepreneurs to invest here. If we want to get

out of this hole, we need the private sector to grow, and tax credits create jobs.

(3) We believe that the role of government is to provide the environment for success. No more red tape. End the runaround. Get behind businesses to help them create jobs and invest again in our great province.

(4) We cannot forget that the greater Toronto and Hamilton area is the heart of our economy, with badly clogged arteries. That's why we brought forward a bold plan to break gridlock and help people spend time with their families, to integrate the TTC rail with GO Transit under a powerful Metrolinx, and to say as a principle that, where money is available, a PC government will invest in subways, will build underground. That's what world-class cities do. That's a world-class approach to growing our economy in Ontario that will lead this great country again.

Mr. Michael Prue: Indeed, it is always a pleasure, I think, to listen to the Minister of Finance as he speaks about the wondrous face of the economy in this province, which absolutely is not correct. All one has to do, instead of listening to his thunderous speeches, is turn to pages 84 and 85 in the little book that he handed to us. Pages 84 and 85 talk about the summary of medium-term revenue changes since the budget and the medium-term fiscal plan and outlook. And you will see, if you open up the book instead of listening to his speech, that revenues are pretty static, that expenses are continuing to go up. The interest on the debt is going up. The total expense is going up. And, most importantly, this year there's a \$13-billion deficit, next year there will be a \$14.4-billion deficit, and the year after that, he's still mired, at \$12.8 billion, in deficit. Never has a government in the history of this province run so many deficits for so many years and stood here with such pride telling us how good things are.

I listened to these bromides and I listened to his solutions. He has no solutions. His only solution is to stick it to hard-working people, whether those people work for the government of Ontario or all the agencies in the municipalities, universities, social services and the hospital sector.

And he puts out a government report, a white paper, a kind of bill that he hasn't even got the courage to introduce in this House. It hasn't even been introduced for first reading, and already he's out there around the province talking to people, telling them how hard things are going to be.

He has said that he cannot negotiate with New Democrats. Well, I'm proud that we're not negotiating on a budget and a formula that he's putting forward. His formula is a formula of disaster. His formula is a formula that is going to put Ontario even further behind. He will make it even more difficult for ordinary people to make ends meet, and I will tell you, people, ordinary people in this province, will not be stuck this way. They will not be stuck this way because they have already done what they have to do. The unions and ordinary people have gone off to the courts. They are going to get redress where they have to get the redress.

This government knows that their plan will not work. This government knows that their plan is hopelessly doomed to failure. This is the largest deficit, as I said, in the history of Ontario, and it's ongoing and it will not be resolved in the course of this government or even the next one. There are entire sectors of this economy that are being sacrificed.

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One only has to look to northern Ontario to see the sacrifices that they are being told they have to make in terms of the railroad and in terms of the forestry industry. You only have to look in southern Ontario in the agricultural sector to see the people in the horse racing industry and how they are being told they have to suffer. You only have to look into all of our towns and cities to see the highest unemployment rate in the entire country and to see unemployment above the national average now for five years in a row. You only have to look around Ontario and see 600,000 people unemployed. You only have to look into a city like Toronto and see 85,000 families on the waiting list for public housing and no hope of getting that housing. You only have to look to Ontario to see the highest electricity rates in the entire country.

And what does this government say? That everything is rosy and we're on track and everything is going to be nice. It is simply not correct. New Democrats believe other things have to be done. We have to start looking for tax fairness. We have to start looking to tax fairness so that those people who can afford to pay do. Those corporations that gain so much in this province need to be able to pay at least the same rates that they pay in other provinces. You know, we need to see that the real GDP in decline, as documented by the finance minister's book itself, is turned around. That's the kind of thing that has to happen, not negotiating in the backroom with the Conservative Party how to make it even worse for ordinary people in the middle class. We demand that this government do a whole lot more than stand up and tell us how good things are going.

PETITIONS

AIR QUALITY

Mr. John O'Toole: I'm pleased to present a petition on behalf of my riding of Durham. It reads as follows:

"Whereas collecting and restoring old vehicles honours Ontario's automotive heritage while contributing to the economy through the purchase of goods and services, tourism, and support for special events; and

"Whereas the stringent application of emissions regulations for older cars equipped with newer engines can result in fines and additional expenses that discourage car collectors and restorers from pursuing their hobby; and

"Whereas newer engines installed by hobbyists in vehicles over 20 years old provide cleaner emissions than the original equipment; and

“Whereas car collectors typically use their vehicles only on an occasional basis, during four to five months of the year;

“Therefore, be it resolved that the Ontario Legislature support Ontarians who collect and restore old vehicles by amending the appropriate laws and regulations to ensure vehicles over 20 years old and exempt from Drive Clean testing shall also be exempt from additional emissions requirements enforced by the Ministry of the Environment and governing the installation of newer engines into old cars....”

I'm pleased to sign and support this on behalf of my constituents in the riding of Durham.

EMPLOYMENT PRACTICES

Mr. Michael Prue: I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas servers and bartenders in Ontario earn \$8.90 an hour, far less than the minimum wage; and

“Whereas tips are given to servers and bartenders for good service and to supplement the lower wages they receive; and

“Whereas Ontario law allows for owners and managers to pocket a portion of servers' and bartenders' earned tips or total sales; and

“Whereas thousands of servers across the province have asked for this practice to stop;

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

“Support the swift passage of Bill 107, An Act to amend the Employment Standards Act with respect to tips and other gratuities and thereby end the practice of ‘tip-outs’ to management and owners.”

It is signed by a great many people from the Ottawa area. I'm in agreement, will affix my signature thereto and send it with page Danielle.

WIRELESS SERVICE AGREEMENTS

Ms. Helena Jaczek: I have a petition to the Legislative Assembly of Ontario:

“Whereas more than two thirds of Ontarians have a wireless service agreement;

“Whereas the majority of cellphone contracts are postpaid, often causing consumers surprise when they are charged for services they did not agree to or they did not know would result in added costs;

“Whereas consumers would benefit from clear and easy-to-understand language that describes the real costs and terms of wireless service agreements for cellphones, smart phones and other mobile devices;

“Whereas it is the responsibility of businesses to make sure their customers know what services they are paying for;

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

“That Bill 82, the Wireless Services Agreements Act, 2012 be adopted to make it easier for consumers to

understand the costs and terms of wireless services agreements while ensuring service providers are upfront with information before contracts are signed.”

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

ONTARIO NORTHLAND

Mr. Victor Fedeli: I'll probably need three pages, if you don't mind, Speaker. I have 3,000 petitions here to the Legislative Assembly of Ontario.

“Whereas Ontario Northland is not just about subsidies or jobs, it's about a way of life; and

“Whereas Ontario Northland is about controlling our destiny; and

“Whereas Ontario Northland is about ensuring future developments have a chance; and

“Whereas Ontario Northland is about building stronger communities; and

“Whereas Ontario Northland is about involvement in decisions that directly affect us as northerners; and

“Whereas Ontario Northland is about the north being equal in Ontario;

“We, the undersigned, petition the government of Ontario to support the Northern Communities Working Group and support a new deal for Ontario Northland.”

I have signed the petition. I'll sign my name to this and give it to pages Andrea, Larissa and Nancy.

LONG-TERM CARE

M^{me} France Gélinas: I have this petition from the people of the northeast, mainly Nickel Belt and Sudbury, and it reads as follows:

“Whereas there are a growing number of reported cases of abuse, neglect and substandard care for our seniors in long-term-care homes; and

“Whereas people with complaints have limited options, and frequently don't complain because they fear repercussions, which suggests too many seniors are being left in vulnerable situations without independent oversight; and

“Whereas Ontario is one of only two provinces in Canada where the Ombudsman does not have independent oversight of long-term-care homes. We need accountability, transparency and consistency in our long-term-care home system...”

They petition the Legislative Assembly of Ontario “to expand the Ombudsman's mandate to include Ontario's long-term-care homes in order to protect our most vulnerable seniors.”

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

RADIATION SAFETY

Mr. Reza Moridi: I have a petition to the Legislative Assembly of Ontario.

“Whereas there are risks inherent in the use of ionizing, magnetic and other radiations in medical diagnostic and radiation therapy procedures; and

“Whereas the main piece of legislation governing these activities, the Healing Arts Radiation Protection Act (HARPA), dates from the 1980s; and

“Whereas neither the legislation nor the regulations established under the act have kept pace with the explosion in imaging examinations, including image-guided procedures used in cardiology, radiation therapy, ultrasound, orthopaedics etc.;

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

“That the Ministry of Health and Long-Term Care establish, as soon as possible, a committee consisting of experts to review the Healing Arts Radiation Protection Act (1990) and its regulations and make recommendations on how to modernize this act to bring it up to 21st-century standards, so that it becomes responsive to the safety of patients and the public and covers all forms of radiation that are currently used in the health care sector for diagnostic and therapeutic purposes.”

I fully agree with this petition. I sign it and pass it on to page Natalie.

MARKDALE HOSPITAL

Mr. Bill Walker: “To the Legislative Assembly of Ontario:

“Whereas Grey Bruce Health Services’ Markdale hospital is the only health care facility between Owen Sound and Orangeville on the Highway 10 corridor;

“Whereas the community of Markdale rallied to raise \$13 million on the promise they would get a new state-of-the-art hospital in Markdale;

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

“That the Ministry of Health and Long-Term Care announce as soon as possible its intended construction date for the new Markdale hospital and ensure that the care needs of the patients and families of our community are met in a timely manner.”

I support this, will affix my name and give it to page Anjali to take to the Clerk’s desk.

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 agree with this petition. I’ll affix my name to it and give it to page Olivia.

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COMMUNITY SAFETY

Mrs. Laura Albanese: I have a petition from the residents of York South–Weston.

“Whereas there have been several incidents of violence and crime related to the illegal sale and service of alcohol in our community; and

“Whereas we, as a community, want safety and peace of mind and know that giving law enforcement better tools to combat criminal actions will help meet this goal;

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

“We respectfully request that the Legislative Assembly pass Bill 93, the Liquor Licence Amendment Act (Serving Liquor in Certain Places), 2012 into law.”

I agree with this petition, I will affix my signature, and hand it over to page Larissa.

AIR QUALITY

Mrs. Jane McKenna: I have a petition to the Legislative Assembly of Ontario from one of my constituents, Eerwin Nulle.

“Whereas collecting and restoring old vehicles honours Ontario’s automotive heritage while contributing to the economy through the purchase of goods and services, tourism, and support for special events; and

“Whereas the stringent application of emissions regulations for older cars equipped with newer engines can result in fines and additional expenses that discourage car collectors and restorers from pursuing their hobby; and

“Whereas newer engines installed by hobbyists in vehicles over 20 years old provide cleaner emissions than the original equipment; and

“Whereas car collectors typically use their vehicles only on an occasional basis, during four to five months of the year;

“Therefore, be it resolved that the Ontario Legislature support Ontarians who collect and restore old vehicles by amending the appropriate laws and regulations to ensure vehicles over 20 years old and exempt from Drive Clean testing shall also be exempt from additional emissions requirements enforced by the Ministry of the Environment and governing the installation of newer engines into old cars and trucks.”

I sign my name and give it to Uday.

TAXATION

Miss Monique Taylor: I have a petition to the Legislative Assembly of Ontario.

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

“Be it resolved that Dalton McGuinty take the unfair HST off of hydro and home heating bills.”

I agree with this petition, I’m going to affix my name to it and give it to page Larissa to take to the Clerk.

HOSPITAL FUNDING

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

“Whereas the Rouge Valley, Ajax and Pickering hospital campus was expanded and opened one and a half years ago, with the largest expansion in our community’s history; and

“Whereas the new growth in this area creates added pressures to the system; and

“Whereas the rapid changes in modern technology create the need for infrastructure upgrades;

“Therefore we, the undersigned, sign this petition addressed to the Legislative Assembly of Ontario and ask that the government of Ontario continue to invest in our Ajax-Pickering community hospital by adding additional services on an ongoing basis so our residents can continue to receive the best care in this province.”

I’ll attach my signature and pass it on to page Justin.

ONTARIO COLLEGE OF TRADES

Mr. Jim McDonell: I have a petition to the Legislative Assembly of Ontario.

“Whereas Ontario’s tradespeople are subject to stifling regulation and are compelled to pay membership fees to the unaccountable College of Trades; and

“Whereas these fees are a tax grab that drives down the wages of skilled tradespeople; and

“Whereas Ontario desperately needs a plan to solve our critical shortage of skilled tradespeople by encouraging our youth to enter the trades and attracting new tradespeople; and

“Whereas the latest policies from the McGuinty government only aggravate the looming skilled trades shortage in Ontario;

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

“To immediately disband the College of Trades, cease imposing needless membership fees and enact policies to attract young Ontarians into skilled trade careers.”

I agree with this and I will be signing it.

RADIATION SAFETY

Mr. Taras Natyshak: I’m pleased to present a petition to the Legislative Assembly of Ontario.

“Whereas there are risks inherent in the use of ionizing, magnetic and other radiations in medical diagnostic and radiation therapy procedures; and

“Whereas the main piece of legislation governing these activities, the Healing Arts Radiation Protection Act ... dates from the 1980s; and

“Whereas neither the legislation nor the regulations established under the act have kept pace with the explosion in imaging examinations, including image-guided procedures used in cardiology, radiation therapy, ultrasound, orthopaedics etc.;

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

“That the Ministry of Health and Long-Term Care establish, as soon as possible, a committee consisting of experts to review the Healing Arts Radiation Protection Act (1990) and its regulations and make recommendations on how to modernize this act to bring it up to 21st-century standards, so that it becomes responsive to the safety of patients and the public and covers all forms of radiation that are currently used in the health care sector for diagnostic and therapeutic purposes.”

I agree with this petition, will sign it and give it to page James.

ROAD SAFETY

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

“Whereas the Highway Traffic Act requires drivers of a motor vehicle to slow down upon approaching an emergency vehicle that is stopped on the same side of a highway as that on which the driver is travelling; and

“Whereas 40 states in the United States and five provinces in Canada have included roadside assistance workers in ‘Slow Down, Move Over’ legislation, providing protection for tow trucks assisting motorists; and

“Whereas everyone deserves a safe place to work;

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

“That the Legislative Assembly of Ontario passes Bill 38, An Act to amend the Highway Traffic Act with respect to safety precautions to take when approaching roadside assistance vehicles into law.”

As I’m in agreement, I’ve affixed my signature and given it to page Natalie.

GASOLINE PRICES

Mr. Jerry J. Ouellette: A petition to the Legislative Assembly of Ontario:

“Whereas the price of gas is reaching historic price levels and is expected to increase another 15% in the near future, yet oil prices are dropping; and

“Whereas the real reason for the high price of gas is gas companies are putting pressure to allow for the pipeline from Alberta to Texas; and

“Whereas the McGuinty government has done nothing to protect consumers from high gas prices; and

“Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario’s drivers while also impacting the Ontario economy in key sectors such as tourism and transportation; and

“Whereas the high price of gas has a detrimental impact on all aspects of our already troubled economy and substantially increases the price of delivered commodities, adding further burden to Ontario consumers;

“We, the undersigned, petition the Legislative Assembly of Ontario and urge the Premier to take action to protect consumers from the burden of high gas prices in Ontario.”

I affix my name in full support.

ORDERS OF THE DAY

WIRELESS SERVICES AGREEMENTS ACT, 2012

LOI DE 2012 SUR LES CONVENTIONS DE SERVICES SANS FIL

Resuming the debate adjourned on September 20, 2012, on the motion for second reading of the following bill:

Bill 82, An Act to strengthen consumer protection with respect to consumer agreements relating to wireless services accessed from a cellular phone, smart phone or any other similar mobile device / *Projet de loi 82, Loi visant à mieux protéger les consommateurs en ce qui concerne les conventions de consommation portant sur les services sans fil accessibles au moyen d’un téléphone cellulaire, d’un téléphone intelligent ou de tout autre appareil mobile semblable.*

The Acting Speaker (Mr. Ted Arnott): Further debate?

Ms. Soo Wong: I’m pleased to stand this afternoon to speak in support of Bill 82. The Ministry of Consumer Services’ proposed bill, Bill 82, An Act to strengthen consumer protection with respect to consumer agreements relating to wireless services accessed from a cellular phone, smart phone or any other similar mobile device, is a good thing.

In my riding of Scarborough–Agincourt, I have received many calls from young people about their concerns, as consumers—their voice—on this particular piece of mobile devices. In recent years, there has been an explosion in the use of wireless communication devices, where more than 70% of Ontarians have some form of mobile device on hand, at home or at work as well.

Many in Ontario are experiencing cell shock every time they open their wireless bills, as they don’t understand what their services are and what plan they’ve signed up for, especially when we are dealing with a very diverse community like in my riding of Scarborough–Agincourt. This has been a major concern in my riding.

The other thing about this piece of legislation is that we, as a government, have a responsibility to ensure every Ontarian, as a consumer—the agreement that they are signing, that they understand it, and more importantly that it’s in clear and comprehensive language so that they know what they are signing.

The other piece about the legislation is that our government has taken strong action to eliminate the shock that many consumers are getting when they receive their service bill. For example, the proposed legislation would have stronger protections for Ontario families when they sign a cellphone contract. They now know in clear, simple language what they are signing for. It’s language they can understand, and they can also follow up.

The proposed legislation would put onuses on the business, not the consumers, to make sure the customers know what they’re signing. This is no different from when we are dealing with health care. As many people in the House know, where I come from, in the health sector, no patient should be signing a health consent when they don’t know what they’re signing for. So this is the right thing to do.

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Furthermore, this legislation is to help families and individuals so that they now have choices. This is the right thing to do so that they know, when they’re buying something, that they are being protected, that their hard-earned dollar—that they know what they’re signing and that that money is going to a good place.

Helping consumers is also a piece of this legislation, Mr. Speaker. If you look through the bill, it clearly talks about consumers’ rights and their choices. This is the thing that we are concerned about: that the proposed legislation is committed to educating, not just protecting the consumer, and also making sure it’s a fair and informed marketplace.

The other piece about the legislation, if passed, is that besides being in plain, simple language, to spell out what the contracts say, it also talks about express consent: Before you renew your contract or extend a contract or amend a contract, the consumer needs to know what they’re signing, and that there is a cap on any kind of cancellation.

I remember a young person coming to my constituency office, Mr. Speaker. Because English is his second language, he was asking me to translate what he had just signed. That is not the responsibility of me as a member of this House. More importantly, the responsibility is to that particular business person who asked the young person to sign. The onus is on the business to make sure that every customer, every consumer, who is asked to sign a contract knows what they’re signing before they leave the door.

The other piece about this legislation is regarding the whole issue of advertisements. The concern here is that there are so many advertisements of different kinds of mobility services out there, and many of these advertisements are not accurate information. When you’re attracting young people to buying these mobile devices, they

don't know what they're signing, first of all. But second of all, the ad looks really good, and then they go in there and they don't know what they're getting into.

The other piece of the legislation is the fact that we as a government have consulted the industry, the consumers' groups, and they have told us very clearly that they support this proposed legislation.

I'm quoting one of the mobility service providers: "We are grateful that Ontario is taking further steps to ensure its citizens are not impacted by restrictive, oppressive wireless practices, like excessive early contract termination fees. Ontario is definitely on the right track, and we hope other provinces will keep the train going until all consumers from coast to coast get the protection they deserve." This is a quote from Stewart Lyons, president and COO of Mobilicity.

The other concern about this particular bill is that this proposed legislation is similar to other provinces', which have acted similarly in terms of this wireless service sector. The key difference in Bill 82 is that Ontario proposes adding a duty to alert consumers. This is really important. We need to inform consumers who are receiving additional charges so that they don't get a surprise just before Christmas—"Oh, my God, you're going to have an increase in your service fee charge"—of this additional charge for exceeding base service in the agreement—and greater clarity on the role of consumer consent to all changes to the fixed-term agreements.

For example, each one of us probably carries one or two BlackBerrys/cellphones, and each one of us will have advance notices; if there is an exceeding cost to your agreement, you will be informed in advance. You will not be shocked, receiving something the day that the bill is due. This is a very important feature about this particular bill.

The other piece about the legislation is the fact that we cannot wait for the federal government. There has been some concern expressed from the opposition party, saying that the federal government is looking into it. Well, you know what? Leadership means we stand for our consumers now. Very shortly, young people will be attracted to the Christmas sale of cellphones. There will be a new gadget being promoted in the industry. We need to support our consumers, especially young people, and their families. I don't know how many people in this House, 107 of us, have not received a call or complaint about cellphones—from the salesperson trying to attract the consumers into the office and trying to sell another electrical device for home.

The other piece about this legislation, Mr. Speaker, instead of waiting for the federal government to come with their legislation, we have a duty, we have a responsibility to make sure that we stand together collectively as a House to support consumers' rights and protect their rights, because if the federal government is keen on passing legislation, they would have done so. The CRTC has the mandate in their regulation to do such a thing. Instead of waiting, it's our responsibility in this House to

speak in support of consumers, especially the young people across Ontario.

My colleagues probably have already spoken about this piece: Manitoba and Quebec already engage in public consultation on wireless consumer legislation. Other provinces like Newfoundland and Labrador introduced similar legislation in March of this year, reaching third reading consent in April of this year about this issue. They now have royal assent with regard to the legislation. In November this past year, Nova Scotia introduced similar legislation and received royal assent to their legislation.

We're not behind other provinces, Mr. Speaker. The key piece here is, are we going to let our young people, the consumers of this province, not be protected? We have a responsibility to make sure everyone in this province who has a cellphone, a BlackBerry or a mobile device is protected.

The other piece of the legislation—and I know the opposition parties don't want to address the fact—is that clearly, explicitly in the bill it talks about consumers' rights. I want to share with the members of this House section 7 of this bill, which talks about clear disclosure of the information. Let me take some time, Mr. Speaker, to share with the House what it says here in section 7 on consumer rights:

"If a supplier is required to disclose information to a consumer under this act or the regulations made under it, the supplier shall disclose the information in a manner that is clear, comprehensible and prominent and shall deliver the information in a form in which the consumer can retain it."

Mr. Speaker, it's very, very clear that the proposed Bill 82 requires the wireless service sector to be responsible to inform—the key piece is "inform." And the consumer has the right to ask for clarification because if the consumer does not know what he signed, he has the obligation to get clarification, most importantly in language that he can understand, especially in a community that is so diverse. We need to make sure every consumer who is signing their wireless contract understands what he is also signing.

The other piece about the legislation, about consumers' rights, is advertisement. In section 8 of the proposed bill—and I'm going to quote here: "If information on the cost to a consumer is included in any advertising with respect to a wireless agreement, the supplier shall ensure that the information includes an all-inclusive cost, other than the harmonized sales tax payable under part IX of the Excise Tax Act (Canada), that shows"—and it lists the various requirements.

Again, no consumers in Ontario should be shocked in their contract—that they don't know what they're paying for. In this legislation, the consumer now knows what is included in the bill, that they're not paying for something that's not clearly stated.

The other piece in the legislation, in section 10 of the proposed legislation, talks about disclosure in the agreement. Section 10 of the legislation says, "A supplier

under a wireless agreement shall ensure that the agreement is in writing and that it discloses the following information:

“1. The name of the consumer.

“2. The name of the supplier and, if different, the name under which the supplier carries on business.”

This is really important. There are so many wireless service providers out there, and oftentimes the consumers do not know who are the providers and who are the sub-contractors there. This legislation requires the disclosure of the name of the supplier.

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“3. The telephone number of the supplier, the address of the premises from which the supplier conducts business and information respecting other ways, if any, in which the consumer can contact the supplier, such as by contacting a fax number or an electronic mail address.”

Mr. Speaker, let me share with the House an experience I just had this past month. I recently bought a tablet to sync with my BlackBerry. Less than one month after purchasing this tablet, the device did not work. I had to find out who was the supplier, and then there was a merry-go-round of, “I don’t own this. I don’t own that. It’s somebody else’s.” The supplier is in the United States. So that merry-go-round came around. I think if I had that in the legislation now, I would not be calling all over, as the staff in my office had to call all over. It is critically important that I have the ability—other people may not have the ability to navigate this piece, because it’s so complex, the wireless service industry.

Number four of this disclosure information is the date on which the agreement is entered into.

“5. The term of the agreement.

“6. The expiry date,” which is really important, “if any, of the agreement as agreed to by the parties to the agreement.

“7. A description that itemizes each of the services, including optional services, that the consumer can access under the agreement and the effect of each of the services on costs payable by the consumer, including...”

Again, the proposed legislation requires the wireless service industry to disclose everything they’re asking the consumers to sign, and that is the right thing to do, Mr. Speaker. At the end of the day, we are here as members, parliamentarians in this House, to do what we can not just about the wireless industry; our government is committed to protecting consumers across the board.

This is proposed legislation to protect consumers, from young to old, and also workplaces. Many workplaces require their employees to carry their wireless devices all the time. It’s an accessibility piece but also to ensure that their device is accessible. This particular legislation, if passed, would ensure that consumers, whether young persons or employees, and industry across Ontario—that their rights are being protected and everybody knows what they are signing.

The other piece of this is the fact that when we made this proposed legislation, the Minister of Consumer Services talked greatly about the fact that our proposed

legislation has already consulted the industry. The other provinces, when they brought in this legislation, did not consult the industry. We know that the different consumer advocacy groups have supported our proposed legislation. I’m going to share a quote with you from the Public Interest Advocacy Centre. Their executive director shared a quote with me: “Each and every day, consumers of wireless services complain about one-sided conditions and unfairness in the marketplace. This bill addresses those concerns. It will help provide a level playing field for Ontario customers of wireless services and open the door to real competition in this industry.” That was stated by Michael Janigan, who is the executive director and general counsel of the Public Interest Advocacy Centre.

As we draft this proposed legislation, it is the right thing to do for the government to talk to the industry, to talk to other service providers, but most importantly to consult the industries, small and large, because we need to make sure that when we bring in legislation, on one hand it supports and protects consumers, but at the same time industry does not get compromised as we bring in the legislation.

The other piece about this legislation here is that, as any government, our duty as a government is to protect and empower consumers, to give them confidence that when you work in Ontario, when you do industry in Ontario, your rights are being protected, but at the same time your rights are not protected at the expense of another. At the end of the day, the proposed legislation is here to serve two fronts: one, to protect consumer’s rights; and second, to ensure that every consumer and their families in Ontario, when they sign any kind of wireless agreement, they have greater transparency, they have the protection that they deserve and they know what they are signing.

The contract of any wireless device is not just for today. We also know that the proliferation of the wireless industry is for tomorrow. Ten years ago, we would not be carrying a BlackBerry cellphone or any kind of other iPhone or tablet. I would dare say that probably in another 10 years, there will be another generation of wireless devices that will probably hook up to our earpieces and in our car, in our daily lives. This proposed legislation is to ensure that consumers’ protection is here to stay, but at the same time, to help the industry, because even the industry is advocating for some kind of transparency and protection of the consumers.

At the end of the day, most of the consumers are championing legislation like this, and they’re asking our government—any government, for that matter—to do the right thing, to protect their rights, so when they sign the contracts they are in a clear language that everybody can understand.

My last couple of comments on this particular bill: We have legislation that is not just about protection. The other piece about this legislation is, it’s consumer-friendly. The consumer is championing this. Sometimes government leads; in this case, the consumers are leading, asking us and advocating for us to move forward so

that we, as all three parties, can bring this to the committee, further vetting and strengthening this particular bill.

I would say that nobody in this House does not support consumers and Ontarians, because we are here to serve, but most importantly, we're here to protect everyone in Ontario, whether they're a young person or seniors who've been mishandled on this file. Everybody now has an opportunity to be protected in the same breath.

Thank you, Mr. Speaker, for this opportunity.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Mr. John O'Toole: I listened very carefully to the member from Scarborough–Agincourt. This bill has been around since May and has been discussed a few times in September. I've spoken myself on this bill, and I really think you should be very careful and look under section 10—the disclosure agreement, I think, is important.

But really, this is a bill that's just sort of piling on. If you look at the bill itself, it was introduced eight days after the federal regulatory authority, the CRTC, announced that they would have consultations to discuss this very topic. I think it's important to recognize that it is federal. We'd like harmonization for all Canadian citizens, from coast to coast to coast, in the use and charges and how the various service providers bill and bill for what, and that the contract intents are clear.

I think Ontario should be a delegation, actually, to the CRTC. They should try to bring forward the idea that, first of all, we want continuity with the whole process on wireless communication, because that's the future. I understand that, and many of our speakers, I know, will be anxious to comment in the next few minutes and will also make the point very clearly that we'd be in support of anything that eliminates red tape and bureaucracy. That's sort of a byline from our leader, Tim Hudak. We've got to avoid, where possible, patchwork responses, which, I might say, Ontario has done a number of times, just being in disagreement with the federal government.

This is about customer service at the very highest. All of us have bills. Just last week, one of the devices I use was cut off. Why was it cut off? With no notice, I was unable to access the Internet, because my mobile stick was cancelled because the bill wasn't paid. I don't even pay the bill; it's paid by the Ontario Legislative Assembly, so McGuinty has run out of money.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Miss Monique Taylor: I'm also happy to stand and lend my voice to this debate. I listened to the member from Scarborough–Agincourt and, like I said, I'm pleased to see this bill coming forward to make sure we're protecting consumers.

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I know that I and I'm sure many of us across this House have personal stories where our phone bills have been a lot more than we expected. Now we have our

children with cellphones also, and we see parents who are coming to us with \$500, \$600, \$700 phone bills, saying, "How is this happening? I was promised a price, and now this is what it has led us to." So it's quite important.

I would just like to mention some numbers I see here. In 2007 and 2008, 31% of complaints about telecommunications services were about wireless services. In 2010 and 2011, those numbers increased by over 114%. They're pretty scary numbers. We definitely need to make sure we're moving forward with this, whether it be with our federal partners or whether we're doing it on our own; it's an important cause. We all need to make sure we're in support of this, making sure we're protecting the consumers of this province and making sure that contracts can't be written with underlying issues to them that consumers have no idea what the actual cost is going to be at the end of the day.

So I congratulate the member for bringing this forward. I hope that we will be able to get this moved through soon, because I do believe we have been doing it since May and that's long enough. Let's just get it going. Hopefully we'll have committees struck soon, and we can take it to committee and get down to the real work.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Ms. Tracy MacCharles: It's my pleasure to speak today in support of the Wireless Services Agreements Act. It's always so great when we hear all parties speaking in support of consumer protection in Ontario. That's great to hear.

The other thing that I think is important is when we get those outside, third-party endorsements. The member from Scarborough–Agincourt spoke to one of those very strong endorsements, and I'd like to speak to one or two others, if I may. At the end of the day, we in the House are all somewhat knowledgeable about a lot of things, but it's very important to validate and hear from other people in the sector or business where we're talking about legislative change.

Don Mercer from the Consumers Council of Canada said, "Contracts for cellular voice and data services and equipment rate as top-10 sources of consumer complaints in Ontario.... Many consumers feel their rights are unfairly limited and find it hard to understand their responsibilities under these agreements. Quebec has already exercised its authority for contracts in this area. Other provinces across Canada should take responsibility and prompt action, as well."

Also, from Stewart Lyons, president and chief operating officer of mobile-city—I think that's how you say it.

Mr. Michael Harris: Mobilicity.

Ms. Tracy MacCharles: Mobilicity? Thank you.

"We are grateful that Ontario is taking further steps to ensure its citizens are not impacted by restrictive, oppressive wireless practices, like excessive early contract termination fees.... Ontario is definitely on the right track and we hope other provinces will keep the trend going until all consumers from coast to coast get the protection they deserve."

There you have it, Speaker. I think that outside endorsements are critical when we bring in legislation like this, and again, I just want to congratulate all the parties for supporting consumer protection in Ontario.

The Acting Speaker (Mr. Ted Arnott): Questions and comments? The member for Stormont–Dundas–South Glengarry.

Mr. Jim McDonell: Thank you, Speaker. I rise to speak on this bill. I'm somewhat wondering why it's coming forth, because we already had a bill, Bill 5, in committee, which looked after most of the issues this bill discusses. It was in committee, so there was a chance, if there was a hurry, to get through this. I say that because there has to be some caution. It is a federal jurisdiction. They are looking into this, and I think it would serve the country much better to have laws that really overlook the whole country. It's the best way to keep costs down. In saying that, we are looking for this bill to go to committee, because there need to be some changes; for instance, the automatic lapse of service when your contract comes due. People I know, especially seniors, tend to keep their cell service. They don't rush out to replace the phone when it's done. I think it would be a little disheartening to find out that the service is now dead just because they haven't gone out to renew and sign a new contract.

We do have some other provinces like Quebec and Manitoba that have a contract out there, and in our discussions with cell companies we want to make sure they're not reinventing things, especially if it's done on the short term, because consumers will only be forced to pay more to pay for these changes. I think we want to look around at some of the other legislation around the province and around the country, and, I think as our member from Durham had said, work with the federal government as they go through and they put through some needed amendments. We do have a very large country with a relatively small number of users, so we want to make sure, especially in rural areas, that we actually get the service that we find very common in downtown Toronto, but once you leave the 401 corridor, really, the cell service becomes a service that many areas don't have. We want to make sure we look after all our areas.

The Acting Speaker (Mr. Ted Arnott): That concludes our questions and comments. I return to the member for Scarborough–Agincourt for her reply.

Ms. Soo Wong: Thank you, Mr. Speaker. I want to thank the members from Durham, Hamilton Mountain, Pickering–Scarborough East and Stormont–Dundas–South Glengarry.

This proposed legislation, Bill 82: I heard the comments from my colleague from Durham and the last speaker. If we wait until the federal government—whereas, when we look at other provinces like Quebec, Manitoba and Nova Scotia, they already have legislation. So if we are sincere and keen to support and protect our consumers, everybody in this House knows that in less than two months it's Christmas. And you know, around

that time of the year, there will be lots of new toys coming out—asking parents to buy another toy or electrical device to go for Christmas and the New Year's celebration. If we are intent, as this bill is intent to do, to support and protect the consumers and empower them, we need to make sure we move this proposed legislation to committee so that it will be debated and that we can do clause-by-clause.

I also want to acknowledge my colleague from Hamilton Mountain for your comments about the fact that there is cell shock, about the parents and the families, because it is disheartening, especially when there are hard-working families who are being surprised—they get a \$700 or \$800 phone bill when the contract states very clearly there's a fixed-term agreement. So how does that work? It is the right thing to do to move this proposed legislation to committee so that we can have a healthy continued discussion and strengthen the proposed legislation.

In the last piece, to my colleague opposite from the PC Party, if we wait for the federal government for everything, we may not get anything done, okay? The fact is that if they were really sincere about protecting the consumers, they would have proposed legislation in the House sooner than wait for the CRTC. So thank you, Mr. Speaker, for this opportunity to speak.

The Acting Speaker (Mr. Ted Arnott): Thank you very much. Further debate?

Mr. Michael Harris: I rise today to also make remarks to Bill 82, Wireless Services Agreements Act, 2012. I guess, listening to the last speaker, I'm really still not aware why in fact this bill is being debated again today when we have in fact already passed Bill 5, MPP David Oraziotti's bill, the Wireless Phone, Smart Phone and Data Service Transparency Act, 2011, which was supported in second reading with support from all political parties, I'll remind folks.

Bill 82 goes in depth on the formulas that consumers should be charged if they cancel their phone contract.

Bill 5, however, clearly states that companies should “reduce the cancellation fee charged to consumers through a prescribed formula.” So, really, Bill 82 simply expands that formula. There are many, many more examples of the overlap, which I would like to draw your attention to with my remarks.

First, in essence of actually implementing legislation to help Ontarians with their minority cellphone charges, Bill 82 actually slows the process down when the bill itself could be implemented as amendments to Bill 5.

1510

I would like to draw the effect, though, that it's possibly because the government won't re-strike committees, which would move business forward in this Legislature. The member previous spoke about the fact that they wouldn't want to wait for the federal government. However, their own government is in fact stalling this very legislation through their own inaction on striking committees, so I would encourage those members—

Interjection.

Mr. Michael Harris: I'm not sure what the member from Guelph is referring to, because clearly, we've asked for unanimous consent several times in this House since it has resumed for the striking of committees, to get back to the business of the committees, such as estimates, where we are currently waiting for the Minister of Training, Colleges and Universities to come back so we can review those estimates; of course, public accounts—which that member from Guelph is a member of—and review the good business workings of that committee in looking at the ongoings at Ornge.

There's also the finance committee that we've actually called for to deal with the most recent issue of the Legislature, and that's the breach of privilege from my colleague from Cambridge and the fact that the minister refused to table the documents as we had asked in estimates.

Then there's the general government committee; a lot of my constituents are in fact asking me: "What's happening with the government's call for the Aggregate Resources Act review?"

I would encourage those members and the member who just spoke recently, instead of calling on the federal government and waiting for them to do something, to have their own members speak to their government House leader and their Premier to get committees re-struck. I would also encourage those colleagues to speak to Ms. Best and Mr. Oraziotti to encourage them as well to strike those committees.

I would like to speak about the differences, or the similarities, of Bill 5 and Bill 82 and express the overlap of these bills. I'll just briefly talk about Bill 82. For example, providers will need to clearly explain which services are provided and which would result in added costs, how services can be accessed and what rates and restrictions apply, for example, if a long distance plan is within Ontario only.

Bill 5 says: Clearly disclose the cost of all mandatory and optional services included in the agreement and provide service agreements in plain language, making them more understandable to consumers. My analysis on this is that this can clearly be specified in an amendment in committee, which we don't have right now because of the government's refusal to get the business of the committees back in order. Again, I would encourage them to do so.

Bill 82: Information will be included in the agreement on how cancellation fees are calculated; cancel agreements at any time with caps on cancellation fees or no fee at all. The proposed legislation will give consumers the right to cancel a wireless services agreement at any time by giving notice to their wireless service provider. The cost to cancel would depend on the type of agreement. Bill 5 calls for it to reduce the cancellation fee charged to consumers through a prescribed formula. The formula is given in Bill 82, which Bill 5 also asks for. Again, there's substantial overlap between the two.

Bill 82: Companies will have to provide clear information on how roaming costs are calculated and when they

will be incurred. I can tell you, speaking to constituents both young and old, this is a major holdup for them in terms of the roaming costs when they travel outside of Ontario. I can even tell you, for example, when you go to Ottawa, it says that you've now crossed the border into Quebec, or when you're in Windsor they may have identified you as being over in Detroit. The same goes for Niagara. When you're down in Niagara Falls, it says you're in Buffalo, New York. So this presents a lot of concern for constituents and consumers on the whole roaming aspect of it.

Bill 5 says it would notify the customer or consumer when they may incur additional charges as a result of exceeding usage limits, or for attempting to use a service outside geographical limits set out in the agreement. Again, the analysis would be here that Bill 82 and Bill 5 are very similar, if not the same.

Back to Bill 82, an example: Contracts will need to include the retail value and the actual cost to the consumer of phones provided free or at a discount. Bill 5 would make costs more transparent when advertising the price of wireless services and provide billing statements in paper form at no extra cost at the request of the consumer—again, very similar to this.

I can assure you, as the member previously stated, that coming up to the Christmas season, a lot of folks will be eyeing new purchases. We hope that some of those consumers will hold off until the spring of next year, when Research In Motion's new BlackBerry comes out in mid-spring, mid-March. I had an opportunity to see both devices and I can tell you that consumers will be rushing to their local Rogers or Bell to pick up their BlackBerry.

I know the member previously also talked about some of the problems she has had recently with a purchase of a PDA. I would have hoped that that member would have purchased a made-in-Ontario or made-in-Canada product through Research In Motion, the BlackBerry PlayBook. I can assure you that she would have loved that product and wouldn't have had the problems that she's having now. As many of the members in fact have, I have mine in here somewhere, too. I'm a proud user of the BlackBerry PlayBook, as I know are many of the members, such as the member from Oakville. I would encourage him to speak to the member from Mississauga in perhaps sending that one back and picking up a Research In Motion BlackBerry PlayBook. I can assure you that she will not have those problems should she go out and purchase that.

So just getting back again to the overlap of the two bills here: In Bill 82, companies will have to provide whether a cellphone is locked, for how long, and the cost to unlock it. Bill 5 calls for unlocking, at no additional cost, any device that has been paid for in full or is no longer bound by a service agreement; again, very similar in that respect.

All in all, the bill really, in hindsight, is jumping the gun on what can already be debated in committee. Again, if we'd had those committees, we could have taken the

member's bill, Bill 5, proposed some amendments to it that the government has so-called included in their Bill 82, and got this passed a long time ago.

If the bill actually wanted to tackle the highest-ranked problem with cellphone providers, it's high prices and poor customer service, which I think a lot of consumers, when they call to complain, are complaining about: the customer service aspect of it. In fact, a 2010 report by the New America Foundation comparing wireless plans from around the world found Canadian consumers pay the highest minimum monthly charge for cellphone services out of 11 countries, which is substantial.

There's a point here to make, that the cost to Ontarians is becoming unbearable when it is a service that 88% of residents rely on on a daily basis. I know they're bringing out a tablet for toddlers that's extremely popular, come Christmastime. But kids as young as the ones who are here in the galleries visiting Queen's Park have cell-phones at such a young age. In fact, I'm sure a lot of these young pages here are eagerly waiting to get into the back and check their messages on their own phones at such a young age. And seniors are now becoming the biggest users of PDAs because they just love Facebook and everything else to keep connected to their grandchildren and children from all across the province and in fact the country, and even the world.

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Interjection: Skype.

Mr. Michael Harris: There's this Skype feature. I know on my BlackBerry PlayBook we've got the ability to have video chat. At home, I can have a chat with Murphy at night, when I'm here in Toronto. So I can assure you, folks are out buying more and more of these PDAs and electronic devices to be able to communicate as they are far apart.

I want to get back again to the situation at hand, which I feel is important, and that's to note the overlap. We are in fact standing here debating a bill today, when the CRTC, the Canadian Radio-television and Telecommunications Commission, is in fact preparing to create a nationwide regulation. I think that's important to note. This creates, obviously, great inconsistency for Ontario and Canada's major service providers. The logic is skewed here. In fact, the Liberal government insists on creating more agencies, boards and commissions but then won't respect the work that they are set out to do.

Instead of debating this overlapping bill here today, as I'd mentioned, the government should be on the CRTC consultation board and work with them to respond to the concerns of Ontarians, Ontario consumers, especially when the CRTC overrules any telecommunication bill that could be passed in this House. I think that probably one of the biggest take-aways of my remarks today is the fact that the federal government, through the CRTC, is in fact looking at this.

That's why I would also like to highlight another piece of legislation: my private member's bill, Bill 109, the act respecting government bills. I'd like to draw two key points on that. This would require the government to do a

cost-benefit assessment but also two critical points: an assessment of the relationship between the bill and other Ontario legislation and federal legislation. They would have to provide a detailed description of any potential overlap between the bill and existing municipal bylaws or federal legislation. Fortunately, this passed second reading but is now stuck in thin air, as again, we do not have committees to debate this important legislation. Had this bill passed third and final reading, the government would have had to take into account that federal overlap that, again, wouldn't require us to be sitting here and debating Bill 82, because we would have already likely passed Bill 5.

Again, the bill, we believe, is simply jumping the gun. As I'd mentioned, the CRTC is in fact preparing to create a national regulation. I think it's important to note, in fact, that the major providers are on board with this and the CRTC.

It's kind of interesting as well, though, that the bill was announced eight days after the CRTC announced consultations, and was tabled the same day the CRTC consultations closed. Again, I would have encouraged the government to actively participate in this consultation. As I had mentioned before, the CRTC in fact can overrule any telecommunication bill that is passed in this House.

Unfortunately, too, this bill kills Bill 5, which was already in committee. We believe, in fact, that Bill 5 was a more comprehensive approach to protecting consumers, such as mandating unlocking the phones.

I often see folks who go out and buy cellphones at silent auctions or what have you and are forced to actually have to go with the service provider that they may or may not want to use. They may buy a Rogers phone and want to use the Bell service etc. I think that's also an important aspect of it.

I also think it's important to share that the government doesn't share the whole truth regarding the complaints. They cite the telecoms complaints commissioner, who logged, in fact, 8,000 complaints against cellphone providers. MCS itself received some complaints about cellphone providers, but gyms get a lot more, and we don't see MCS regulating gyms with the same zeal, which I think is some—

Mr. Jeff Yurek: Don't give them any ideas.

Mr. Michael Harris: Yes, good point. We don't want to give them any more ideas on that one.

There's also no catastrophic market failure. Canada-wide calling is being taken up by more operators; more are offering tabs rather than term contracts so you can only defer payment for your mobile device.

You know what? We should actually not compare the whole of Canada to Europe because, obviously, it's a different geography, different regulations, and when we do compare, we could actually fare better.

There's also major frustration, again, in the customer service aspect of it. The bill can't do anything to really address the customer service aspect of it. Again, I think it's something that they should be looking at.

All-in pricing in advertising should apply to everyone, simply without exception.

The government needs to ensure good consultation on this bill at committee. Again, I'll go back to highlighting the fact that the committees are in limbo. We don't have the ability to meet and debate and propose amendments to important pieces of legislation or have hearings on important aspects, like the public accounts committee to hear the important goings-on of Ornge; or the finance committee to hear folks coming in on the issue that the member from Cambridge raised on the contempt motion for the Minister of Energy and the government trying to hide the true costs of the Oakville and Mississauga power plants.

That's just back again to the important necessity of the government getting back to the work of this Legislature and striking committees. I encourage the members on that side of the House, when they see their member from Kitchener Centre, the House leader, to encourage them to get back to the table, strike committees and let the work of those committees carry forward.

Again, I think it's important to just highlight the fact that this overlap is in existence. We're standing here talking today, debating a bill, Bill 82, that we already in fact have sitting, waiting at committee to be debated. They simply could have proposed some of the amendments at committee that would have further enhanced Bill 5. As the member previously had stated, we are not going to wait for the federal government, but in essence, we're going to wait a heck of a lot longer here in Ontario for those committees to be struck so we can get to the real business of this Legislature and address the important consumer protection items like the content of Bill 5 does.

I'll wrap it up at that and I'll await comments from my colleagues.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Paul Miller: I'd like to thank the member from Kitchener-Conestoga. He hit on some good points there. Nothing is perfect, especially when you can't take it to committee to work it out; that really makes it difficult. Certainly, I hope the committees get set up very shortly—and I mean very shortly—so we can get some work done in this House.

The people of this province don't realize that nothing's being accomplished here. All these bills that are coming forward and all the things we're doing here and all the discussions and debate we're having—nothing's getting done because the government hasn't struck any committees and until they do, this is practically a waste of time, and the people of Ontario should know that.

The main messages of this bill: There needs to be greater protection for consumers of wireless phone, smart phone and mobile data services. New Democrats support this legislation. It's a good thing to protect the consumer.

The legislation would put an end to unfair practices by wireless service providers by requiring clear disclosure of

all optional and mandatory services, including the disclosure of hidden fees and contract cancellation penalties. A lot of times consumers go and sign contracts for various things. If you don't read the fine print, you find out four or five months later, if you want to cancel, "Oh, I'm sorry, there's a cancellation charge." It ends up being more than your bill cost for the five months.

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There's all these other little hidden things people face that they don't realize, because a lot of times in your busy life, you're in a hurry and you're thinking this company you're dealing with is going to be credible because they want to have a good name in the public and they don't want to have people saying bad things about their company. So you trust them, and a lot of times they really don't spell it out, and they'll just say, "Well, you should have read it." I really think that's unfair. I think it should be spelled out in layman's terms. Sometimes there's a language barrier and people get ripped off, and it's not right.

I think this is a start. There could be more added to this, but this legislation is a good start to protect people out there who really have problems with these companies. I think it will put companies on notice that the people of Ontario are going to be treated fairly.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mrs. Amrit Mangat: I'm pleased to rise in the debate on Bill 82. I appreciate the perspectives of the members from Kitchener-Conestoga and Hamilton East-Stoney Creek.

Mr. Speaker, as the member from Hamilton East-Stoney Creek said, this bill is all about protecting consumers. This is a step in the right direction. This bill will benefit Ontario families through clear, plain and easy-to-understand language when they sign their service contracts. This bill will also provide greater transparency, and if and when consumers want to cancel their contract, they can cancel it at a modest fee. This proposed bill, if passed, will also put the onus on businesses to make sure that customers are clearly informed of what services they are paying for.

The member from Kitchener-Conestoga spoke about the CRTC regulation. I also read in the *Globe and Mail* on Friday that the CRTC will start holding consultations. But they will only start in the month of January, whereas we introduced this bill in May 2012. They're not creating any regulations; they will just be holding consultations. And I have not seen anything from the feds to come forward and say they are supporting CRTC rules or anything.

This is all about protecting consumers, so that they are able to make informed decisions and smart choices.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mrs. Christine Elliott: I did listen very carefully to the comments made by my colleague the member from Kitchener-Conestoga with respect to Bill 82, the Wireless Services Agreements Act, and he made eminent

good sense to me. On one hand, he's certainly acknowledging that there is a need for greater consumer protection. I don't think anybody would deny that. In fact, the Consumers Council of Canada indicated, and I'll just quote here, "Contracts for cellular voice and data services and equipment rate as top-10 sources of consumer complaints in Ontario," said Consumers Council of Canada President Don Mercer. "Many consumers feel their rights are unfairly limited and find it hard to understand their responsibilities under these agreements."

Certainly, that's fair to say, but there are arguments on the other side that we need to take into consideration. One is the fact that the CRTC is already preparing to create a national regulation, and I think it's really important in our deliberations that we make sure we understand there isn't an overlap, that we don't have a patchwork of different agreements across the country and don't have repetition.

The other thing that I think we need to keep in mind is that we don't want to go too far. There is a balance that has to be maintained here. Maybe it's the lawyer in me. I certainly do recognize the concept of the sanctity of contracts; that after all, people are presumed to understand what they sign. But I certainly do acknowledge the fact that there are situations where it's very buried in the fine print and maybe people find it hard to understand and there are different nuances in each contract.

The other thing, as the member mentioned, is that the problem isn't as bad as has been made out. There are complaints about a number of agencies that require some assistance, including complaints about gyms, but we haven't pursued those with the same zeal. I'm just saying that we need to maintain a balance, which is really the reason we need to get it into committees as soon as possible.

I would certainly urge the government to constitute those committees so that we can get on with the work of this House.

The Acting Speaker (Mr. Ted Arnott): Questions and comments? The member for Essex.

Mr. Taras Natyshak: I'm pleased to rise to speak to G82. I think the main thrust of the bill is—it states here that the legislation "would put an end to unfair practices by wireless service providers by requiring clear disclosure of all optional and mandatory services, including the disclosure of 'hidden fees' and contract cancellation penalties."

I find it quite ironic—here we are dealing with a scenario where we're attempting, as an opposition party, to learn about all of the cancellation costs through a contract that was brokered with gas plants in the municipalities of Oakville and Mississauga—that the governing party is willing to offer some consumer protection for those who have cellphone bills, and I think that's a commendable initiative, however, when we're talking about the billions in the public purse, an order of magnitude that pales in comparison, you wonder where their real intent is.

As a member of our side here, I can tell you that we are all for consumer protection, whether it's for cell-

phones, hydro prices, electricity rates, gas prices—especially at the pump; we introduced a wonderful initiative that would've capped the price of gasoline at the pump on Monday mornings, but that initiative was voted down in this House. It may be, at some point, that we return to that, to offer more consumer protection.

But all told, I think that the intent of this bill is straightforward. It looks to add some clarity to cellphone bills. I frequently go into the Windsor area, where we're just across the river from Detroit, and we see roaming charges suddenly appear on our cellphone bills. It would be nice to see that go away, but I would love to see the thrust of this bill applied more generally to the government's principles.

The Acting Speaker (Mr. Ted Arnott): That concludes our questions and comments.

I return to the member for Kitchener–Conestoga for his reply.

Mr. Michael Harris: I would like to thank those members who made comments on my initial remarks on Bill 82: the member for Hamilton East–Stoney Creek, the member for Mississauga–Brampton South, of course, my colleague, the member for Whitby–Oshawa and, most recently, the member for Essex.

Again, I think that what we've taken from this is that what we all need and want and ask for is greater consumer protection. I will build off the remarks, just recently, of the member for Essex. When he mentions the reason why we've been here as of late, speaking about greater transparency, accountability—we often refer to the Premier as the fine-print Premier, and I'd almost think that he has a hand in writing some of these contracts that Ontarians seem to be so confused about these days.

I know, too, credit needs to be given to some of the service providers. In their retail stores, some of their agents do a very good job of educating consumers when they come in to buy a new BlackBerry, for instance, in terms of what that contract will look like, but there are some instances where there are language barriers and just that sheer being overwhelmed, whether you're a young person, excited to get that new phone, to log on to Facebook, or you're a senior looking to get an iPad or a PlayBook to be able to communicate with friends and family abroad.

I can appreciate the fact that greater consumer protection is needed when it comes to cellphones and wireless carriers, but it is just so outrageous that the government of the day—the fine-print Premier—won't allow Ontarians to see the true costs of what a political decision that they made to save Liberal seats will actually cost, and hit consumers in their pockets.

I'll leave it at that, and go from there.

The Acting Speaker (Mr. Ted Arnott): Pursuant to standing order 47(c), after six and a half hours of debate, I am required to adjourn the debate, unless the government House leader specifies otherwise.

I recognize the Minister of Labour.

Hon. Linda Jeffrey: Speaker, the government wishes to continue the debate.

The Acting Speaker (Mr. Ted Arnott): Further debate?

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Mr. Norm Miller: I'm pleased to have the opportunity to speak to Bill 82 this afternoon. Bill 82 is an act to strengthen consumer protection with respect to consumer agreements relating to wireless services accessed from a cellular phone, smart phone or any other similar mobile device.

I guess I would pose a question to begin with: Why is Ontario getting involved in this, especially when you think of all the provincial concerns we have? When I do that, I think about my constituency office versus the federal constituency office, and it seems like every issue is provincial. I think you would likely agree that our provincial constituency offices are likely 10 times busier than the federal ones. This is an area that is primarily within federal jurisdiction, so I'm not quite sure, with all the problems out there that are provincial, why the province is deciding to jump into this one, especially in light of the fact that the CRTC, the national regulator, is looking into this very issue.

In fact, the bill was announced just eight days after the CRTC announced consultations, and was tabled the same day as the CRTC consultations closed. It seems to me that if the federal government does pass some new laws, the logical approach would have been for the province to play a role and certainly raise all the concerns that we are hearing from our constituents and from people across the province, but to make those concerns known to the federal government and see what happens with their legislation, because they very well may come out with similar legislation, which would supersede this legislation.

As I say, especially when you look at all the concerns out there, whether it's energy costs, the many, many health care concerns we have, transportation—as the northern critic, I could list many northern challenges: just trying to get some economic activity happening in the Ring of Fire, to mention one of them. So right off the bat, I wonder why the province is getting involved, why the McGuinty government is necessarily getting involved.

Secondly, if they are going to get involved, they did have a private member's bill, Bill 5. The member from Sault Ste. Marie put Bill 5 forward, and, as far as I understand it, it covered many of the same issues as this bill. Of course, as any bill could, it could be amended at committee. Well, the bill was actually at committee, so it's already ahead of this one. If you're going to go into this area, why not deal with Bill 5 that's already at committee? Of course, as has been pointed out by the previous speaker, the member from Kitchener–Conestoga, there are no committees right now, so until committees are re-formed, that wouldn't be possible.

I simply say there are lots of good objectives in here, but is the approach the government is taking with this just going to create more red tape, more regulations that may or may not benefit consumers? In the end, if it does cost a lot more—and I see figures where it could cost as

much as \$100 million. I don't know whether that's correct or not, but that's what I see is possible. That cost will be borne by consumers. All of us who have cell-phones and iPhones and data plans will end up paying it. And, as has been pointed out by organizations like the Canadian Federation of Independent Business, the cost of regulations and red tape—this is from a couple of years ago—is some \$11 billion a year in Ontario. That's a huge cost, and in the end consumers pay for it. So although the objective is good, it might end up just costing Ontario consumers a lot more. As I point out, we're already paying a lot for our cellphones and services, and this could end up being more costly.

I would simply say that the approach on many issues with the McGuinty government to do with regulation could be improved a lot. I think with any of us, when we get into our constituency and talk to small businesses, they'll tell you stories, one by one—and every one unique—about how regulations, although always well intended, make it harder for them to do their business and more expensive for them to do their business. So I say that this government needs to change its approach to the way it tries to regulate things and stop being so prescriptive, where it tries to think of everything that could possibly happen and write rules—reams and reams and reams of rules—to deal with every possible situation, and instead be more goal-oriented. Set the goals you want to achieve and then, those many rules that are out there—if you're a small business, it's impossible to know all the rules, absolutely impossible. There are so many rules. Whether you like it or not, you're going to end up breaking them because you're not aware of them.

So, number one, the government needs to communicate all these rules that they've created much more clearly, because I think it's true that the great majority of businesses out there are trying to obey the rules. They're not trying to break the rules; they just don't even know what they are. They could spend all day and night trying to comply and not be able to do it. So the government needs to communicate and make the rules more simple. They need to communicate the rules much more clearly and spend a lot more time communicating. All the various inspectors, of which we have lots in the provincial public service, should be more out there trying to educate businesses versus trying to be the police. Rather than showing up at a business's door and saying—it doesn't matter what inspector you are, whether you're the health inspector or the MOE inspector or labour inspector. The inspector should be showing up at the business with a goal of trying to help the businesses comply versus writing the citation for what they did wrong.

I will say from personal experience of being in business for 30 years, that's the way it used to be 30 years ago, having worked with fire inspectors and health inspectors in my past business of running a resort. It has changed. It has become—I don't think it has made the province a safer place but it sure has made it a lot harder for businesses, and a lot of them are afraid to do anything because an inspector shows up and they get charged with

something. They get charged with breaking some rule that they aren't even aware of. So I think we need to use a different approach.

The CRTC are working on something themselves on a national scale. I would suggest that it's better to have a national regulation that applies to the whole country versus just Ontario. You have these businesses—they're not doing business just in Ontario; they're doing business across the country. So, a simpler system with less duplication, from province to province, is going to, in the end, probably achieve the goals of this bill but be a lot more simple and, because of that, less costly for the consumers. I think that's probably what consumers out there want.

As I mentioned, if the federal government does pass a new law, it will supersede this bill, if it does come into place. There are some concerns, I would say, addressed in the bill that I do agree with. Having a simpler bill that tells you all about your plan is important, but you could get some unintended consequences with this bill. You could end up with 50 pages of details about your plan that 99.5% of the people aren't going to read. I think it's important that in the disclosure part of it, there needs to be something pretty simple, pretty straightforward that consumers will take the time to read and get the key points: what the total cost is going to be, how much total data they have, and anything else, any penalties that there might be—everything as clearly and succinctly as possible, those high-line, important points.

Winston Churchill, in the middle of World War II—it didn't matter if it was details about some new weaponry, if he got a report on it, it had to fit on one page. Well, I think you could apply the same to the description of your plan for your data and the plan for your cellphone, your mobile devices. At least the key points should be able to be on one page, and you can have further background on it so that people understand it and actually read it.

But some of the issues I do agree, from personal experience, need to be addressed, the costs that people aren't aware of. We've probably all, the first time at least, gone to the States or gone overseas and not bought a roaming plan or additional data plan. I know, just going to the States the first time many years ago and using a cellphone—being shocked when I arrived home at the size of the bill that I then faced, without really any disclosure. I don't think that's right. I think that consumers should be aware ahead of time and warned in any way possible about the fact that they're going to be ringing up bills worth hundreds, perhaps thousands, of dollars.

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Last year, we went to visit our daughter Renee, who's over in London, England, currently, and we went to Ireland for a week. We were using her iPhone for navigation. It turned out that her plan was a British plan; it didn't work in southern Ireland. Then we had to resort to using—we didn't have any paper maps; we were using my wife's iPhone. We had gone to the bother of making sure we bought an additional plan for Ireland, but what

we didn't realize was that we had only bought the voice part of it, not the data part. So when we checked and learned that, then we bought an additional data plan. You must use a lot of memory up when you're trying to use it as your main navigation device, but I don't think we had gone a day when we got a warning that we had exceeded our data limit.

I think it's important that consumers are aware, when they're using their mobile devices, of when they're going to end up facing huge bills. It's not fair that you use your device in travel or whatever and you get back and find out to your surprise that you've got a \$1,000 bill waiting for you on your arrival home.

If the goal is to have the best prices for consumers, which I think is what it should be about, then I think what we need to do is foster competition and do what we can to make it cheaper for businesses to do business in Ontario and Canada so that with that increased competition, consumers will get the best price for the available services.

We're seeing huge increases in the use of mobile devices. I'm sure we all in our lives are seeing great increases in use. I know I have some statistics here which I'll look at in a second—yes, data usage is doubling every seven months. That's a great increase. I think that will help foster competition as well, that increased use.

Another point this bill deals with is all-in pricing. I think that's a good idea. The idea of having a price that is the total price, including tax, including your data plan, including anything you might rack up, makes sense and is fair for consumers. But again, if you're looking at how do we make our world less complex and less expensive for businesses to do business here, why not have a rule for all-in pricing for anything, not just mobile devices, but plane tickets, cars and anything you sell? Why is that not possible? Then it would be uniform and the same for everybody, and perhaps cheaper for businesses to figure out, especially if they all understand that the price has to be the total price.

I must admit, I do wonder if this bill is a bit about optics. It's popular to be seen to be doing something. Everybody's got a cellphone, an iPhone or a BlackBerry—I happen to have a BlackBerry—and we all probably pay a lot for our services and we all think they cost more than they should. Anything the government is seen to be doing that looks like they're trying to protect consumers is going to be popular. I must admit, I do wonder if this bill is a bit about optics and the government trying to be seen to be doing something.

The member from Kitchener-Conestoga did bring up some good points. He talked about how in Bill 5, the bill put forward by the member from Sault Ste. Marie, there were actually some features that aren't covered in this bill—it's my understanding, and if he is correct—where unlocking the phone was required in Bill 5. So if you buy a phone somewhere, you can't be locked into a plan with, say, Bell or Rogers; you could choose whichever provider you wanted. I think that is something that consumers would certainly think is a positive thing, and this bill,

as I understand at this point, does not cover that. It could cover it, if it was amended at committee, but as was also pointed out by the member from Kitchener–Conestoga, there are no committees in the Legislature at this point. There may be one. The finance committee will be recalled shortly when the government stops stalling and forms that committee, as has been ordered by a motion in the House that passed recently. But otherwise there are no committees. I certainly hope that the government does form the committees soon.

I know that I was involved with the public accounts committee through the spring and for seven full days in the summertime as well. It's work that is midway through its process, looking at the Auditor General's special report on Ornge. I simply say it would be a shame to waste all the work that has been done by all the committee members, and a lot of time, by not reconvening the committees, as was the case last year, until February. The sooner they're reconvened, the better.

In the case of the public accounts committee, we spent from February until September looking into the Auditor General's special report on Ornge. It would be nice to complete that before the Auditor General comes out with his next report, which is toward the end of this year. That is the only thing the public accounts committee has done this year. We didn't get a chance to look at any of the other sections of last year's Auditor General's report.

I think the longer the time goes before committees are formed, the less value that work has, and there has been a lot of time and effort spent on it. So I do hope the government gets the committees going sooner versus later. Of course, for this bill, that would give an opportunity to make some modifications to it in committee.

In closing, Mr. Speaker, I do wonder in particular why the government is really jumping the gun when the federal government is engaged with looking at this issue right now. Why not participate in their process, make some good suggestions—some of the points I have mentioned—so here's a good federal bill that applies across the whole country? That will be better for businesses doing business and, as a result, will be better for consumers as well. I think that would be a positive thing.

One of the big frustrations out there, certainly, is customer service, and this bill is not going to do anything with customer service. I think competition really provides an opportunity for the better companies to provide better service and therefore earn more market share through their good service. As I mentioned, I think all-in pricing would make more sense if it applied to all businesses, not just one small segment here.

There could be some unintended consequences with this bill too. Auto-renewals are banned, meaning that the consumer will no longer become a month-to-month customer when their term is up. This means they will lose the favourable conditions they liked in their old contract because some of the deals will not be available two years down the road. So consumers could be faced with a sudden cut-off or with the headache of having to find another contract and sign it.

In my last minute, many of this bill's principles are very good, but they could apply to a broad range of industries rather than specifically to mobile devices. I think it could be much broader. There are some good points, though, especially consumer protection and not being surprised with cancellation fees—I know the bill limits cancellation fees to some \$50. I think a lot of consumers do feel they're tied in and maybe didn't understand the agreement when they signed a three-year contract and then find they can't break it. That is something worth looking at.

In conclusion, I just worry that the result of this could be more red tape and more costs to consumers, even though the goal is to provide consumer protection.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Jagmeet Singh: Thank you very much to my colleague for his extensive comments and thoughts on this bill. I should begin by agreeing with my colleague with respect to the fact that consumer protection is much needed. The bill has certain elements that are welcome and are certainly a step in the right direction to providing some protection for consumers. Particularly with wireless services being a new service, a new area of technology, it's an area where I don't think we've turned our minds to enough protection in terms of the consumer. I think it's important that we are turning our minds to it now.

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There are some great points particularly when it comes to disclosure. I think consumers should know what they're getting into, they should know exactly what the costs are that are going to be associated with their service. I think that should have been a requirement before and I'm glad to see that being a requirement now.

I agree with the member from Parry Sound that we could expand this to provide broader protection for other areas—not simply wireless services, but other telecommunication services—this type of disclosure requirement and a broader sense of protection where the consumers could benefit in other areas as well.

In addition, looking strictly at the wireless services, there's an area—and my colleague and I were just speaking about this—roaming charges are a considerable cost where people are often left unaware of how many minutes they have, what the costs will be. If they do get a package added on for international use, often it's unclear how many minutes are used, and the cellphone provider doesn't provide an update of how many minutes you have left. If that requirement was placed to allow the consumer to gauge how many minutes they have left, or how many megabytes are left if it's an international roaming package added on, that would certainly give a great deal of protection to consumers so they wouldn't come back to see this extremely large cellphone bill.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mrs. Amrit Mangat: Thank you, Mr. Speaker. To begin with, I would like to thank the members from Parry Sound–Muskoka and Bramalea–Gore–Malton for their comments.

Coming back to the comments from the member from Parry Sound–Muskoka: He’s right. He said communication is in the federal jurisdiction, but consumer protection is a matter for provinces only. Four other provinces, such as Manitoba, Quebec, Newfoundland and Labrador, and Nova Scotia, have introduced similar provisions.

While my colleague the Minister of Consumer Services was developing this bill, they consulted the industry and the message was very clear: that as long as we follow the same provisions that the other four provinces have introduced, they are fine. Having the same provisions will encourage greater industry compliance. This will ultimately benefit the consumers. What is this bill? This bill is all about strengthening consumer protection.

The member from Parry Sound–Muskoka spoke about nationwide regulation. I want to make it clear to this House that the initial announcement made by the CRTC was to hold consultations. Our ministry, our government, tabled this bill in the month of May—only then, as a matter of fact. The CRTC announced something seriously after we tabled that legislation.

So once again, I said it earlier and I’m reiterating again that this bill is all about strengthening consumer protection so they can benefit from this bill and they can make informed decisions and smart choices. Thank you, Mr. Speaker.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Bill Walker: It’s my pleasure to rise and speak to my colleague from Parry Sound–Muskoka. He raised a lot of very valuable points, and I think the general consensus is that there’s some good stuff in this bill, but really, we had Bill 5 already there. Now we’re taking this one. It’s a federal regulation that really—within eight days they came up with this thing. So part of me says, again, why are we even talking about it? Why are we not going and reviewing, once the federal government has put their regulation in place—looking at it and reviewing it and really being efficient and sensible about this? The other side is, we think we can probably support pieces of it, but it needs to go to committee. But once again, there are no committees to take this to.

We’ve spent six hours already debating this. I think it could have been done, to be honest. It could have been collapsed. We’re going to spend however many more hours talking about this, rather than talking about things like the deficit and jobs and the gas plant waste that we’ve encountered and the associated contempt motion. Speaker, it makes you wonder why we have to continue to do this waste and duplication, and spending very valuable time when there are much more pressing needs out there.

The other thing with this bill is it does not address fairly significant things. The high price is what I hear from people in my riding. They want to talk about customer protection and customer service that they’re not getting. They want to talk about the unlocking provisions. So there are a lot of things that are still suspect in this bill, and I think it really reflects again—we’re trying

to over-regulate and over-administrate, and sometimes I think we have to be cautious where we’re going with all this red tape and regulation, and what’s the real cost to the taxpayer, the person who’s paying the freight, in this case the user?

I think we just have to always be putting in mind that this needs to be a strong, national program. It needs to have national, consistent standards. I’m not certain this bill fully addresses that. It is a federal regulation, and yet we continue to talk about these things, at the risk of not talking about jobs, the deficit, debt reduction and spending reduction.

Speaker, I’m concerned that we continue to bring these types of things and not talk about the more pressing.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Ms. Teresa J. Armstrong: Listening to my colleague opposite here with regard to the rules and the red tape and the complications of why we’re discussing this bill today and the reasons we’re here—we could be discussing more important things, and absolutely that has some validity. However, this is very important because I think probably everyone in this House has a cellphone; perhaps your children also have a cellphone. These are affecting our everyday lives. It has now become part of us, a communication tool, and without communication we’re not going to get things accomplished.

Having agreements that have clarity, that have common language, that have disclosure on fees will make people feel more trusting when they’re going in to purchase a cellphone. I know that when I go to buy a product—a stove, fridge, whatever the case may be—I’m relying on that sales representative to portray that information to me, to explain it so I can make an informed, knowledgeable decision.

When we’re talking about a cellphone, again, many people consider it as a lifeline. There could be emergency reasons why you need it. So when you have those roaming charges and you’re not aware of what that cost is or how many minutes you have left, that leaves people upset. When you get that \$900 bill, you’re picking up the phone and you’re yelling at somebody on the other end because you didn’t like the service or you didn’t know. Knowledge is power, and us having knowledge of what that contract entails is going to make people smarter when they’re picking up cellphones.

Speaker, just a little fact here: Complaints about cellphones and long distance charges consistently appear on the Ministry of Consumer Services annual list of the top 10 consumer complaints.

Absolutely there are a lot more important issues we need to talk about, but this is certainly on people’s minds. It’s an everyday tool that we use now as part of our lifestyle. Consumers need the respect of knowing what that contract entails when they purchase that agreement.

The Acting Speaker (Mr. Ted Arnott): That concludes the time we have for questions and comments. I return to the member for Parry Sound–Muskoka to reply.

Mr. Norm Miller: Thank you, Mr. Speaker, and thank you to the members who commented, the members from Bramalea–Gore–Malton, Mississauga–Brampton South, Bruce–Grey–Owen Sound and London–Fanshawe.

Mr. Speaker, as was pointed out, just about all of us use some sort of mobile device. In fact, now 13% of households don't have a land line, as the member from Simcoe North just pointed out to me. So it is a business that's growing tremendously and we all make great use of our devices. I think we've all been surprised by roaming charges or contracts that have been difficult to get out of, so there is work that needs to be done.

I would simply say, for consumers and for businesses, that it makes more sense—particularly with the history; this is an area that's traditionally federally regulated. It makes more sense to have one national plan across the whole country, where companies that do business across the whole country know the rules for the whole country versus having this patchwork. There are now four different sets of rules for four different provinces. That just makes it more complicated for companies to do business, and that makes it more expensive. I have an estimate here that it could cost, for this bill, \$100 million per operator. I don't know whether that's right or not, but that's the number I have written down here, and if that is right, that's a little scary because consumers will pay for it in the end. I think we all want to see consumers getting a better deal, not having to pay more for their mobile devices and services.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Mr. Garfield Dunlop: It's a pleasure to join the debate on Bill 82 this afternoon, the consumer protection bill, the Wireless Services Agreements Act.

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Mr. Speaker, I found this bill a little bit interesting. I hadn't done a lot of comments on it up until this point. However, there are a couple of things that immediately I want to comment on.

First of all, it's the whole area around the federal legislation with CRTC and how we blend this into that legislation, because there's continual work going on with CRTC, as we know, with new approvals, the transmission etc., the things that we hear from the CRTC. My concern here, first of all, is that, yes, consumer protection—I think it's the responsibility of every government to make sure that our taxpayers are protected. However, with the federal issues, and then the concerns around Bill 5, the Oraziotti bill, which I thought seemed like fairly reasonable legislation at the time, through private members' time—I felt that that was sort of the first step. Suddenly we've got this bill that's going to be the provincial end of it.

With that being said, I'm concerned about, first of all, the overall cost of implementing this and who actually does that at the provincial level. I'd love to hear these answers. That's why I'm so concerned that with the bill, as we move it forward—I guess we're getting near the

end of debate here. That's why it is so, so important that this bill go to committee. I think we've heard different speakers say that, both in the questions and comments and in their statements here in the House today.

As the member from Muskoka-Parry Sound mentioned just a couple of minutes ago, there are a lot of people—the whole area around cellphones, iPhones, BlackBerrys etc., is growing at an enormous pace in the whole world. My son just bought a new place and he doesn't even have a land line. His whole group of friends and neighbours etc., they're all using computers, and everything is wireless. I believe there is, as Mr. Miller mentioned, something like 13% or 14% of people today who don't even have a land line in their home.

We can see why there is a need for the consumer protection. However, how does that fit into who enforces this and what those actual impacts will be? That's why, in committee, it will be so important to find out from all of the different stakeholders, including the carriers etc., the people who build the phones etc.—that's why it will be so important to get to them.

The problem we've got, Mr. Speaker, is we have no place to send this bill right now; we haven't since September 10, and here we are, with all kinds of important information. Just a week ago, we voted against the bill for the home renovation tax credit. Well, we have no place to send these bills. In my local media—because I voted against it, I was chastised by the Minister of Health for voting against it, and we have no place to send it anyhow. It's the same with all of these things. I look at the public accounts committee. I mean, I think it's really important. This place right now is almost dysfunctional without the committee system put in place. We're now into, what, 33 or 34 days without a committee here, and it looks like there are no plans for it.

Certainly, public accounts—I'd love to know a lot more about the air ambulance system. I thought that was a lot of good debate during the summer. The committee structure worked. I think the member from Parry Sound–Muskoka, who chairs that committee, had seven straight days. I think the media were paying a lot of attention to it. I know my constituents at home would certainly love to know a lot more about the money that was spent at air ambulance and where it's ended up and what the impacts will be and what the investigations will be—will the OPP be involved?—all those sorts of things. I hear nothing about that.

The estimates committee is where the whole issue started around the contempt motion and the information that didn't flow. I have an opportunity—and that's why I want these bills to go to committee, including this one here, as soon as possible; I was up next on the list for estimates as one of the people questioning the Minister of Training, Colleges and Universities on the colleges of trade. I have, like, 150 questions to ask this guy in estimates. I can't even get it there. They're not meeting. There's no estimates committee. That all ends on November 19. There will be no more estimates after November 19. How many more weeks will it be before we even have another estimates committee this year?

We understand that the finance committee is obligated to meet, under that motion that we passed in this House, and apparently it will. In my understanding—I hope it's going to meet by the end of next week. That's when the 10 sessional days are up, and I'm not sure if we're going to meet or not. Is there going to be some way of delaying that? Is there something new, or something in the standing orders that will allow the government to delay it? I'm hoping that will happen, but where are the House leaders and when are we going to see the committees return?

We spent a lot of time in our committee—I chaired Legislative Assembly in the last session, and we did a lot of work on that committee. Mr. Bisson was there, and a number of members from the Liberal caucus and our own caucus: Ms. MacLeod, Mr. Clark. We had a lot of valuable input towards looking at changing the standing orders. It's dead. It's gone. It's gone dead, and we have nothing to go to. This committee is exactly the same. The Wireless Services Agreements Act: I'm not sure if it'll even get to committee.

Here we are debating, trying to put out positive form, positive input, positive suggestions, but you know what? I could never support this bill unless it's amended. There's absolutely going to have to be a lot of amendments made to this legislation before I could support it. I just see way too many unanswered questions. The real question here in the House today, Mr. Speaker: When will we get to the committees?

I would love for some of the government members or maybe the House leader to stand up and say, "Hey, if this bill passes second reading right away, we'll see this committee meeting next week on it"—a certain committee. That's the kind of concern we've got right now.

Then you've got the whole idea of the private member's bill. We had Bill 5, Mr. Oraziotti's bill, that apparently was quite good. It was stuck in committee, and again, we have no committees. Over and over again, you can talk until you're blue in the face around this place, but the reality is that we're sitting here, almost dysfunctional, because we don't have a committee structure in place. That's kind of a sad state, especially when you look at what's happening in the province today.

The Minister of Finance tried to paint such a rosy picture today. My God, it almost made me sick to my stomach. But we're still going into debt at \$1.9 million an hour. That's the way I calculate it out. I see people that can't pay their hydro bills. I don't know where all these jobs that he's creating are; I see companies closing down every day. I see irresponsible hydro bills.

I got a call on the weekend—you're talking about government oversight, the government keeping a close eye on the tabs of the cellphone companies, but the mayor of the township where I live, Mayor Mike Burkett, is trying to find out some answers on the solar farms. The Ministry of the Environment's staff won't call him, and the Ontario Power Authority people won't call him back. They won't return his calls or his emails. That's

shameful. Why would they not return a call? He's a guy that needs to know this information, because people are wanting to build these solar farms and the legal advice the municipality has got is that these things are bad news, because the sole responsibility is put on the municipality. The government hasn't taken any—who's responsible for that? The government passes legislation, the Green Energy Act, and some poor taxpayer is going to be paying for the problems with it in the future, when some of the companies go broke and that sort of thing. That's the kind of thing he's trying to find out.

As we move forward with Bill 82, we're going to probably end debate here this afternoon on it, but the reality is, we have a long way to go. It might be a consumer protection bill, but who allows the government to go back to committee, and who protects the consumer against the government? That's what the problem really is here, in a lot of cases.

I appreciate the opportunity to say a few words. I'm hoping I can find out in the comments and questions that come back from the government when the committees are going to return, because everybody is asking me that. I get asked that every day back in the riding, like in the constit week last week, and I said, "The place is dysfunctional, because we don't have a committee system." It's something like a banana republic. We're just sitting here debating things and we're not having a committee.

Thank you very much for the opportunity, Mr. Speaker. I appreciate this, and I look forward to the questions and comments coming from, particularly, the government members as they tell me how wrong I am and that the committee structure is going to be in place by next week and we can get a lot of these things, like estimates—Legislative Assembly can return, and public accounts, and we can get the minister in on the finance committee. Things are going to be really great. I hope they're going to say that in their comments and questions. Thank you very much.

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The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Ms. Cindy Forster: Certainly I've listened to my colleagues here today and in other sessions on this issue over the past couple of weeks. It is an important issue to protect consumers. I think, though, that the bill doesn't necessarily go far enough, because I think consumers also need protection with their home phones. In fact, they're finding themselves in these kinds of contracts with penalties around home phone situations, with their Internet, with their television. I actually experienced that in the last week, when I entered into a contract on my home phone and had to take a three-year contract with a \$20-a-month penalty in order to get some relief from the bill. I would have had to pay \$150 a month as opposed to \$75 or \$80 a month by entering into a three-year contract. When I asked, "Well, we're in a minority government here. Who knows when we might have an election? I may not even be here in Toronto," the answer was, "You're still on the hook for \$360 for this phone," which

is really not right. People should be able to get out of that.

The member from London–Fanshawe spoke about people needing cellphones for emergency situations, and I've also experienced that, where my phone actually got cut off because I was over the \$300 mark, with no notification, no email, no phone call to say, "You've got 10 minutes left." It is possible to do it. For example, if any of you have OnStar in your vehicle, they notify you when you're at the 10-minute mark. Somebody actually phones you and says, "You have 10 minutes left in your package. Would you like to add some time?" I think that if OnStar can do it, certainly the big carriers, the big companies can let you know how many megabytes you have left so that you're not incurring roaming charges.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Hon. Margaret R. Best: This certainly is about protection of consumers, which is a priority for our government. And while telecommunications is an area of federal jurisdiction, consumer contracts do fall under provincial jurisdiction, and that is precisely the reason we have addressed this issue.

It is encouraging to see that the CRTC has stated its intention to hold consultations on the state of wireless competition in Canada, but they have not yet publicly confirmed any intention of regulating wireless services sector contracts with the consumer. That's what we are trying to do here, as other provinces have done as well.

I would also like to say that Bill 82 does provide authority to make regulations dealing with notice of roaming charges, and also requires full disclosure of whether a phone is locked, how long it will remain locked, whether the supplier will unlock it and for what fees.

The Wireless Services Agreements Act that is proposed also has stronger protection for consumers and remedies than were in Bill 5. It would create offences for suppliers who bill consumers for payments based on invalid renewals, amendments or extensions. It will also allow consumers to recoup three times the amount charged, if consumers are required to enforce their right for a refund.

This Wireless Services Agreements Act is very important to consumers because it relates to the cost of a lot of these things that have been addressed in this particular proposed legislation. It will give consumers a tool they can rely on to help them in ensuring that they have the kind of services they need with respect to their cellphone devices.

Mr. Speaker, I will continue to say that the purpose of the legislation is clearly consumer protection and regulation of disclosure and similar obligations.

The Acting Speaker (Mr. Ted Arnott): Questions and comments? The member for Bruce–Grey–Owen Sound.

Mr. Bill Walker: Thank you, Mr. Speaker. It's absolutely a privilege to stand and comment on my colleague from Simcoe North. With your indulgence, I'd actually

like to give him another 10 minutes, because he was just getting there and getting wound up, and he was absolutely right in the points he made. You can see why he is so popular in his riding, because he's out with the people all the time, listening to them and bringing their concerns back here.

I think what he said extremely well was how concerned his residents are about the committees, where we really should be taking stuff like this to do the amendments. He stated that we couldn't support this bill without a lot of amendments, and I fully support what he was saying there, but again to his point, there's no committee to take this to. In this House already we've spent six hours debating this bill when we've already heard it's a federal regulation. They're reviewing it; they're going to be putting it out. If anything, this is an industry that does cut across our great country. We need a national policy. We need to see that, take it back to committee and amend it significantly before we go any further, but we don't have a single committee struck.

I find it very interesting that the government of the day, continually, every day in question period, says we're the obstructionists, that we don't want to do anything; we're holding up this House. We're here ready to work. We want to take this—this thing should have already been at committee being discussed. We shouldn't be waiting and debating and discussing here when there are so many other, more important things. These gas plant fiascos are what people want to hear about. We want to bring a committee so we can bring people and hold them to account. We should be talking about the deficit. The Minister of Finance stood up today and said everything is rosy in the province of Ontario. Well, I can tell you that those people in my riding that can't afford to pay their hydro bills and are wondering where the next paycheque is, or, in the case of the horse racing industry, are wondering where the job is going to be when they decimate that one, are asking us to do more. They are saying there's a lot more opportunity out there.

There is a better way, and we are here to do that. We're here to ensure that we hold that government to task.

This is a bill that needs a lot of work. There's merit in some of the things they're saying, but it definitely needs a committee so we can get there and ask the questions, not only on this, but about a lot of things like the gas plants and the Ornge fiasco.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Peter Tabuns: I don't think there's any doubt in anyone's mind that cell customers, mobile phone customers, deserve protection. I think my colleague from Welland has talked about the need for broader protection with telecommunications for people with their home phones, certainly making sure people know that when they are going to be stuck with roaming charges, they know how big those are—that there is regulation that protects consumers who, frankly, pay an awful lot for their mobile devices. They pay an awful lot.

We think it would be a good idea for this bill to go to committee. We think that stakeholders should be given the opportunity to come and speak, set down their concerns, set out some amendments, and in the end actually assemble a bill that is going to serve the people of Ontario. But as you well know, Speaker, there are no committees. So we can debate this bill, I don't know, another week, another two weeks, but with no committees, decisions taken here, let's say to send it to committee, just mean that it gets sent into orbit, that nothing happens.

It's always an interesting thing for those of us in the chamber to talk about a bill and its impact on the people of Ontario, but the people of Ontario actually expect that when it moves out of this chamber, it moves into a committee where something happens. It's time for the government to sit down with the other House leaders and sort out the mechanism of this Legislature so that legislation actually comes to something in the end and is not just the subject of an interesting debate on a Monday afternoon between a bunch of elected officials, but actually has an impact on peoples' lives.

The Acting Speaker (Mr. Ted Arnott): That concludes the questions and comments, and we return to the member for Simcoe North for his two-minute response.

Mr. Garfield Dunlop: I'd like to thank the member from Welland, the Minister of Consumer Services, the member from Bruce–Grey–Owen Sound and the member from Toronto–Danforth for their comments.

I think they just summed it up. No one came back to me with the gist of my—the intent of my comments was to reinforce the fact that we have no committees. The guy that jumped out of the helium balloon yesterday, that Felix guy, has got more substance to him right now than we have in this Parliament, because at least he jumped out, he landed, and he was a success. We're sort of in free-fall here, because we can debate this thing, like the member from Toronto–Danforth said, and we can bring out some great points here in this, but if we can't go to committee to make amendments to it, we're defeating the whole purpose of the Legislature.

I thought the government, when we had a minority—it's a very close minority; we know that. But it's still a minority, and if we want to make this place work, we have to have some kind of cooperation, and the cooperation has to come in the form of things like letting the committees sit. That's our job here. We come down here and we only have question period and debate period after that. You can read a few petitions, you can maybe do a statement or two, but the reality is that all of us want to be on a committee. We enjoy the committees; they're the backbone of a parliamentary system—and we are now about 35 days without a committee. I'm not sure how the minister feels about not having a committee for her bill to go to. It's nice for everybody to sit here and debate, but the reality is there's no place to send it.

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What's critical for this Parliament this week is for the government to come back to the House leaders, get this

thing under way, make sure that we have actual committees to sit that are constructive and see if we can actually make this Parliament work for a few months. I'm hesitant about that actually happening, but the reality is that that's the only way we can expect positive results on any of this legislation, when those committees are back and we can actually do some work.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Ms. Catherine Fife: It's my pleasure to stand up and talk about G82, although, as already mentioned, the debate has been extensive and it would be great if it could go to committee. As one of the newest people here in the House, I'd like to work on a committee. People tell me that's where the work gets done, so I'd like to get to work.

You know what else I'd like to see? If this committee actually got called and we got the chance to actually talk about and expand, amend and edit this bill to the betterment of the people of the province, we actually would see a lot of youth come to that committee, because they're the ones with the cellphones; they're the ones who are not protected. There is a real lack of transparency in these contracts that are being signed by youth. So there is definitely a need to address consumer rights, for sure, and a clear disclosure of what those contracts are like, because more and more young people have phones. Some of them have two or three phones. We're seeing more and more people in the province of Ontario not actually have a land line in their residence. It's quite something, actually; right now, all they have are cell-phones.

Certainly, the NDP has some genuine concerns about addressing the need to limit contract termination fees. You should not be left hanging. If you're not getting good customer service from your cellphone company, you should not be penalized extensively. This is one way that you create quality control in the consumer business: If the company is not actually providing you with half-decent service, then you terminate the contract.

Interjection: So many areas have no service.

Ms. Catherine Fife: So many areas have no service, as you rightly point out.

Under the new act, providers will need to give the customer a written contract that clearly explains the charges that they are signing up for in a manner that is easy for customers to understand. As I have already said, in a lot of those circumstances, it's the youth who are being left on the hook—and sometimes their parents; I know, from some personal experience.

I'd like to see the committees struck. I'd like to see us get to work on this kind of legislation—

Mr. Robert Bailey: We'd like to see you on one.

Ms. Catherine Fife: Yes, I'd like to get to work—and I look forward to the debate. But as has already been mentioned, I'd rather get to committee and get to work on this.

The Acting Speaker (Mr. Norm Miller): Questions and comments?

Mrs. Amrit Mangat: I'm pleased to respond to the member from Kitchener–Waterloo. She said that in the committee, there will be lots of youth; not only youth. Seniors are also using cellphones and all these modern devices. Two weeks before, I was in my riding at an Internet event where they taught seniors how to use these computer and wireless devices. I was surprised to see that seniors were so smart and they were all linking to their devices and how they were operating them. I think we all remember a few weeks before when the iPhone 5 was introduced, the latest version, and there was a long lineup from the youth to be the first one to pick up that device.

Mr. Speaker, it's very important that we provide protection to the consumers, and this bill is all about protecting consumers, strengthening consumers so that they can make informed decisions and smart choices. I'm looking forward to seeing this bill go to committee so that we can do more debate there. Thank you.

The Acting Speaker (Mr. Norm Miller): Questions and comments.

Mr. Jeff Yurek: I'll just take a few minutes to comment on the comments from the new member from Kitchener–Waterloo. Basically, this bill is kind of superseding the bill from the member from Sault Ste. Marie, who came out with a bill months earlier, ahead of the minister, on the same topic. I'm not sure why the caucus and cabinet can't talk amongst themselves and come up with a single plan for Ontario when, in fact, they're now competing with one another.

The main thing is, both bills have some good ideas and both bills have some bad ideas, but it would be nice to sit down and discuss and merge the two bills into a bill that is proper for the consumers of Ontario; the problem being, though, that we could pass this bill today, but there's no committee for this bill to go to to have that discussion, to have the stakeholders' input, to have the merging of the bills. This government opposite us has failed Ontarians in creating committees so that we can get the business done that needs to be done for Ontario as a whole.

Ontario is in a \$13.8-billion or \$13-billion deficit—whatever the government number of the day is—and we have no committees to get to work to get us back on the path to prosperity. That is why we feel that you can pass all the bills you want in this House, but until the government gets off their duff and forms these committees and gets these bills through, Ontario is going to go deeper and deeper into debt; the deficits are going to do nothing but increase. As shown in today's projection from the Minister of Finance, next year's deficit is going up to \$14.8 billion, I believe.

The call on this—this bill is great. The member from Sault Ste. Marie has a great bill. Let's merge them together, but for Pete's sake, let's form some committees and get some work done here. Thank you very much.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Mr. Peter Tabuns: Speaker, I have to say, I very much enjoyed the speech from the new member from

Kitchener–Waterloo. She's grasped the essence of what's going on here: Young people are paying an awful lot for their mobile phones, and frankly, those young people want this issue to be dealt with before they become seniors. They're very hopeful that this will be referred to committee sometime in the next decade so that in fact it can be debated and acted on. The member from Kitchener–Waterloo makes a very strong point. She came here to do the business of the people of Ontario. She would like to be in committee when this bill comes forward so she can hear what the public has to say, so she can work with the government, the opposition, to actually reshape the bill so that it meets the needs of the people in this province. She has no interest in waiting another year or two years, or whatever it's going to take for this bill to come forward. She believes we need committees in place now so we can actually do the work of the Legislature. She made the point strongly.

People watching this debate should know that right now there is only a precipice for this bill to be pushed over. There is no committee system there as a net to catch it when we finish debating. Perhaps that's why this debate continues on and on, because the government well knows that pushing the bill into the abyss won't be viewed kindly. So they're just marking time, taking up the Legislature's precious hours while the government decides whether or not it wants a committee system.

We need committees, we need to carry forward the debate, as the member from Kitchener–Waterloo has done. Get on with the business of this province.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Mr. Jeff Leal: I quite enjoyed the speech delivered by my friend the new member from Kitchener–Waterloo, and I certainly welcome her to the Ontario Legislature. I happen to know her mother and father, who reside in Peterborough, extremely well. In fact, her mother, Sheila, for many, many years, was the executive director of the Downtown Business Improvement Area in Peterborough, and certainly, Sheila was considered one of the outstanding people who have held that job over the years. She was very dedicated, very innovative, and I see those same traits in the new member from Kitchener–Waterloo, and I can tell you many people in Peterborough are very proud that she's now joined us here in this riding.

1640

Interesting enough, Bill 82 is timely. My son, Braden, who's 14, and my daughter, Shanae, who's 13, had some people over to the house on the weekend. They've got these BlackBerrys and iPhones and all these things, and they were having a chat about the cost of operating these programs. My wife and I were sort of struck when we started to hear some of the numbers of what these contracts are all about. I said to them that I could give them some insight on what's currently going on here at Queen's Park with Bill 82, An Act to strengthen consumer protection with respect to consumer agreements relating to wireless services accessed from a cellular phone, smart phone or any other similar mobile

device. Let me tell you, Mr. Speaker, I almost got a standing ovation from the kids on the weekend when I told them, these 13- and 14-year-olds, how we're going to bring this bill forward—in co-operation with the official opposition and indeed the third party—to bring in some protection.

So the 13- and 14-year-olds of the province of Ontario will be able to have contracts that will be written in plain language, and they'll know what the contracts spell out and services to come. Let me tell you, all of those 13- and 14-year-olds in the province of Ontario will welcome this legislation.

The Acting Speaker (Mr. Ted Arnott): That concludes the time for questions and comments. We return to the member for Kitchener–Waterloo for her reply.

Ms. Catherine Fife: I would like to thank the members from Elgin–Middlesex–London, Toronto–Danforth and, of course, Peterborough. The member from Peterborough mentioned my mother, who was the president of the downtown BIA, and that's another segment of the population that has concerns around the lack of transparency around cellphones and the billing process. And those are big numbers; when you add up all the teenagers and the extensive billing, and the lack of transparency around that billing, I think that you would be astounded by that number. But when you factor in the business and the economic factors around cellphones and the lack of transparency around billing, then you have some very real issues. This really gets to some of the work that we need to address.

As critic for economic development, you want to put every piece in place to ensure that the economy gets stronger, that we get people back to work, that we have a real and honest conversation about the reality of the economy in the province of Ontario. We are a long way from having that conversation, and certainly we're a long way from actually doing the hard work that we need to do to ensure that there is real and true transparency around billing around cellphones.

All you have to do is look at the people who have supported this proposed bill. You have the Consumers Council of Canada who have endorsed it. You have a key 2010 survey from the New America Foundation's Open Technology Institute comparing wireless plans and packages from around the world. They found that the Canadian consumers pay the highest minimum monthly charge for cellphone services out of the 11 countries in the report.

It's true, as has already been mentioned, that there is a need for federal leadership on this, but that doesn't preclude us as the Ontario Legislature, as local representatives in our own ridings, from taking some action, from doing something. We would like to do something; we just need those committees to get in place so that we can sit down and we can hammer out a strong plan for consumers around cellphone bills.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Mr. Bill Walker: I find it interesting that the government at the six-hour mark, after you acknowledged, wanted to continue this debate, yet none of them rise to actually speak to it. Once again, waste, waste and a bit more waste. I guess we'll continue on, because we are here to do a job, despite the fact that we have no committees to really take this to, to amend as is needed and actually move it through. It's very frustrating. My colleague from Simcoe North really expressed that in his comments. I think we all really need to reflect on what we are doing here and why the government of the day continues to hold off and not allow us to move on with the more pressing needs.

Just before I get into my more formal comments, the member from Peterborough, a very well-regarded member, made a comment that kind of struck me. He said he was struck that he didn't really understand the cost of these cellphones these days, and I have to agree with him. I have a couple of teenagers as well, and it scares me. But where I want to take this little bit, Speaker, is that I'm concerned that he may also be struck with a lot of the decisions his government is making and the cost that's going to happen to those taxpayers in his riding of Peterborough, but also my great riding of Bruce–Grey–Owen Sound and across this province.

What's the cost going to be as a result of this \$750-million or perhaps billion-dollar boondoggle with the Mississauga gas plant that we're hearing about, Speaker? And is he struck with a 56% increase in energy costs over the next five years because of his government's decision to plow forward with this Green Energy Act experiment that they have gotten us into and don't seem to have the good wisdom and conscience to step up and stay, "We've made yet another mistake"?

I think he'll probably be still be struck even more with the costs that are going to be related to other boondoggles: the gas plants that I've referenced; Ornge, another \$700-million little boondoggle there that's going to cost you, me and everyone else who is paying the bills a lot of money; the eHealth billion-dollar boondoggle. Speaker, it's almost laughable if it wasn't so sad, and the fact that our people, our hard-working taxpayers in this great province are saddled with all of this and they're going without health care and better education. There is a better way, and I suggest our party is holding them accountable to ensure there's a better way going forward.

I'll return to this act and I'll give the minister her due. I think there's an effort here to cap cancellation fees, to prevent automatic contract renewals and to provide clarity and transparency to cellphone and wireless contracts. Those are all admirable and I think that is—it's her duty, to be honest, as consumer services minister. I think those are good, but there are an awful lot of other things in this act that we definitely need to amend and we need to take those to a committee where we actually can do those amendments.

It shouldn't be lost, I think, on the people out there listening and those who will follow this matter that the federal government—the CRTC is in fact charged with

doing this. Mobile phone services are a national need, they are across the whole country, so why would we not let them do their deliberation and then take it back to one of our committees, if we ever strike those? I think the new member from Kitchener–Waterloo—hopefully she'll still be here in five or 10 years when they get to that point, maybe.

Speaker, we need to get those to a committee and ensure that we're actually truly reviewing them. But it is a national matter. Why don't we have some consistency? Why don't we have some national, consistent standards? If my son chooses to move to one of those other provinces, you would think that you would have the same rules and regulations apply. Why do we have to take this thing and make it more complicated than it already is? What we need to be ensuring is that these things are simplistic and we're not wasting valuable time and resources overregulating, creating red tape, creating yet another bill that's going to be 30 pages when other provinces are already leading the way. Why can't we just actually say, "You know what? Let's move this to the committee. Let's ramp it up, get it done and get it into the process?"

But you know what? We can't do that with a lot of the things that we need to do today, Speaker, because we do not have committees. This government continues to thwart the efforts of this whole chamber. We were all duly elected to represent all the people of Ontario and I would suggest to you that we, on this side of the House, and the members of the third party are here prepared to do that. We hold the government accountable, to say, "Where are these committees? Why will you not move forward?"

There's lots of rhetoric every day in the media, in question period, speaking to members outside: "We want to work together for the betterment of Ontarians. There's a better way." Speaker, there is a better way, but they are holding up this House. They are holding up democracy by not allowing it to happen.

The member from London–Fanshawe said that we need to be debating and this is a very important matter. I don't think she was necessarily arguing that I didn't say that, and that's not what I said. What I was more meaning is that this can be done in a much more expedited way. It is a very important matter; I concur with her 100%. On the other hand, the CRTC and anything the federal government is going to do is going to supersede. We've already spent six, probably now eight and a half valuable hours when we could have been talking about our finances and how we reduce spending and how we create jobs across this great province, how we get ourselves out of the massive debt that in eight years they have assembled. More than the rest of our whole province's history, they've doubled that debt, Speaker.

I want to push back a little bit, but I'm not arguing that it's not a very important matter that we need to be speaking about. I 100% agree it is the way of the future. I'm saying, why are we doing it today when we can't take it to a committee and truly effect and amend what's

needed—and there are lots of amendments that need to happen in there.

We need to definitely not be creating red tape and regulation. I don't want to be overly partisan, but I need to throw this out there. I think the party opposite continues to grab on to things that aren't really that sensitive and needed and they put more red tape and more regulation just to deflect away from the real issues that they're not managing well. Again, I go back to the gas plant fiasco; I go back to the simplistic democracy in this House and the contempt motion that we can't even seem to get by yet.

There are things there that we need to be doing, Mr. Speaker, that we could be spending our time on, I would suggest, more valuably. You stood up in this chamber and asked at the six-hour mark, as is required, "Is there further debate?" They said, "Yes, there's more debate." But now, they've all sat on their hands. They need to get off their duff and debate it at least, even though they know it's not going to come to committee—thanks for that quote, my friend and colleague from Middlesex.

1650

We need to be doing the right things in this House and get away from the rhetoric. A couple of the members have now said that we need to actually be working collectively and collaboratively and moving things forward on behalf of the province. I'm definitely a big believer in that. There's also the cost of \$100 million that I'm hearing out there rippling through. Who's going to pay that freight back again to the consumer, who we're supposedly, with this bill, trying to protect?

I think we need to ensure that in this House we're always moving forward with bills of importance. There are lots of things that we could be discussing, but we need to prioritize a little bit more. We need to be talking about job creation, not decimating industries like horse racing and getting rid of 30,000 or 60,000 jobs. We need to be talking about how we reduce the record deficit that's coming at us. The finance minister stood in this House today and released the document that I believe most of us have in our hands here today. You know, to hear him, we're just rolling along and everything is wonderful, although we're adding \$1.4 billion to the deficit next year.

Now, I'm not certain, but the path I think we should be on, if I was the Minister of Finance, would be reining in that deficit as quickly as I can, cutting spending and getting us back to the point before the government unfortunately puts us in a position where we'll get another downgrade, interest rates start to ramp up and we really start to feel the pinch of all that's going on. Every time he stands in this House, it's someone else's issues. "It's global, it's somebody else, we're in a terrible—it's everybody else but me taking responsibility."

I think we have to sometimes get back to the point. We can't over-regulate and treat everybody like Premier Dad wants to. At some point, we have to accept responsibility and ensure that we are doing the right things and, as adults, accept responsibility. We can over-regulate

ourselves to death and get nowhere. All we do is spin and spin and spin with rhetoric and red tape and unnecessary administration and bureaucracy.

Ontario should be—I mean, the BlackBerry: Most of us carry these wonderful inventions that were made right here in Kitchener-Waterloo, Ontario, Canada—a leader of the world. We should be doing things that are making this company continue to be a leader, to have good investment and innovation in their marketing, in their products. We should be debating those types of things. How do we create tax decreases so those companies want to continue to move forward and have the ability to move forward? We shouldn't be talking about the things in here that are rhetoric when again, it's a federal regulation and spending all of this endless time.

Why aren't they coming forward and debating with us on why won't they set up the committees so that we could actually move these bills? If they're so serious and want to make improvement and change, why can't we get to that committees stage? Why can't we have committees struck so that we can actually debate, move forward and get it on to the agenda so the actual true taxpayer does get protection and service at the end of the day? Why have we been in this House for the last, I think, 35 days without committees? I would have to ask that—and yet we want to keep pushing a bill that really will be superseded by a federal regulation anyway. I mean, yes, we definitely have to have our input from Ontario's perspective, but we could be talking about deficit and debt reduction. We could be asking questions about who made the decision to cancel those gas plants that are going to cost the very taxpayer we're trying to protect \$750 million, which will probably get to \$1 billion? Why can't we be asking those types of protection questions, at least to the government in a committee? Why can't we be fulfilling our needs for the Ornge committee that we had struck and was actually finally getting to the bottom of it?

Speaker, we can't support this without amendment. We need committees and we will continue to push for those committees.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Ms. Teresa J. Armstrong: I want to first say thank you to the member for Bruce-Grey-Owen Sound for his notes on his debate on this bill. Respectfully, I do appreciate when I make a comment saying, "Yes, absolutely, he's correct. There are things more important that we certainly need to discuss," it's not an argument or an arguable way of discussing it, but a mutual, respectful way. I think that's what debate is about. We absolutely need to make sure that there are more consumer protections when it comes to cellphones. We talked about the youth. That's what youth is growing up on in this generation. It's all about technology. It's about the wireless cellphone, it's about wireless Internet. If you go to a coffee shop, there's WiFi. This is the wave of the future.

Absolutely, there are more important things that we need to make sure our economy gets stimulated by,

which are jobs, of course. We want to make sure that that happens.

Part of the debate that we have on this bill is making sure that there is that consumer protection, as I mentioned, for the youth. They're a big market that's going to be forthcoming, but also seniors need the protection. I know a lot of seniors who are using cellphones because they have to stay in touch with their grandchildren. If you don't text, you're not going to know where they are.

Sometimes seniors don't always have that grasp of the contract when they're entering into that situation, as well as youth. That's why we need to make sure if and when this gets to committee—and I'm very much in agreement with the fact that we need to strike these committees so that we can have this kind of service that people want to have, because it's a need. It's basically a household appliance now, a cellphone. Everybody's got one. The contracts have to be easier to understand and easier to use—and protection for consumers, absolutely.

Let's get the committees working and get this over with so that we can talk about more important things to get people back to work.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Ms. Dipika Damerla: I'd like to begin by thanking everybody who has spoken to this bill today, and in particular the members from Bruce-Grey-Owen Sound and London-Fanshawe.

I did want to address a few things they said. One was the whole idea of, is this important enough to be working on—particularly the member from Bruce-Grey-Owen Sound. I just want to say that in life there's that big rule: the important versus the urgent. Of course, slaying the deficit is number one, and it's the one thing that we're all focused on, but that doesn't mean we don't take care of all of the things that make the lives of Ontarians better.

I can tell you that this is one bill that is going to be welcomed by every single Ontarian, because we know almost everybody, from 14-year-olds to seniors, have cellphones. It's just part of our lives. It ought to be that being able to pay a cellphone bill is easy and simple, and I ought to be able to know exactly what the heck I'm exactly paying for.

I, for one, feel that yes, there are a lot of important things out there that this government needs to focus on and it is focusing on them, but we cannot forget some of these issues that are really, really important as well for everyday Ontarians.

Personally, I always feel that every contract, any contract, whether you're buying a condo or you're entering into a cellphone contract, ought to be in plain English because that's what it's about, so that I understand and everybody understands exactly what we are signing. It ought not to be to the benefit of lawyers and large companies who are trying to protect and put in fine print which I or everyday Ontarians don't understand.

I think this bill, in principle, is a very, very important thing in terms of bringing contract law to everyday people, so that when I sign something I actually

understand what I'm signing and it's not a lot of fine print and you turn the page over and there's pages and pages of what I call light grey ink that's really difficult to read. I ought to know what I'm signing, and that's what this does, so—oh, I see that I'm very passionate and I'm out of time—

The Acting Speaker (Mr. Ted Arnott): Thank you. Questions and comments?

Mr. Toby Barrett: I wanted to comment on the remarks made by the member for Bruce–Grey–Owen Sound. He covered, actually, a number of pressing issues in his riding. He also talked about this legislation, Bill 82. But I think that's the point. There are an awful lot of pressing issues we have to deal with this fall and this winter. We are obviously not out of the woods on the jobs front. People in my riding, and we know this from door-knocking last year, are having trouble paying the bills. People are starting to realize we have an ever-growing deficit and a looming debt that's projected to come in at something like \$411.4 billion.

I wonder about this legislation. I may actually be changing my views, because we now realize—this is federal, first of all—the federal government has launched consultations. The federal government is taking back responsibility for this particular issue. We know that Quebec, Manitoba, Nova Scotia, now Ontario at the governmental level are doing some work on this. This lies in federal jurisdiction. I'm beginning to wonder if we're going to spend our time carrying on with this particular piece of legislation that mirrors an excellent private member's bill that came forward from a government member, actually, last year. Nothing happened with that private member's bill. I'm beginning to wonder, why are we doing this? Are we going to intentionally duplicate work that is being done and should be done by the federal government? Are we going to end up with a patchwork of legislation? Is Ontario going to contribute to this kind of duplication?

1700

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Jagmeet Singh: I want to join this debate and talk about wireless usage or wireless phones as an issue of accessibility. More and more, we're seeing that wireless phones are the primary means of telecommunication for a majority of Ontarians. What we're also learning is, more and more, wireless services are the primary way that people access the Internet. The growing trend is that this will be the primary way that the majority of people in Ontario and across the world will use to access the Internet.

The Internet has been touted as the great democratization of knowledge. Knowledge is much more ubiquitous, much more accessible on the Internet. If we agree with that principle, then it's more important for us to look at wireless services as an issue of accessibility, as a way of equalizing the playing field for those who want to access information, knowledge, learning as a tool for education or for social change.

If that's correct, then we must really look to the affordability piece. While disclosure is very, very important, while being aware of contract issues regarding payments and cancellation is very important, we also have to turn our minds to the affordability piece. If we look at the Internet as a tool to allow the vast sharing of knowledge, then we want to make sure that it's accessible. We want to make sure that wireless services are also accessible and affordable so that people are not impeded from accessing the Web, are not impeded from accessing knowledge or from sharing their wealth of experience because of an affordability issue or because of a socioeconomic issue.

While we're looking at disclosure—and it's important to ensure that contracts are fair, easy to understand and legible—we also have to turn our minds to making wireless services affordable so that everyone has access to wireless services and, consequently, the Internet.

The Acting Speaker (Mr. Ted Arnott): We go back to the member for Bruce–Grey–Owen Sound for his reply.

Mr. Bill Walker: Thank you to the members from London–Fanshawe, Mississauga East–Cooksville, Haldimand–Norfolk and Bramalea–Gore–Malton.

I fully concur with my colleague from London–Fanshawe. She's always respectful and we always have, between her and I, respectful debate. That's the whole idea of this. The whole idea, I think she would concur, is that we need to have that respectful debate in a committee, where we can actually have debate, make amendments and move a bill forward. Then it becomes law, and the people who we're serving get what they deserve and desire. I also think she's got a bit of a vested interest, but all in the greatest way because she's a new grandma—not too long ago, about a year and a little bit. I can see how that will impact her.

My colleague from Mississauga East–Cooksville—again, very passionate. She's someone who has a high level of respect, and we also have good debate. She talked about it being important and urgent. Well, if it's important and urgent, then strike some committees so we can take that important, urgent matter and again have that respectful debate, get to where we need to be and make it law so we can move on to the more important and urgent debates that we should be having about the budget, our deficit, the gas plants and all the other things that I've already talked about.

She said that it should be easy to pay your bills easily and simply. Again, we're suggesting that this needs to be amended to ensure that it's a national and consistent approach, with standards that all of us across this country can do so that we're actually working as a great country collaboratively rather than against each other.

She talked about lawyers and big companies. I would suggest, when we go back to the current situation that we have with the Mississauga gas plant—a lot of lawyers and big companies involved there. I think maybe we needed some consumer protection against the government in this case; we might not be sitting where we are today.

Haldimand–Norfolk: Mr. Toby is always on top of things. He's talking about the real things. He's talking about jobs and paying bills and lowering the deficit on behalf of his taxpayers. He asked a very important question: Why are we debating this one here in the House when it should be at a committee? What value is there to the taxpayer and what are we really going to get out of it at the end?

My friend from Bramalea–Gore–Malton talked about affordability and accessibility. I agree wholeheartedly, but we need to get this bill to debate so we can amend it and ensure that it's affordable, accessible and what the taxpayers of Ontario need. Thank you, Speaker.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Mr. Toby Barrett: I appreciate the opportunity to address Bill 82. It's titled Wireless Services Agreements Act. We were leaning towards this legislation. I know that the private member's bill put together last year by Mr. Oraziotti was very well done, very detailed. He had a good handle on this. I'm really wondering now if we should maybe put a bit of a hold on this. I'm suggesting perhaps a sober second thought, because we have heard now that the federal government has kicked in on an area of jurisdiction that is federal. It is federal. I wonder why there was a bit of a delay until now, but we understand that they are conducting hearings.

I don't get complaints about cellphones and cellphone bills. I checked with my constituency office this afternoon: nobody phones my office—and we get an awful lot of phone calls at my office on everything from the drought this summer, cattle, Caledonia, horse racing; of course, the debt, the deficit; lack of jobs; of course, wind turbines—we're right in the thick of that right now. As far as me dealing with people who cannot understand their cellphone contract, we're not getting those kinds of calls. I'm assuming they would be, perhaps, if they had to go to that level, phoning the federal MP in my riding, phoning that constituency office. We checked this afternoon. Our federal MP isn't getting calls about this either. However, we do know that—

Interjection.

Mr. Toby Barrett: I don't know whether you want to record that interjection; I could read it later and see if it made any sense. Anyway, I'm not getting calls about this, in contrast to so many other issues, issues that have been raised this afternoon.

So is this legislation, even though it didn't kick in on what one of the Liberal government members introduced last year—I'm wondering now; I'm having second thoughts. Are we jumping the gun? The CRTC is preparing regulation and they're doing what I understand is quite an intensive and fulsome consultation, citizen participation, something that will be far more extensive than we would ever get from a committee if we ever were to see a committee formed that we could send this proposed legislation to.

I understand the bill was announced at the same time that the federal government announced their consulta-

tions. I don't know whether we're playing follow-the-leader here. We know that Ontario is always following Quebec, which has already put together regulations. The concern is, Ontario, Nova Scotia, Quebec, Manitoba, everyone goes their separate ways and comes in with their own approach to this. Again, to use the old saw, are we going to end up with a patchwork quilt of confusing regulation across the Dominion of Canada? We've seen this in the trucking industry. This inhibits trade. This inhibits the proper management of companies. It's a barrier to doing business. Are we going to be part of the problem rather than the solution if we go forward with this legislation?

Obviously, consumers need protection. This is a federal issue. I defer to the federal government. I'm opposed to any kind of duplication. We've seen this kind of duplication. We've gone down this road before.

I think of the Toxics Reduction Act. The federal government has a registry of toxics. In their wisdom, this present Ontario government decided to duplicate what is rightfully in the bailiwick of the federal government. I don't mean to criticize anyone who may be present here today who maybe had something to do with that.

Think of the pesticides bill. The federal government looks after that. The federal government has a registry. Why would the Ontario government jump in and, again, as with toxics reduction, come up with some unnecessary duplication of something that lies within the bailiwick of the federal government?

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We know that this bill kills Bill 5. This kills Mr. Oraziotti's bill. It had been referred to a committee back in the days when this Ontario Legislature had committees. That was last year. There it sits. Now, in its wisdom, this government—again, I suppose a lack of new ideas or do a copycat and come in with legislation that actually does not seem to be as comprehensive as Bill 5, the legislation put forward by Mr. Oraziotti.

Just to go back to the Canadian Radio-television Telecommunications Commission, the CRTC, they are forming a national code. Does this make this redundant? Does this make all our work superfluous? I think we should rethink what we're doing here. The CRTC, as I mentioned, is launching a public consultation process to gauge the views of consumers, to find out what kind of new rules could be required with respect to the sale of wireless services for smart phones, tablets and the like, and they're holding public hearings.

Again, why are we jumping into legislation right now? How extensive are the provincial public hearings going to be, if there ever were going to be public hearings, if there even was to be any modicum of citizen participation or industry involvement or consumer involvement in this issue? Or is this just a make-work project? Are we just kind of in here to attempt to fill time till 6 o'clock in the afternoon?

It's an important issue; I don't take that away from this attempt at legislation. We're looking at an \$18-billion market with respect to cellphones and other

wireless devices, and I applaud the CRTC for stepping in on this. I think at one time it was deemed unnecessary to do this. It was felt that competition in the Canadian market would merit more of a hands-off approach to leave the consumer on their own.

Like I say, I don't get complaints, but I am aware of some of the people who set up a little table in a mall to sell these kinds of devices. A young person comes along and maybe they've got access to a debit card. They want a cellphone. Certainly young people want to have these kinds of devices and they get talked into dropping 300 bucks or 400 bucks on something like this, something they can ill afford. Perhaps their parents find out about this; they try and track down this perhaps somewhat fly-by-night operation—like I say, a table set up in a mall. What have you got to fall back on? You just eat it and cancel the cellphone or try and disable it so there aren't any more charges. Obviously we need something. We need some kind of a structure there. A few other provinces are ahead of us on this, and now the federal government has stepped in.

As far as the CRTC, they acknowledge the complexity of this issue. Something that's quite apparent when I listen to some of the presentations here this afternoon, and even my presentation—it's very clear I don't know a heck of a lot about this issue. It's not something I deal with through my offices. Twenty-seven million people in Canada have one of these systems. They need assistance to make some informed decisions. Maybe they're not part of a company or a corporation or this operation here, where central purchasing looks after the wheeling and dealing and getting a good rate or a good initial price and checking out how much it's going to cost to get out of a bad deal. Someone has to step in on this. The Ontario government has done nothing to date other than introduce some legislation. Again, Speaker, I look to the federal government. That's where this kind of stuff lies.

As Canadians, we use these things all the time. I think it's more prevalent in the Dominion of Canada than just about anywhere else in the world, even though we do have the infrastructure in place for the wire-based systems. There have been a number of complaints, so I'm told, about these kinds of contracts and, as I've indicated, the kind of complaints I get are about the drought, the cattle industry, the high price of feed, what this Liberal government has done to the horse racing industry. Caledonia—here's an issue. I've yet to see that come before a committee. I want to mention one name. Merlyn Kinrade passed away a few days ago. There's someone who did more to fight this issue in Caledonia than just about anybody in this Legislature.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Hon. Madeleine Meilleur: I wanted to give my comments on this very important bill. Ontario is taking strong action to help eliminate the shock many consumers get from opening wireless services bills. The official opposition talks all the time about electricity bills. They never talk about the telephone bill, and,

especially, they never talk about the cable bill. If there is one thing that I am afraid to open in my house, it is the cable bill. You never hear them talking about it. They talk about electricity. What would you do away with in your house: electricity or telephone or cable? You wouldn't do away with electricity. You need electricity. But the opposition, they get so many phone calls about the electricity bill. I never get any phone calls in my office, but the opposition does. I don't know if they are all connected to the opposition, but I never do, and they do.

The member from Haldimand-Norfolk said, "I don't get complaints about the telephone. I called my MP, and he said he does not think it's important." I think it's very important. I think it's very useful to have a cellular phone, but I think it's important to know what you pay for. I would ask everybody in the House to support this and to protect those consumers who use the cellular and iPad and all this jazz. It's important to know, when you use it, how much it's going to cost you, to have a contract in plain language.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Mr. Bill Walker: It's always a pleasure to follow the Duke from Haldimand-Norfolk. He always puts in lots of thought and he always brings up his constituents' concerns.

But just before I go on to his accolades, I'd like to just make a little bit of a reply to the minister, respectfully, and suggest—she says she gets no calls. I would like to offer her an opportunity. If she would give me her office numbers, both constituency and Queen's Park, and her personal email and personal cellphone, since we're talking about this, I will pass it on to all the people that call my office about electricity bills and the Green Energy Act, and I think I can change her life a little bit very quickly.

We're talking about it all the time because it matters to people in their homes. It's a 56% increase staring them in the face over the next five years. They are worried about their ability to pay their home heating and their hydro bills. It's absolutely critical to the people.

It's why, in this House, my colleague Mr. Barrett has spoken very eloquently about the people in his riding who are calling about the drought this summer. They're calling about the decimation of the horse racing industry. They're talking about Caledonia—something that's never getting talked about in this House. They're talking about the Green Energy Act. They're talking about the record-setting debt that the Liberals have incurred over their reign of terror over the last nine years. Those are the important things that we should be talking about.

There are no committees. Even if we get this thing through—he said very strongly that this is a federal jurisdiction. It should be a consistent, standard bill across this country, and unless we know what they're doing, they can supersede everything anyway. Why would we waste more time and energy talking about this rather than talking about gas plant fiascos and eHealth, which truly

are going to impact the taxpayer of Ontario for billions and billions and billions of dollars? Why are we not talking in this House about why there aren't committees, and have not been for 35 days, to move bills of any state through so that we can be talking about them? Why aren't we debating more strongly in this House exactly why we can't get committees to get to the answers on things like the Mississauga gas plant and the billion dollars that that's going to cost the taxpayer?

We need to be talking about those critical issues. This is one that hopefully will go to committee someday, but until then, let's get back to the real matters of the day.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

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Hon. John Gerretsen: Let me just start off by saying that I've enjoyed the debate here this afternoon. Let's make one thing clear: Most of the contracts on these cellphones are not written in plain language. That's what this bill is going to require. That's number one.

Number two: There should be a cap on the cost if you want to get out of a contract. That is not the case right now. I can tell you that just about every young person nowadays in the province of Ontario has a cellphone of one kind or another. I'm sure that we're doing their parents a big favour by putting and subscribing some rules around how these contracts are written and what, in effect, they can charge if they're cancelled.

I'd like to address one other issue that the member from Haldimand-Norfolk raised. That was the toxic issue that he talked about. We are very proud on this side of the House that we passed a law banning the use of pesticides on people's lawns—front yards and backyards etc. Now, I know that in some cases the lawns may not be quite as pretty as they were before, but from a study that the Ministry of the Environment did about two years after the ban went into effect, they found out that there was 80% less toxic material in the 187 rivers and streams in the urban areas where the pesticides had been banned. I'm all for a government such as our government that basically says that the more toxic material that we can keep out of our environment—out of our water streams and out of our landfill sites—the better it is not only for this generation, but for generations to come as well.

I know at the end of the day that no matter what the Conservatives and New Democrats may be saying about this bill, something tells me that they're going to support it.

The Acting Speaker (Mr. Ted Arnott): Time for one last question or comment.

I'll return to the member from Haldimand-Norfolk, who has two minutes to respond.

Mr. Toby Barrett: I thank the members for their comments and contributing to the debate. I would like to go back to Bill 82. As we know, Quebec, I think, was the forerunner on some of this. Manitoba and Nova Scotia are working on this, and now Ontario. But most importantly, the federal government has kicked in. Perhaps there was a delay that may not have been warranted. I

know at one time it was felt that competition would kick in and there would be self-regulation with respect to the benefit to consumers. But I think it's very important that the CRTC is holding hearings; they have launched public consultation; and then, beyond that, a public hearing will be held January 28 in Gatineau, Quebec.

All Canadians are invited to share their views; Ontarians are invited to share their views. I think this is very important. This really lies in the federal jurisdiction. We need a national system. Why on earth are we creating more segmented, province-by-province rules and regulations for yet another industry, in this case, a very important and growing industry?

So people are invited to share their views with the federal government. Comments will be accepted until November 20 of this year—there's not that much time. You can fill out comments online, address them to the secretary general of the CRTC. They're looking at a number of precise issues: terms and conditions that should be addressed in a code for these kinds of devices we're debating; to whom the code should apply; how the code should be enforced; and how the codes affecting this should be assessed. I vote with the federal government on this one.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Mr. Robert Bailey: It's a real pleasure to be able to stand in this august assembly and address this bill, Bill 82, the Wireless Services Agreements Act. The intent of Bill 82, in my understanding, is to address the growing number of complaints that cellphone users have with their service providers as this industry rapidly advances its technology. You can't help but notice the rate of cellphone use in Ontario is way up. We've heard from a number of members' comments during this debate that a whopping 77% of Ontarians own a cellphone. I think that might be low; it's probably higher than that. Ontarians of all ages are using these phones to stay connected, increase productivity and reach out to their families and friends wherever they are. Seeing as the cellphone industry is now interacting with more than three quarters of Ontarians, it's no wonder that this government is attempting to focus on this file.

However, we in the PC caucus are a little bit concerned with the timing of this legislation. As we have heard, the Canadian Radio-television and Telecommunications Commission, otherwise known as the CRTC, is working right now to bring in national regulations that would cover a lot of the same areas in this bill. To that point, just four days ago the CRTC announced its consultation process on its website. The former speaker from Haldimand-Norfolk spoke about that so I won't repeat it.

One of the comments of the chairman of the CRTC was: "Our goal is to make sure that Canadians have the tools they need to make informed choices in a competitive marketplace. In the past, Canadians have told us that contracts are confusing, and that terms...can vary...."

The federal authority is holding consultations, but the provincial government does not appear to be doing the

same thing. We, as a caucus, are a little bit concerned that this government is pursuing legislation that will create a patchwork of different regulations. This is another reason, as a number of members have said, that the sooner we can get this bill to committee—and a number of other committees struck as well—we would be able to resolve this.

Mr. Speaker, as you know, and anyone else out there listening or in this House, when you add more regulations what you end up doing is adding more red tape, which ends up costing consumers in the long run. It ends up costing users and customers.

I believe, as a legislative body, we have to move very carefully to ensure that if we are bringing in new regulation, it is in fact necessary so we don't end up tying up residents and small business in Ontario with more restrictive red tape.

Despite the concern that this government will be creating redundant regulations, I do feel that Bill 82 is a step in the right direction and should be examined further by our legislative committees in this Legislature. Bill 82 proposes to allow consumers to break unsatisfactory contracts without having to pay the full liability for the remainder of the agreement. Of course, anyone who has ever had a cellphone knows that this can be a very costly proposition and will become a growing concern as more and more people transition to wireless as their primary telecommunication service.

But breaking a contract is far from the only concern consumers have with cellphone providers. Monthly base charges, minutes and data included in the base charge, additional minutes and data rates, notice of roaming charges, early termination fees etc. all contribute to the overwhelming feeling that many consumers get when dealing with their telecommunications company.

However, a rushed approach to legislation is also dangerous. Good, thorough consultation is the solution, but in the past this government has been negligent in its commitment to broadly consult with Ontarians.

I am also concerned that consultation has been forgotten by this government, and we are offered no guarantees that this bill won't be just one more of those same exercises in grandstanding, wedging Ontarians against each other or chasing positive press over good policy that this government has committed to recently—as a friend of mine, a colleague, says, “Politics over people.”

Mr. Speaker, there are many proposals for improving cellphone service in Ontario and Canada. Some are radical, some are less so. It is useful in this regard to examine the comment sections of various news websites that deal with cellphone regulation stories. One often cited is the abolition of the three-year term and the mandating of a maximum 24 months for a contract. In the context of easier and less hassling cancellations, such a proposal becomes redundant, but if it were implemented, it would not be beneficial to the consumer.

Three-year terms are not an ideal agreement to begin with. Smart phones have a shorter shelf life than that. The warranty does not extend that long and if the cus-

tomers requires a new handset, it usually comes with a brand new agreement.

Other proposals include mandatory unlocking of the mobile device once it is paid off or the contract is up.

The argument on the consumer side is that should a device last that long and be paid off through consumer compliance with the contract terms, it should become his or her property. Another bill by the member from Sault Ste. Marie, Bill 5, included just such a provision, yet it is nowhere to be found in Bill 82. It may have been an omission or the result of consultations with the industry. In any case, it is a proposal a number of people are open to.

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When we examine the speed at which technology is developed, combined with a shorter life of most high-technology gadgets, following a two- or three-year term the original device will seem to have depreciated significantly; moreover, it would have been superseded by newer, more attractive models, and therefore of little market value.

The prospect of an unlocked smart phone at the end of a term could also be an encouragement to consumers to take greater care of their devices. We are sometimes treated to offers of no-questions-asked warranties on some goods, which include repairs due to mishandling by the owner. On its surface, it's a godsend for the consumer, who won't need to worry about his or her choices and any decisions, but in the long run, it is an excuse for waste.

This leads me to another issue at play in this bill and the debate that surrounds it. The PC Party, more than anyone else in this chamber, has always stood on the side of personal freedom, choice and responsibility. We're also the party that first acknowledges that a truly efficient market in any industry is founded on rules and transparency. I'm concerned that the government intent with this bill is not just to create a transparent marketplace but also to fool consumers.

The laws that would truly reform the cellphone market in Canada can only be made in Ottawa, Mr. Speaker. At the provincial level, we can look out for our consumers and protect them against clear abuses and unreasonable charges such as cancellation liabilities. We in the PC caucus will ensure that this government does not let its new law-making instinct become biased against industry in order to score some points with some media types.

Ten million people in this province will be affected by this law at some time or other. The legislative precedent it sets will affect many more in other industries that are not yet regulated according to the principles of Bill 82. We must proceed carefully, listen to advice, examine every proposal and think outside the box, Mr. Speaker. I think, as a number of speakers have said already, earlier on, the sooner we can get this bill to committee, where it can be studied, where we can bring people from the industry and consumers in as well to comment on it, this will be an added benefit as we are able to take a look at a number of things that would make this bill better.

Just some stats here: Manitoba backtracked on full disclosure of every optional service because their contracts ballooned to 30 pages and this caused more red tape. Some 25% of cellphone users are on a month-to-month agreement. If the CRTC passes a regulation, which it looks like it could, this would supersede provincial law anyway. Low-cost subsidiaries of the Big Three and independent local providers have been experimenting with plans and offers that are now being taken up by industry. Increased data use will drive up demand for transmission capacity, leading to the need for more transmission infrastructure, which isn't cheap to install. Bill 5, passed with all-party support on December 1, was referred to committee, where it still resides. Again, as I say, we need to have those committees put to work so that we can deal with Bill 5 plus Bill 82 when it finally gets there. Plus we want to have the Ornge committee reinstated and also the other committees that are dealing with the contempt motions.

This is an important bill for the Canadian public, and we in the PC Party are saying that the committee stage will be very important. We need ample time to listen to consumers, as well as the industry, to make sure we don't make errors that we will all pay for in the future.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Ms. Cindy Forster: It has been like a marathon here today. Every time you blink, it's time to get up and speak again for two minutes on this issue. I think that once we get to committee—and maybe we'll hear about that today with the Premier's press conference at 6 o'clock. Maybe committees will get struck sooner rather than later. But I think we're going to hear about a lot more issues. In some of the documents I've read, they talked about the main complaint being arrears or cancellation fees, not being able to get out of contracts. I think in the rural areas or the rural parts of many of our ridings, the issue of service is a big issue. There isn't a whole lot of transparency around that. I know people—they're rural, and it's not really rural; it's five kilometres outside of the city—who have no telephone service. When people go out to purchase cellphones or they move to that area, it's not disclosed to them that in fact at your address, you don't have any service. Then these people are in for a dollar or they're in for \$1,000 if they happen to have taken a deal where they get a free phone for a two-year contract or a three-year contract, only to find out they have no service.

I've had complaints from people who live in Cooks Mills, which is part of my Welland riding, where they've actually moved in and then they've complained that, in fact, they have no service. They weren't told that they didn't have any service, and they basically said, "Well, it will be three or four years before we actually will put up a tower out in your area—your tough luck." I don't think that's an appropriate response for people who may want to rely on cellphones as opposed to having a home phone. It really then makes people incur two costs: a home telephone service and a cellphone service, where in

populated areas, many people just live with their cellphones today, so they're able to actually effect some savings for themselves.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Hon. Madeleine Meilleur: Ça me fait plaisir de parler encore sur le sujet. I agree with the member from Welland. They're not going to put up a tower if they don't have too many clients. These companies are looking at large profits; they're not looking at service.

I'm not surprised that the member from Sarnia-Lambton got up and didn't speak about how expensive these services are. I'm coming back to the cable companies. A lot of the cable companies also have cellular phones. The enormous cost of the cable bill: We never heard them—I don't know for what reason, but I'm sure they have a good reason. They never speak about the cost of cellular or the cost of cable. If there is one bill that I'm afraid to look at, it's the cable: \$300, \$400. You never hear them talking about this. You hear them talking about the electricity, though. I don't pay \$300 or \$400 for electricity in my home, but we do for cable.

It's not service; it's how much profit they can make. If there are not many customers in the area, don't be afraid; they're not going to build a tower there because they're looking at profits, not service.

This bill is excellent. The contract would be written in plain language. There will be, yes, a fee, but a normal fee to cancel, because our youth love to have their cellular phones. They are 18, so they can sign a contract. They go to the mall, they see all these good offers and they don't really understand the ins and outs of the contract. They sign that and then they're stuck with it. This bill will prevent that.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mrs. Christine Elliott: My colleague the member from Sarnia-Lambton made a number of excellent points with respect to Bill 82. I appreciate the opportunity to make some brief comments on that.

First of all, he wondered why the government is focusing on this file; for a couple of reasons, the first one being that the federal government has already taken responsibility and the federal government does have primary jurisdiction in this area, it being a matter primarily of telecommunications. There's been a lot of concern that's been expressed this afternoon about having the province also wade into it from the perspective of having duplication, overlapping of agreements, and then of course having a patchwork of provincial programs across the country. It would seem that it would make more sense to have the federal government primarily deal with this issue and perhaps have the provincial government take more of a back seat in this area.

But the other issue that he commented on with respect to why the government was focusing on this is the fact that there are many other issues that are far more important that this House should be dealing with right now, that this is not something that we've heard in our community offices. The member from Haldimand-

Norfolk commented on that. He indicated there were other issues relating to drought, relating to the killing of the horse racing industry in his area that were far more important. Certainly I can say that in my own riding, people aren't talking about their wireless contracts. I'm hearing a lot more about the gridlock that is causing hardship for commuters in my area, the riding of Whitby–Oshawa. A lot of people are spending hours commuting to and from Toronto to get to work. They're commenting on the fact that we need the 407 expedited, and I'm glad that's finally proceeding. But there are other issues relating to GO trains and buses. We need more of them because we've got such a rapidly growing population. I'm a commuter myself, and I can tell you that there are many times on the way in to Toronto there are many people standing. So those are the things my constituents are concerned about.

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We need to get this into committee so we can talk about how we can deal with it. Thank you.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Mr. Jagmeet Singh: Thank you very much, Mr. Speaker. I'm glad to join the debate on this issue. My colleague touched upon a point regarding consultations. He was concerned that we don't take a rushed approach to passing a bill. I want to touch on this idea of consultation. I think he makes a good point in the sense that many of the issues that we're seeing in this Legislative Assembly are due to a lack of consultation. Where it comes to laws that will impact Ontario, I think it's incumbent on us, as legislators, to ensure that the public has a very vibrant and vigorous role in the implementation and creation of these laws.

Where it comes to the wireless service agreement, I think that this bill is on the right track. I think we can definitely benefit from consultation. But I think as a message for the overall activities that go on in this House, we should ensure that we take a very serious consideration of our role in making public consultation, making public input—first of all, making it easy to have the public have a say and being really serious about listening to their opinions. I think we would have avoided things like the Oakville and Mississauga power plant closures or cancellations at the eleventh hour if the government had conducted some prior consultations.

Looking at the two bills—one was presented by the member from Sault Ste. Marie. There is a clear oversight which was brought up. It is an important point. Why is it that that piece was left out, where if you pay down your bill, if you pay down your phone, at the end of your contract you don't own your phone? Why was that left out? I think that's a very important piece that is definitely in favour of the consumer. It may not be to the advantage of the supplier or the industry, but we should have that back in.

The Acting Speaker (Mr. Ted Arnott): Thank you. That concludes our time for questions and comments. I return to the member for Sarnia–Lambton for his reply.

Mr. Robert Bailey: I'd like to thank at this time the member from Welland, the Minister of Community Safety and Correctional Services, the member from Whitby–Oshawa and also my colleague from Bramalea–Gore–Malton.

Mr. Speaker, I think we've heard a lot of debate here today, and I know this is going to continue for a little while longer. I think a number of people—I tried to address in my remarks that we need to get this bill to committee as soon as possible, along with a number of other issues that we want to discuss. As the member for Bramalea–Gore–Malton said, there may be a number of instances that we're into in this Legislature in dealing with other issues, whether it's gas plants or energy issues or the Green Energy Act—if they'd have had committee hearings where there would have been actual input, they would have actually maybe solved some problems there.

I'd like to see if the minister would co-sponsor with me. The minister for corrections brought up cable bills. I think it's probably a man thing because I think they control the TV things at home. So they probably don't worry about what the bills are because they're watching sports or Fox News. Probably if the ladies—

Interjections.

Mr. Robert Bailey: Fox, yes. That's why I was going to ask—I'm glad you brought up Fox News. I would like to know if I could get someone to co-sponsor with me here, all-party support, that we could have Sun News and Fox News here in the Legislature. I'm getting tired of watching a lot of this other stuff that's on there. Anyway, I think I could reduce my bills. We could reduce our bills in our homes and our condos if we had Sun News and Fox News here at the Legislature, so we could get a fair and balanced view of what's taking place across this province and across the country.

Interjections.

Mr. Robert Bailey: Fair and balanced, that's what we ought to do. Free the TV set. Anyway, we could have a fair and balanced discussion of what's going on. I think it would raise the level of the debate in this House because people would have a lot better idea and they'd be better informed.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Mr. Jeff Yurek: I won't be as animated as the member from Sarnia–Lambton, but I will plug Sun TV. I think that's quite an addition to our media in Canada, and I hope it continues.

I'm pleased to talk to Bill 82, An Act to strengthen consumer protection with respect to consumer agreements relating to wireless services accessed from a cellular phone, smart phone or any other similar mobile device. The topic, in itself, is pretty long, much like the contracts we end up signing for current use of mobile devices.

As I was reading the explanatory note, there were a couple of phrases I'd like just to talk about first and I think the government should look at here. Bottom paragraph: "A supplier must have a system in place for

providing advance notice to the consumer when the consumer accesses a service under the agreement that will result in a cost in addition to the minimum periodic cost.”

I think if the government took that statement itself and applied it to their day-to-day functioning, we wouldn't have gotten the health tax, the HST or any of the other taxes they've thrown at us, because you'd actually have to warn the voters before you went into an election and promise what you're going to deliver—not, get elected and then change your promises and then throw in all these taxes. So I think if they took that sentence there and applied it to how they govern, this province would probably be better off.

The other point I saw in here—I think the Minister of Energy would probably like this sentence: “A consumer is allowed to cancel a wireless agreement at any time and without any reason.” That would have cleared him totally on the gas plants, but thank goodness that was not in the law.

As we talk about bills and that—and the government, it's kind of funny, they bring out this bill that evil Rogers, Bell, Telus etc., with all their fine print and what have you, are duping the consumer. I happened to renew my driver's licence; my birthday was at the end of September, and—

Interjections.

Mr. Jeff Yurek: Thank you.

I was working so hard that I was a little late in paying it. So instead of going in in August with that little doodad they send you, the bill, for 70 some-odd dollars, I went, I don't know, October 2 to renew—I guess it was October 3; it would have been Friday when we're at home—my licence and, lo and behold, the price had gone up about 10%—

Interjection.

Mr. Jeff Yurek: At a ServiceOntario, face to face—a private ServiceOntario, by the way.

So it went up, but the bill clearly said \$76, I believe, and I think I paid \$82 or something.

I had a constituent email me the day before and complain about the fact that he got—his birthday was in September too; he went on time. His bill in August was for \$70, and he went in in September and they charged him 80 some-odd dollars. He wanted me to find out about it, so I was going, and I got charged the same extra, and I said, “Was it a late fee?” No, there's no late charges on my thing. Then she points: “You see this little line here you can barely see: ‘Prices subject to change’? We added that because we're changing the prices over the next few years.” Then she warned me that next September 1, there's another price increase. So anybody who's getting their driver's licences next September, get them in August; you'll get them a little cheaper because the government's got their fine print on there: “Prices subject to change.”

I think, maybe, by looking at the fact that this bill is attacking private companies out there—and I'm not saying that's bad—

Mr. John Yakabuski: Practice what they preach.

Mr. Jeff Yurek: Practice what they preach.

I'll digress a bit. My staff recently wanted to cancel her cellphone because she got a new one, and it was going to cost her over \$400 to cancel that bill. I think that's a little outrageous. Mind you, I think there needs to be this regulation change, and the member from Sault Ste. Marie, as I said earlier, came out with a good bill that somehow their minister wanted to trump and come out with her own instead of talking together and working together. But I think we do need this in place so we do lower those costs.

The other point, I think, is reasoning for this bill is if you go to the TVs and phone systems—like regular land lines—the bills you do get for that, I have noticed, time and again, that the service you get tends to degrade over time, and unless you call and complain, they don't do anything. So I think there's something amiss in this legislation as a whole as to why we aren't getting customer service and the best price. Maybe there's not enough competition in the marketplace, or maybe we're letting them write too many rules and regulations on their own.

Anyway, back to the bill: As I said earlier, it is important to have consumer protection, and we've got to remember, the consumer will have some responsibility. They're still going to have to read the contracts they're given and understand what they're going to be signing, but we do need to make it easier. If you notice, our cellphones—the BlackBerry, iPhone, what have you; our iPads and such—have gotten easier over time, but the contracts to get their services have grown more and more complex as we've gone along. We need to make sure that they get easier as the technology gets easier to use.

I'd like to also point out that it may be freeing up these companies' abilities to increase access across rural Ontario. Maybe there are some regulations that are out there that are inhibiting them. I'm from rural Ontario, and there's quite a few dead spots throughout my riding where you drive along and just lose your signal—or the fact that you can't get high-speed Internet. I think that many of the members are from the GTA and probably don't understand what it's like not to have high-speed Internet, because it's very accessible in urban Ontario, whereas in rural Ontario it's getting harder and harder.

I would very much be in support of passing this legislation as soon as we're done debate. It's too bad the PC Party is the only party that really wants to debate this bill. I'd love to hear why the government has competing interests between their member from Sault Ste. Marie and the minister. Why couldn't they get along and come out with one bill? But we should finish this debate and get it to committee—

Mr. John Yakabuski: Oh—

Mr. Jeff Yurek: Oh, yes, committee. You're right. There are no committees. All the bills we've passed since last year are sitting in committee. I'm part of the general government committee, and I know last time we met, we were doing an auto insurance review. We were going to

come out with our final report to tell the government where they've gone wrong and how they can improve it, but we can't quite get together to do that, because the government has gotten rid of committees.

There are quite a few bills just in my general government, and I think there have been a few private members' bills passed that have been sent to that committee that I'd love to discuss—get stakeholders' information, get it passed so that we can have third reading debate, get it to third reading and get it passed so we can improve Ontario, but we can't. It's not being said enough. We say it enough in here, but it's got to get outside these walls: There are no committees. It's like filling up your car full of gas: you're ready to go, but you haven't turned the ignition to "start" yet. Those committees are those ignition keys to get things going—

Mr. Bill Walker: Who strikes the committees?

Mr. Jeff Yurek: Who strikes the committees? Good point. Well, the government, the House leader. He's sitting over there. I'd love to have those committees set up. I really want to get to work on this committee work. I really enjoyed my committee work with auto insurance. It was quite informative; we're ready to roll on it, and there's lots of other business. It's quite a learning experience. This is how we get to work together, for the people listening at home: It's an all-party committee, and we get to talk, interact, debate friendly, have some hard discussions and at the end of the day we come to some sort of agreement. That's democracy at work. I'd love to get these committees going so we could pass this bill and other bills.

We've been working really hard. There's a bill coming up this Thursday from Simcoe–Grey, the Ability to Pay Act. This is going to relieve so much pressure on our municipalities. We're going to fix arbitration and make sure that whatever the local municipality can afford to pay—if it goes to arbitration, the arbitrator will take that into consideration. That will decrease taxes, costs—

Interjection.

Mr. Jeff Yurek: What's that? Sorry, sir?

Mr. John Yakabuski: That makes a lot of sense.

Mr. Jeff Yurek: It makes a lot of sense. It's great sense, and it's coming up this Thursday. I'd love to pass it this Thursday and take it to committee, so we can get down on this and start helping local municipalities, because I know—

Mr. John Yakabuski: We've got to get those committees going.

Mr. Jeff Yurek: We've got to get those committees going—and I know the municipalities are for this. My municipalities, in my riding, have all endorsed this bill, and I'm finding the ground—Hazel McCallion, the mayor of Mississauga, has endorsed this legislation, so I'm sure if we can get this bill passed on Thursday, we can get these committees formed and get these in there. We can get this debated, and I can tell you, the municipalities, we can get this through committees and passed by third reading for Christmas. We could make it a Christmas present for municipalities if we get these committees struck. We're already going to get—

Mr. John Yakabuski: We can get this bill passed by Christmas—

Mr. Jeff Yurek: We can get this bill passed. We can start helping all those young people that get stuck with the phone bills because they didn't read the contracts—or the seniors, the same thing, and anybody in between. We can do a lot of Christmas presents here for the people of Ontario if we can get these committees struck.

Mr. Bill Walker: Challenge them. Challenge them.

Mr. Jeff Yurek: Yes, I will do that. I'm going to challenge the government House leader and the government over there: Let's form the committees first thing tomorrow morning, or let's do it tonight. I'll call our House leader and the NDP's House leader. We'll get the committees struck tonight, and we'll give an early Christmas present for all of Ontario: We'll get these bills passed and make some good for Ontario.

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Ted Arnott): It being close to 6 of the clock, this House stands adjourned until tomorrow at 9 a.m.

The House adjourned at 1754.

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Michael Prue, Peter Shurman

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