



No. 11

N° 11

ISSN 1180-2987

Legislative Assembly
of Ontario

Second Session, 40th Parliament

Assemblée législative
de l'Ontario

Deuxième session, 40^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 7 March 2013

Jeudi 7 mars 2013

Speaker
Honourable Dave Levac

Président
L'honorable Dave Levac

Clerk
Deborah Deller

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



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

LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 7 March 2013

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 7 mars 2013

The House met at 0900.

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

Prayers.

ORDERS OF THE DAY

AMBULANCE AMENDMENT ACT
(AIR AMBULANCES), 2013

LOI DE 2013 MODIFIANT
LA LOI SUR LES AMBULANCES
(SERVICES D'AMBULANCE AÉRIENS)

Resuming the debate adjourned on March 5, 2013, on the motion for second reading of the following bill:

Bill 11, An Act to amend the Ambulance Act with respect to air ambulance services / Projet de loi 11, Loi modifiant la Loi sur les ambulances en ce qui concerne les services d'ambulance aériens.

The Speaker (Hon. Dave Levac): Further debate.

M^{me} France Gélinas: Merci, monsieur le Président. I had the pleasure to start my lead last Tuesday, and I take it that I have 36 minutes left on the clock to complete this.

I spent the first part explaining how what the government has done is basically what I described as giving itself a bigger stick. That is, really, the bill goes through—and I will go through step by step—making sure that the government has every tool at their disposal if Ornge was ever to not follow a government order. But what is also clear is that the other part of the ledger—that is, to give people a say—has not been touched on.

So in the first part of the debate, I agree that this bill gives the government new power to bring Ornge in line. But what it fails to do, in part, is that it fails to give people a say into making sure that this agency complies with what is expected of it. The bigger picture of this bill is that nothing in there could lead us to believe that anything has been learned from Ornge. If anybody thinks that what happened at Ornge will happen again at Ornge—the chances of that are rather slim. But the chance of what happened at Ornge happening in one of the thousands of transfer payment agencies of the Ministry of Health, maybe as we speak—that's a far greater risk. That risk is there, I would say it is imminent, and unfortunately I wouldn't be surprised if the series of failings from the government side, from the ministry that allowed Ornge to do what they did, that allowed the fiasco at

Ornge—that series of failings could very well be happening as we speak.

But here we are, with Bill 11. The number has changed, but frankly the content is identical to what we had seen. For people who are not following Ornge as closely as I do, in March 2012 the Auditor General released a special report called Ornge Air Ambulance and Related Services. It was a scathing report. It showed that Dr. Mazza, the head of Ornge, was paid over \$1 million a year for his services. It showed the use of taxpayers' money in ways that cannot be imagined, to the point that the OPP were called in to do an investigation of fraud, corruption, wrongdoing and breaking the laws. You can see it all when you look through what happened to all our money at Ornge. But the main thing that the Auditor General told us is that the government—more specifically the Ministry of Health—had failed in its duty of oversight. Had the existing measure of oversight been applied, Ornge would have never been able to follow that path.

What was the government's response on the same day that the Auditor General came out with the scathing report? They released the air ambulance act. It was, in the lingo of this place, a way to change the channel, a way to say, "We know that things are bad, but here, we're making them better." At the time, I was a little bit lenient because they had put that together in haste and were trying to improve things. But that was a year ago, Mr. Speaker. For the last year, we've learned an awful lot. We've debated this bill in the House before and told them of the failings of this bill, but this bill did not change. It is identical, word for word, to when it was presented back in March 2012.

I will go through the bill and tell you some of the good, some of the bad and some of the downright ugly side of this bill before I conclude my remarks.

The first part is that they are talking about being able to appoint people to the board of directors.

For thousands of transfer payment agencies of the government throughout, people, you and I, go through an election process at an annual general meeting and we select people who sit on the boards of those different agencies.

I was the executive director of a community health centre before I took this position. Once a year, we would send a public announcement and invite people to come and join our board. Then the members of the corporation, of the community health centre where I worked, would get together once a year and they would elect people to sit on the board. This is common practice. We see it

throughout. So whether we talk about a women's shelter, a community health centre, a hospital, this is what happens quite often.

Now the government has given itself extra power: They would supersede the wish of the community and appoint some of their own people directly. I would say, sure, it is a way to—what I describe as giving the minister a bigger stick. Is it necessary for Ornge right now? I would tell you, probably not. There is such a big spotlight that has been shone on this agency that they will tend to be squeaky clean going on. Is it harmful? Probably not that much, but it does set a precedent that in certain communities, the wish of the community would be superseded by the wish of the ministry.

I represent people in northern Ontario. The wish of a ministry based out of Toronto does not always line up with the wish of the multiple communities throughout Ontario. It seems like the further away from Toronto that community is, the further away the wishes are aligned.

So they've done this. Am I going to vote against the bill just for this? Probably not. Do I feel that it is necessary? Probably not. Will it ever be used at Ornge? Not much chance of that.

0910

The government also has given itself the right to issue directives. So they would issue a directive to the air ambulance service—that's what Ornge is; it's an air ambulance service—and then those directives would need to be followed. Here again we're building a bigger stick to direct them. Rather than providing good oversight, we're bringing in accountability measures where you take over the existing mechanism, which is that the governance is done by the board of directors, the administration of the place is done by the executive director or the chief executive officer, no matter the title, and then the work is carried out by the workers. So rather than make sure that you supervise and you oversee that process that exists throughout Ontario, that has served Ontario well for decades and decades and decades, we are now taking it for granted that the wish of the ministry will be better, that the will of the ministry will be better. It is a dangerous slope, but, in and of itself, the government feels that it needs a bigger stick to deal with Ornge, although Ornge wouldn't say "Boo" right now without asking for ministry permission.

They also are giving themselves the right to assign a special investigator or to assign a supervisor. This is something that we have seen in other parts of the health care system. It has sometimes been useful, especially in—it has been used mainly with hospitals. In the hospital act, you find powers that are pretty much equivalent to this.

On the wish of the minister to give herself or himself—as times will change; it's "hers" right now—those powers, what happened at Ornge was quite horrific, and having the power to have an investigator or supervisor has been shown to bring positive results in other parts of the health care system. This is also in the bill so that if the ministry is not happy, they can dismiss the board, put

in a supervisor who basically takes over, put in a special investigator who basically takes over. When a supervisor comes in, depending on their mandate, they can take over the job of the board so the governance is no longer made by the community for the community; it is made by the supervisor. The job of the CEO is no longer his job; it is taken over. When a supervisor goes in, the ministry decides how broad the power of that supervisor will be.

Do I really think that we will ever need a supervisor at Ornge? Not likely. They've gone through some pretty tough times. As you go through, you have this feeling that you've shut the barn door once the horse has already ran out. The damage at Ornge is done. We should look at a bill that rebuilds trust, that rebuilds confidence, but that's not what we have at all. We have a bill that gives a ton of power to the ministry if something ever goes astray with this agency again.

The bill goes through quite a bit of detail as to how a supervisor would be appointed, what happens if there's no quorum of the board, the delays for appointing, the terms of office, the powers of the supervisors. All of this you can find in that bill, including the right of access to the premises etc.

But I will point, and I will continue to point, that all of those measures are made—whether it's an investigator or whether it's a supervisor, those people will report back either to the ministry or to the minister. That means that you and I, Mr. Speaker, don't get to see what's happening. We may or may not get whatever information they feel can be shared with us, but there is nothing in this bill that says that if something goes wrong, if people ring the alarm bell like they did the last time at Ornge—for months and years people rang the alarm bell and said, "Things are wrong. You guys have to go and look in there. Look at what they are doing." But yet, nobody will hear back. It doesn't matter if they do this again. If things go bad and people ring the alarm bell, whatever report comes back, we will be excluded from this entire equation. It will be ministry-driven, if she decides to so act, and this report will go back simply to her and to her ministry. We are excluded from this.

Then there is the whistle-blowing protection. I told you that at the beginning when it was first introduced—it was introduced the day the scathing report from the Auditor General came out. The whistle-blower protection was—you know when you do a cut-and-paste on your computer? They did one of those. They took the whistle-blower protection that exists in the Long-Term Care Homes Act and copied it into the Ambulance Act.

In the Long-Term Care Homes Act, the whistle-blower protection makes sense, because you go into any of the 750 long-term-care facilities that exist in Ontario and everybody who works there knows who the inspectors are. They know how to get a hold of them, because there's a 1-800 number posted everywhere in the home. It's the law. They have to be. So everybody knows who the inspector is and everybody knows how to get a hold of the inspector.

So it makes a lot of sense to say to a whistle-blower in a long-term care home, "You will disclose to an inspect-

or, an investigator or a special investigator,” because they know who the inspectors are, and the system works. But when you copy something that comes from the Long-Term Care Homes Act and put it in the Ambulance Act, it doesn't work so well.

You can go and ask any of the people on the base in Moosonee or Sudbury or anywhere in the north, because this is where air ambulance is most needed, in northern Ontario. Because of the distance, because of the lack of medical facilities where we are, we are the biggest beneficiary of air ambulance. Don't get me wrong; they do lots of work in southern Ontario with accidents and roadside assistance. But where I live, for a lot of communities that I serve, we have no ambulance service except Ornge.

So ask any of the people who work and say, “Okay, you have whistle-blowing protection. All you have to do is disclose to an inspector, an investigator or a special investigator,” and they look at you as if you're from Mars. “Who the heck is this? How do I get a hold of those people? The inspector? Is that the guy who comes for the special brakes on the airplanes, or is this the guy who comes to see—who is the inspector?” In long-term care it's clear. It's posted on the board; it has a 1-800 number. In air ambulance services, it needs a bit of work.

The cut-and-paste could kind of be forgiven in March 2012. In March 2013, when we had four months of pro-rogation to basically give us time, when we had already given them feedback about their bills, they come back with things like this? Who are we kidding here?

Anybody who has followed Ornge can tell you that there are some people, whistle-blowers, who have gone through a lot of personal hardship because they blew the whistle. Those people lost their jobs. Some of them are still without a job because they tried to tell us what was wrong at Ornge. Not only did nobody believe them, not only did nobody listen to them and nobody acted; they were punished for it. They lost their livelihood.

0920

In this, you can show those men and women who have lost their jobs because they worked at Ornge and blew the whistle because they knew what was going on was wrong and they wanted to do good because they cared about the services they provide. Will this help you in any way, shape or form? No.

They would have still lost their jobs. They would have still been stuck trying to hire a lawyer to represent them when they don't have an income, and this is what this bill is all about. Sure, they're not allowed to do this. And if by magic you find the right inspector to call at the Ministry of Health after you've—I don't know—spent a couple of months trying the thousands of numbers that lead you to the Ministry of Health and find the right person to talk to—sure, now you're supposed to be protected. But the protection is pretty weak.

They're not supposed to lay you off, but if they do lay you off, well, all you have to do is find the money someplace to hire a lawyer to represent you so that you can fight to have your job back. Who, first of all, would have the means to defend themselves in court for cases that go

for months on end when they don't have an income anymore? Ask the secretary at Ornge—sorry, the executive assistant at Ornge who lost her job because she blew the whistle if she would have been able to do that.

This bill needs some work, Mr. Speaker. It's easy to say, “We've added whistle-blower protection.” Yes, the words are there, “whistle-blower protection,” it's in there in the bill, but the copy-and-paste method from long-term care to Ornge doesn't work. We've had many months to do the changes, but nothing was done. So in theory the whistle-blower cannot be dismissed, cannot be disciplined, cannot have a penalty, cannot be intimidated, coerced or harassed because they've blown the whistle to people they don't know. And if they ever, God forbid, dial the right number and find somebody who will listen, even if they do get dismissed, they're on their own to fight for their job back, because there's nothing in the whistle-blowing protection that will support them or help them. So you can say that we have whistle-blower protection; it is a pretty thin protection.

All right, then we continue. There was this great big thing made of—because remember, as this was going through, the Minister of Health changed her story a number of times. So the story of the week one week was that they could not do their oversight of Ornge because Ornge was incorporated at the federal level. Well, we have yet to find anyone who can tell us how a federal incorporation changes anything. The bill says that Ornge, which is incorporated federally, will now have to change their incorporation to be incorporated at the provincial level. Okay, I'll give the benefit of the doubt. But if it's true that a transfer payment agency of the Ministry of Health is incorporated at the federal level, it means that government cannot do oversight, then why is it that we let Pembroke Regional Hospital incorporate? They are incorporated at the federal level. Are we asking them to change their incorporation? Because apparently if you're incorporated at the federal level, the government cannot do oversight.

Are we asking Hotel Dieu in St. Catharines to change their incorporation from the federal level to the provincial level? Because the minister would have us believe that if you're incorporated at the federal level, then she cannot do her job of oversight. How about Collingwood General hospital? Are we going to ask them to change their incorporation? Should I continue with that list? I take it that you got the idea of where I'm going with this?

There are many agencies that report directly to the Ministry of Health that are incorporated at the federal level, and it has never been an issue. The government has been able to do their oversight. Those are stellar organizations. There is nothing wrong with them. They do their oversight. They do what the ministry asks them to do. They follow their accountability agreements, and they're incorporated at the federal level. This is one of the many problems with the bill, you see?

It says that it finds the problem, and it pretends that it has the solutions, but then it fails to tie the two. If federal incorporation was as big an issue as they made it to be—

because for a week there, it was the top of the news. “The reason why the government could not do oversight of Ornge was because it was incorporated, but have no fear. We have found a solution. We’re passing this new bill that will mandate Ornge to be incorporated at the provincial level so that we can”—if any of that was accurate, wouldn’t they want all of the other transfer payment agencies—some of them I’ve named, but I could continue with that game if you want, because there are many, many, that are incorporated at the federal level. Wouldn’t they want all of them to switch to the provincial level? None of them have been approached.

Actually, there are some new transfer payment agencies being formed right now, and they know that they have to incorporate, and the ministry doesn’t even issue a blink of an eye if they decide to incorporate at the federal level or provincial level. It is left up to the community to decide.

So how can you, in one part, tell us that we have to pass the Ambulance Amendment Act for air ambulance, that we have to put in this act that “the federal level of incorporation was a major problem and we are so proud to be correcting it and taking decisive action”—there’s nothing that they can’t say. But yet, it’s not being applied anywhere else outside of Ornge.

Interjection: It’s window dressing.

M^{me} France Gélinas: It looks very much like window dressing. It looks very much like this whole charade of this bill did not come about because of sound policy; it came about because Ornge hit the front page of the paper.

When Ornge was on the front page of the paper, any issues that were picked up in the media, you can find in here. Whether they are based on a shred of evidence or not makes no difference, Mr. Speaker. If the media talked about it, the minister responded in her bill. But if the good people of Ontario tried, nobody listened to them. If the whistle-blowers put their jobs on the line to try to get through that things were wrong, nobody listened to them. They listened to the media, and this is a bill that, if the media has made a headline out of it, it is in this bill. What for? Beats me.

What will changing the incorporation from the federal to the provincial level change? I have no idea. We’ve asked this question many times, from many witnesses. I’ve actually asked it from a number of lawyers, because there were lots of lawyers in this investigation. Of the 67 people that came, a high percentage of them were lawyers, and you can ask all of them if the incorporation was any different.

Let me see if I can find this. I have Mrs. Golding, who is one of the lawyers who worked for Ornge. One of the questions I asked at the time—I’m quoting myself; I feel self-important this morning, Mr. Speaker. “In layman’s terms, whether you incorporate at the federal level or at the provincial level, like many hospitals do, it changes in nothing the responsibility or the oversight of the government of Ontario, more specifically the Ministry of Health.” I am asking this of Mrs. Lynne Golding.

Mrs. Golding’s answer: “That is correct. There are at least half a dozen hospitals incorporated federally. I think

they would all take the view that they are subject to the laws of Ontario and the dictates of the Ministry of Health.”

I could keep on quoting, but I think I’ve beat that one to death, so I will move on, as I only have nine minutes left, and there are some other major failings in this bill.

0930

Yes, it made the headlines. They included it in the bill. I think it will do nothing. The proof that it will do nothing is that we find it elsewhere in the health care system, and the ministry is quite happy to let it continue the way it is.

Then comes what I call the ugly part of the bill because we now see the government—the Ministry of Health—giving itself powers that I have never seen anywhere else. That, to me, is not a good precedent to set. If anybody is following in the bill, we’re in subsection 22(1). It talks about the ministry giving itself power to change the bylaws and to change the articles of the letters patent.

I will speak French for a little while parce que pour tous les organismes de santé qui offrent des services en français, pour tous ceux qui ont vécu la bataille de SOS Montfort, pour tous les organismes francophones, et les centres de santé communautaires, en particulier, dont j’étais une directrice, ce qui nous permet de continuer d’offrir des services en français quand le ministère de la Santé arrive avec ses gros sabots pour nous dire : « Ah, bien, je sais que vous êtes une agence francophone, mais on aimerait que vous commenciez à offrir ci et là et ça, qui n’est pas du tout dans votre mandat »—la façon dont SOS Montfort a gagné sa bataille, la façon dont le centre de santé communautaire de Sudbury a pu continuer d’offrir des services en français, c’est à cause des lettres patentes et c’est à cause de nos règlements.

Là, on vient d’ouvrir un précédent qui me rend très, très nerveuse, parce que si le ministère de la Santé peut, avec le projet de loi—j’admets que le projet de loi ne s’applique qu’aux ambulances aériennes en ce moment. Mais une fois que tu as créé le précédent et une fois qu’une agence de transfert de paiement du ministère de la Santé a une loi qui s’y applique et cette loi-là dit que le ministère—la ministre, en fait—peut changer tes lettres patentes et tes statuts et règlements, peu importe ce que son conseil d’administration—peu importe ta gouvernance, peu importe ce qui t’a amené là—et ce n’est pas seulement pour les services en français. Pensez les services désignés pour les femmes. Pensez les services désignés pour les personnes LGBTQ. Il y a plein d’agences du ministère de la Santé et de bien d’autres ministères qui ont des mandats bien précis. Ces mandats-là bien précis leurs sont donnés par leurs lettres patentes et leurs sont confirmés par leurs statuts et règlements.

Là, j’ai un projet de loi devant moi qui me dit que le ministère de la Santé va se donner le pouvoir unilatéral d’ignorer complètement ce que la communauté a travaillé à bâtir et de changer tes lettres patentes et tes statuts et règlements. Pour les centaines de milliers de Franco-Ontariens et Franco-Ontariennes qui se sont battus pour

SOS Montfort, une clause comme ça dans un projet de loi veut dire qu'on aurait perdu Montfort. Pour les centaines de milliers de Franco-Ontariens et Franco-Ontariennes qui se sont battus à Penetang, à Sudbury et un peu partout où on a eu d'autres SOS, tout ce que le ministère aurait eu besoin de faire, c'est de changer nos lettres patentes et nos statuts et règlements, et les arguments de la cour ne tiendraient plus la route.

Quand je vois un projet de loi qui donne à la ministre de la Santé des pouvoirs comme ça, je peux voir qu'en ce moment les gens sont très nerveux par rapport à Ornge. Les gens veulent de la protection pour ne plus que ça se passe à Ornge, mais franchement, ce ne sera pas à Ornge que ça va se passer, un scandale comme on vient de voir; ça va être dans une autre agence de transfert de paiement. Mais une fois que tu as ouvert la porte—vous vous souvenez, je vous ai dit qu'ils ont fait du copier-coller. Ils ont pris la protection pour les « whistle-blowers » dans un projet de loi et l'ont copiée dans un autre. Qu'est-ce qui empêcherait, une fois que tu as un projet de loi comme ça, de la mettre dans la loi qui régit hôpitaux, dans la loi qui régit les RLISS, dans la loi qui régit les maisons de soins de longue durée ou dans n'importe quel autre projet de loi du ministère de la Santé? On vient d'ouvrir un précédent qui, à mon avis, n'apportera rien de bien pour Ornge. Ornge n'a pas besoin de ça. Ornge suit à la lettre les directives du ministère. Ornge a un « spotlight » sur eux autres qui n'en finit pas; ils n'ont pas besoin de clauses comme ça. Mais passer dans un projet de loi des clauses comme on est en train de regarder en ce moment ouvre une porte qui est beaucoup trop dangereuse et que je ne suis pas prête à ouvrir du tout.

Comme je vous ai dit, en mars 2012, oui, j'avais beaucoup plus de patience et de tolérance. Ils avaient agi à la hâte pour répondre, vraiment, aux médias, mais en même temps pour répondre au vérificateur général. La patience, un an plus tard, est moins disponible. Ça fait un an que ce projet de loi est là. Ça fait un an qu'on dit qu'il y a des grosses failles dans le projet de loi, et aujourd'hui, ce matin, j'ai essayé de vous montrer certaines de ces failles.

So for a year now, we've had the exact same bill in front of us—the exact same bill that, when I got up the first time and when the PCs got up the first time, showed to the minister had serious holes through it. I even made a little joke that you could drive a helicopter through some of the holes in that bill. Well, it looks like the joke is still there, because you can drive a helicopter through some of the holes in that bill.

That bill has not taken into account the series of failings that allowed for the fiasco at Ornge. If there are weaknesses in an agreement that does not allow the ministry to do their work of oversight, why don't we talk about that in the bill? If it is true that the ministry needs changes from federal incorporations to provincial incorporations, then why don't you extend it to the entire health care system? Why just at Ornge? It's either a danger for every transfer payment agency, or it is not one.

But the biggest failing of all, Mr. Speaker, is that everything that is in this bill gives the government more of a say; it does not give the people of Ontario more of a say. When things go wrong—and I can rhyme you a list of coroner's inquests from people in my riding, from the man who died in Capreol to what happened to those two teens in Gogama, but I know that it's painful to some of the people in my riding, so I won't name them—you know who they call? They call the Ombudsman because they know that he will be on their side and they know that he will help them. But even if they call the Ombudsman, the Ombudsman says, "I'm sorry. I can't help you. I don't have jurisdiction over Ornge."

Give the people a sense that they will be listened to. Give them Ombudsman oversight. Give us, in the Legislature, the right to bring Ornge to committee so that we can hold them to account. It doesn't cost anything. It's a small step, but they won't give us that at all. The bill is one-sided to the ministry, to the damn of the rest of us.

Thank you, Mr. Speaker.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Oak Ridges–Markham.

Ms. Helena Jaczek: Mr. Speaker, I'm sure you will not be surprised that I disagree with a great deal of what the member from Nickel Belt has said. Since I only have two minutes, I'm going to concentrate on something that she talked about on Tuesday, when she implied that the previous air ambulance system here in Ontario was somehow incredibly superior. This is absolutely not the case.

In fact, the Auditor General's report of 2005 delineated what were the problems when we had a contracted-out system here in Ontario. He said that Ontario's air ambulance system was fractured, with disjointed services and multiple structures in the system that made it difficult to align resources. A shortage of critical care paramedics meant that air ambulance flights were frequently down-staffed, especially in northern Ontario. There was no centralized way to track the air ambulance system's performance, nor were there performance measures used in operating the system. The system was confusing and difficult for patients to navigate. The system lacked transparency and accountability. And there was poor structure for patient privacy protection. Several coroners' investigations prior to 2005 found that the air ambulance system, as structured, contributed to the deaths of Ontarians.

0940

Now, as we all know, the decision to create Ornge was very much guided by that Auditor General's report in 2005. What we saw subsequent to that was a rogue agency where the board of directors ignored their fiduciary responsibility to the taxpayers of Ontario, and where there was a CEO who was driven by greed to take personal advantage of the situation of that lack of oversight by the board of directors.

So, moving forward, we are determined to ensure this never happens again. Bill 11, in fact, is a huge step forward. I know my colleague from Ottawa–Orléans in his next remarks will outline yet again all the very positive

steps in this bill. This is a good step forward for air ambulance in Ontario, Mr. Speaker.

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

Mr. Toby Barrett: Yes, a good summary from the member from Nickel Belt. The member, as with myself and others from all three parties, sits on public accounts, dealing with the Ornge air ambulance issue.

Yesterday, at 9 a.m., the committee reconvened after a four-month prorogation. Yesterday, at 9 a.m., an Ornge helicopter arrived just outside my town of Port Dover. There was a horrendous crash: a cement truck rolled over on a car. I know this because my daughter witnessed this; she was the only witness. She phoned 911. It just happened that a land ambulance came along right after her car, on a delivery, and put my daughter in the back to look after this young patient. He was okay. They ran down into the ditch and immediately phoned an air ambulance. Two fellows came along; they work for the county. They ran down into the ditch to try and help out. Volunteer firefighters were there within minutes. The Simcoe Reformer, our local paper, was there within minutes.

My point: Air ambulance is very important for all of us, particularly in the rural south, in addition to the north.

When I think of yesterday's accident—the volunteers, the good Samaritans, the professionals who ran down there: They don't make millions of dollars off the taxpayer. They don't get speedboats courtesy of the taxpayer. They do not get Harley-Davidson choppers courtesy of the taxpayer. What has gone on with Ornge is an insult to the volunteers, the professionals, the pilots and the paramedics who do an excellent job.

The operative words here are “oversight,” “transparency,” “control” and “accountability”—all have been lacking.

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

Mr. John Vanthof: It's an honour to follow my colleague from Nickel Belt, who truly has a vast understanding of this issue. It has been in her past life of health care, and she brought up some very good points.

I'd like to bring the memory of the Legislature back to when a person came to testify at the committee, a person from my riding: Trevor Kidd. He sat in this members' gallery after that, and members from all three parties applauded him because he came to testify. But Trevor blew the whistle for three years. The whistle-blowing wasn't the problem; the problem was that no one was listening.

To me, there's nothing in this bill that really proves that the government is really listening. Oh, sure, they want to slam the door shut on the Ornge fiasco. That's plain. Slam the door shut. But are they really creating legislation that's actually going to shed light on where there might be other Ornges or other problems? Because let's face it, the health ministry and all ministries are big things, and bad things are going to happen regardless of who's running the show. How you learn from things and how you make things better is to actually look at what

went wrong and say, “Okay, could this be happening anywhere else?” Because there are other Trevor Kidds out there, you know. With this bill, even in Ornge, those people like Trevor still can't go to the Ombudsman; it doesn't cover it. They can't really go to the Legislature, because they don't cover it. If someone like Trevor can't find the inspector or doesn't know who the inspector is, going to the Minister of Health doesn't necessarily help, because it didn't work last time.

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

Hon. Jeff Leal: Let me say from the outset that I have great respect and admiration for the member from Nickel Belt. She has a long and distinguished career in the health profession in both Sudbury and the Nickel Belt area, and I think she made a very positive contribution to the discussion this morning.

Bill 11 being in second reading, at some future point in time, of course, this bill will make its way to committee for review, an opportunity to go through it on a line-by-line basis, and certainly, with a minority government, an opportunity for both the official opposition and the third party to look at some concrete amendments, which inevitably will happen when this bill gets to committee.

I was also struck, of course, listening to the translation of the member from Nickel Belt, in terms of potential impact on the francophone community, which is always crucial. We were here yesterday with the francophone association of Ontario at Queen's Park, something that we all take as very important. Many, many years ago, of course, we had the passing of the French Languages Services Act in the province of Ontario, which was brought about by the government of Premier David Peterson.

But when you look at what has happened over the last little while with Ornge, there is a new chapter at Ornge: the hiring of Dr. Andrew McCallum as president and chief executive officer, who has an outstanding record as a public servant; the appointment of a quality care committee under Dr. Barry McLellan; the appointment of a new board of director chair, Ian Delaney, who had an extensive career with Sherritt International.

Ornge has now submitted its first quality improvement plan. We're also suggesting that Ornge retroactively be subject to freedom-of-information requests, in keeping with our commitment to transparency across the broader public service.

I look forward to this bill going to committee and amendments that will inevitably happen there.

The Deputy Speaker (Mr. Bas Balkissoon): The member from Nickel Belt: two minutes for response.

M^{me} France Gélinas: I'd like to thank the members from Oak Ridges–Markham, Haldimand–Norfolk, my colleague from Timiskaming–Cochrane and the Minister of Rural Affairs for their comments.

I think we're kind of all singing the same song, that we want transparency, we want oversight, we want better control, and we want accountability—but not just for Ornge. We want it for every program and service of the Ministry of Health. We want to make sure that, when a

whistle-blower puts their job on the line, they are protected.

But we can't ignore the facts. When we have a lawyer come in front of public accounts and tell us, "The government was thoroughly, painstakingly and, in all cases, truthfully briefed in advance of Ornge taking any of these actions," when we have a lawyer under oath telling us that the ministry knew everything, when we have good people like Trevor Kidd telling us that for three years he blew the whistle and nobody listened—if everybody points at the ministry as the one not having done their job, then a bill says, "Yes, we need a bigger stick; we need more ways to control Ornge"—but we're looking at a ministry that refused to use the controls that they had.

Have no fear, Mr. Speaker: If the government doesn't sign off on your budget, the end of the year is coming on March 31, and it's now March-something and the ministry hasn't signed off, believe you me, you will do anything that the ministry asks you to do, whether you have to, because your board of directors is going to look and say, "You need to make this work." The government never said boo, and that's why we had Ornge.

0950

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

Mr. Phil McNeely: I'm pleased to speak in support of our government's proposed amendments to the Ambulance Act.

These amendments are key to ensuring that Ontario's air and critical care land ambulance service is focused on its core mission of providing life-saving care for Ontarians. I hope to see every member in the House support the proposed amendments, which would entrench accountability and transparency in Ontario's air ambulance service; ensure that Ontario patients and families are getting the highest-possible quality of patient care; ensure that Ontario taxpayers receive the best value for their taxpayer dollars—Ontario taxpayers have every right to know how health care dollars are spent; and continue to restore public confidence in an organization that provides life-saving emergency medicine.

Our government has committed to implementing the Auditor General's recommendations, and these amendments will allow us to do so.

Ontario's air ambulance program was established in 1977 by the Ministry of Health with a single aircraft based in Toronto. The service had three main elements: funding, dispatch and the oversight provided by the ministry, with a base hospital system at Sunnybrook Health Sciences Centre. They oversaw the practice of paramedicine and air ambulance services that were contracted out.

In June 2005, the government consolidated the air ambulance program to the Ontario Air Ambulances Services Co., known as OAA. In November 2005, our government finalized the long-term performance agreement with the OAA, which governed all aspects of air ambulance services. This agreement outlined responsibilities and expectations in the services to be delivered by Ornge.

In September 2006, the newly renamed Ornge corporation took over the management of the air ambulance dispatch. In 2007, Ornge signed an agreement for expanded critical care fixed-wing air ambulance services and in 2008, Ornge took over responsibility to provide critical care land ambulance services. That same year, Ornge grew its fleet with the purchase of high-performance medically equipped helicopters and high-performance medically equipped aircraft.

In 2009, Ornge Air purchased four hangar locations, located in Ottawa, Moosonee, Kenora and London. In 2010, Ornge transported its 100,000th patient.

Over the past year, Ornge has made significant progress. We have seen a change in leadership and a shift toward transparency and accountability. Dr. Andrew McCallum is now the president and CEO. Dr. McCallum was trained as a military flight surgeon and is a former chief coroner of Ontario. He's held senior posts at hospitals in Toronto and Hamilton, and is well equipped to assist with improving oversight and accountability at Ornge. Former Skyservice president Rob Giguere is now the chief operating officer. There's a newly appointed board of directors led by Ian W. Delaney, chairman of Sherritt International. Board members at Ornge now serve as volunteers.

Ornge has also appointed a quality of care committee under the direction of Dr. Barry McLellan, president and CEO of Sunnybrook Health Sciences Centre, and executive expenses and salary ranges are now posted online.

Members of this House, and more importantly residents of our province, all have the highest expectations of our health care leaders—expectations which must be met. We must work to ensure not only excellent patient care, but as well, a responsible management of public money. We must have leaders in health care that will stay true and ensure that their service—not only to patients but to taxpayers—is the core of their operations.

Speaker, I'm confident that this new leadership team, led by Dr. McCallum, will fulfill their commitment to Ornge's core mission, and to the patients and taxpayers of Ontario, day in and day out.

As part of its patient-centred focus, Ornge has introduced a new patient relations process, making it easier for a patient or family member to express complaints or concerns or to ask a question or give feedback. The new process also includes a more accessible patient relations section on the Ornge website.

Ornge now has a patient advocate, Denise Polgar, who acts as a liaison with patients and families, works to resolve their concerns about patient care and who can also suggest operational improvements based on what is learned from the patient relations process. Speaker, already this new team has taken significant steps with Ornge to improve transparency and accountability.

A new performance agreement will provide greater accountability and oversight over Ornge. The amended performance agreement raises the level of oversight far above that which is normally required of organizations receiving public funds.

Under the former agreement, the past leadership was able to avoid accountability. In the past, our government did not have the power to regularly access financial information and monitor operations at Ornge. In the past, the performance agreement did not require ministry approval to create for-profit entities. In the past, Ornge had no restrictions on assuming debt, and the old performance agreement gave our government no say in major acquisitions.

Under the amended performance agreement, ministry approval is required for any changes to Ornge's corporate structure, including sale of assets. It requires detailed financial planning, monitoring, control and reporting obligations to increase accountability. It ensures compliance with the Public Sector Salary Disclosure Act and the Broader Public Sector Accountability Act. It increases audit and inspection powers by the ministry and introduces debt control provisions to prevent debt increases without ministry approval. Finally, it introduces quality improvement provisions based on the Excellent Care for All Act. This includes linking executive compensation to performance, improving targets and an annual quality improvement plan.

In fact, Ornge has already submitted a first quality improvement plan outlining successes I would like to acknowledge here today. From October to December 2012, Ornge confirmed its ability to respond to a call for on-scene service within 10 minutes of the start of a call 90% of the time. And 96% of the time, Ornge was able to meet their target of verifying their ability to service a call for an inter-facility transfer within 20 minutes. Success in recruiting new helicopter and airplane pilots means that from October to December 2012, Ornge was able to staff their aircraft at the Ontario air ambulance standard of two pilots at all times, 97% of the time. During the same time period, there was a 97.3% base aircraft availability. Finally, in September 2012, Ornge scored 90% on the quality-of-care metric, an indicator that reviews care against industry standards in eight key clinical care areas.

The amended performance agreement raises the level of oversight with the following measures and obligations:

- tougher funding conditions based on key performance indicators;
- increased audit and inspection powers by the ministry;
- more detailed financial planning, monitoring, control and reporting obligations;
- a committee to advise the board on quality improvement initiatives;
- a new patient advocate and complaints process to ensure patient safety, like the one used in Ontario hospitals;
- mandatory public reporting of expenses and restrictions on meals, travel and hospitality;
- quality improvement provisions that link executive compensation to performance improvement targets in an annual quality plan; and
- mandatory approval by the minister for any changes to Ornge's corporate structure, or the sale of assets by Ornge.

The amended performance agreement places a much greater emphasis on performance standards, and it requires increased reporting of dispatch information, including cancelled and declined air and land ambulance calls. The performance agreement is closely aligned with the Excellent Care for All Act, which guides the province's hospitals.

The new agreement also ensures compliance with the Public Sector Salary Disclosure Act and Broader Public Sector Accountability Act. It increases audit and inspection—those powers by the ministry—and introduces debt control provisions to prevent debt increases that do not have ministry approval.

In addition, Mr. Speaker, the performance agreement also provides for tougher funding conditions based on key performance indicators and a committee to advise the board on quality improvement initiatives. We are pleased that an amended performance agreement is in place. It represents a critical step towards an improved air ambulance system. Yet for all the strengthened provisions it now contains, we need to go even further.

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I'm familiar with the Auditor General's report on Ornge, having sat on the public accounts committee. His advice has guided many of the actions that are now being taken to improve operations and restore confidence in Ornge. I'm pleased that the Auditor General acknowledged that we have taken substantive action to address many of the issues raised in his report. We are certainly striving to move even further.

I want to highlight the improvements that have been made to address these concerns. After extensive consultation with front-line staff, new, improved interim medical interiors have been installed in the fleet of AW139 helicopters. Transport Canada approval for the interim interior for the AW139 aircraft has also been acquired. Steps have been taken to introduce a third line of paramedics at the Thunder Bay base to help ensure seamless 24-hour seven-day-a-week service for northern Ontario. Dedicated flight service for the Sault-Ste.-Marie-to-Sudbury corridor has been created, increasing patient access to out-of-town treatment. A pilot project in Ottawa on the use of critical-care land vehicles in place of a helicopter has been launched for certain calls when deemed appropriate for patient care. Three operations divisions have been consolidated under one chief operating officer. All operational scheduling functions have now been combined into one team for improved coverage and service effectiveness. Certification material for the operations control centre has been developed and implemented.

Speaker, it is important to note here the contribution of paramedics, pilots and front-line staff. These improvements were a direct result of their dedication and input.

I have outlined for this House the history of Ornge and the changes in leadership and improvements to accountability and operations that have been made in recent months. I would now like to speak to the proposed amendments introduced by Minister Matthews that will help Ornge focus on their core mission, which is pro-

viding life-saving care to patients, now and in the future. Minister Matthews' proposed legislative amendments to the Ambulance Act ensure greater oversight of Ontario's air ambulance service, ensure the best value for taxpayers' dollars, and above all provide the highest possible quality of patient care. These amendments will also prevent future abuses of power at Ontario's air ambulance service.

If passed, these amendments would:

- give cabinet the power, upon the recommendation of the minister, to appoint one or more provincial representatives to the board of an air ambulance service provider;

- give the minister the power to issue directives to an air ambulance service provider;

- give the government the ability to include provisions in an agreement between Ontario and an air ambulance service provider;

- provide cabinet with the power to appoint a special investigator to investigate and report on certain activities of an air ambulance service provider;

- prohibit individuals from obstructing a special investigator or from withholding any information required by the special investigator;

- require a special investigator to provide a report to the minister upon completion of their investigation;

- provide cabinet with the power, upon recommendation of the minister, to appoint a supervisor to exercise the powers of the board, officers and members, and other corporate powers of an air ambulance service provider; and

- provide a supervisor with the same rights as the board of an air ambulance service provider; the supervisor would report to the minister.

This one is one that has been spoken about a great deal; it's a whistle-blower protection. There's a large section in this act that relates to this: prohibit retaliation against a person who has disclosed information that relates to an air ambulance service provider to an inspector, investigator or special investigator. Air ambulance service providers and other persons would also be prohibited from doing anything to discourage the making of such disclosure.

And it would allow the continuance of a provider of air ambulance services that is incorporated under the laws of any jurisdiction other than Ontario as a corporation under the Corporations Act.

We know that it is extremely important that employees do not feel intimidated when raising any concerns, and our proposed amendments to legislation would protect whistle-blowers at Ornge.

In addition to this legislation, our government is proposing to make Ornge subject to the Freedom of Information and Protection of Privacy Act through regulation. This would allow for freedom-of-information requests to be made of Ornge retroactive to the organization's foundation. This step is consistent with our government's commitment to increasing transparency across the broad public sector, including the health care sector.

For example, we expanded freedom-of-information provisions to cover Ontario Power Generation, to cover Hydro One, to cover universities and to cover Cancer Care Ontario; local public utilities were brought back under freedom of information in 2004—all during the term of this government. We made hospitals subject to the Freedom of Information and Protection of Privacy Act, effective January 1, 2012.

I'd like to conclude today by thanking the paramedics, pilots and front-line staff at Ornge. They work tirelessly each and every day to provide lifesaving care to Ontarians across the province, and they must be acknowledged and thanked. This has been a difficult time for front-line staff at Ornge and yet they continue their work and never lose sight of their responsibilities to the patients. The amendments that our government is proposing will truly restore the public's confidence in our air ambulance services. These proposed amendments will ensure the highest quality of care and the best use of taxpayers' dollars.

I'm confident in the advice of the Auditor General and the advice of the front-line workers at Ornge who have helped to inform the proposed amendments before you today. I urge every member of this House to support these amendments.

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

Mrs. Christine Elliott: I appreciate the opportunity to make a few remarks concerning the comments made by several of the Liberal members, most recently by the member from Ottawa—Orléans.

Before I go into that, I too would like to thank the front-line workers who provide the air ambulance service in the province of Ontario, from the pilots to the paramedics to all of the people who work in the service who have done so over these last few months—in fact, over a year now—under very, very trying circumstances. They are to be commended for their professionalism and dedication.

But the situation that they've been labouring under has been more than troubling for this past year or so, given the fact that there have been some egregious activities that have taken place under the nose of the Minister of Health without any action having been taken. Quite frankly, Bill 11 falls far short of taking the steps that are necessary to restore the public's confidence in our air ambulance service here in Ontario. We have seen situations where there have been monies wasted in the millions of dollars with nothing to show for it, where people who have tried to come forward as whistle-blowers have been not only not listened to; they've actually been suspended. There was a pilot from Thunder Bay who came forward in the public accounts committee last summer to talk about some of the problems that he had been experiencing along with his colleagues, and for his efforts he was suspended for a period of time.

This isn't what we want to see, and I should stress that this is under the new regime. This wasn't under the old regime. This was under the new regime with people who were handpicked by the Minister of Health, who were

tasked with reforming this situation. We need far more accountability in this organization. We need far more oversight. What's been proposed as an internal investigator falls far short of what we need. We need the Ombudsman to be able to get in there to provide that independent oversight to make sure that this situation never happens again.

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

Mr. Jonah Schein: I'm pleased to stand here and speak to this bill. I think that members across the gallery have expressed their concern that when it comes to accountability and transparency, we need that throughout agencies in Ontario and not just here.

We know that Ornge in the future will have oversight. Everyone will be watching this agency. It's my concern that we have a close eye on agencies across the province and that we have a framework moving forward that actually restores confidence in our public institutions.

I'm concerned that this government, as well as the PC government, have a love affair with privatization, with handing things off away from a place where they can be under public scrutiny. Without addressing this ideological difference about how we best govern, we're at risk of doing these things over and over again, Speaker.

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I want us to actually ensure—whether it's MetroLinx or it's a decision around casinos in this province or it's agencies like Ornge—that we commit to a public delivery system that has actual oversight, that has actual accountability, that will restore the confidence of the people of this province in our ability to govern and in our ability to deliver for all of them. Until I see that, I think that this is just a small piece of the puzzle and that it still leaves us wide open to the kind of things that we've seen in Ornge.

Speaker, thank you very much. I'll pass for now.

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

Hon. Jeff Leal: I had the opportunity to listen to the, I thought, very insightful remarks this morning by my colleague the member from Ottawa—Orléans. He went to a great degree to talk about some of the new things that we're contemplating for Ornge: the new performance agreement, which strengthens government oversight and improves patient care; significant improvement of accountability and transparency by posting executive expenses and salary ranges online, something I think we can all support; and introducing new policies and procedures on conflict of interest and whistle-blower protection, performance management and executive compensation.

Bill 11 contemplates the appointment of an independent ethics officer to receive, investigate and track employee disclosures as part of a new whistle-blower protection policy, something I think all of us on all sides of the House can support.

In terms of patient care, which is the bottom line—patient care should always be the bottom line—we've

hired or will be hiring a new patient advocate to work with patients and their families to address concerns and advocate for operational improvements.

We've installed new and improved interim medical interiors in the fleet of AW139 helicopters, which I'm sure are great. After extensive consultation with front-line staff—very important—we've obtained Transport Canada approval for the interior for the AW139 aircraft. I should take a moment in the not-too-distant future to do an inspection of one of the AW139 helicopters.

We took steps to introduce a third line of paramedics at the Thunder Bay base to help ensure 24/7 service for northern Ontario—very important. The Minister of Northern Development and Mines was a very strong advocate of that initiative.

We have created a dedicated flight service for the Sault-Ste.-Marie-to-Sudbury corridor, increasing patient access for out-of-town treatment. We have—

The Deputy Speaker (Mr. Bas Balkissoon): Thank you.

Hon. Jeff Leal: I'm sorry. I could go on and on and on, Mr. Speaker.

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

Mr. John O'Toole: I listened to the member from Ottawa—Orléans, and I just want to leave something on the record here. Let's look at what has happened. What I've always learned, Mr. Speaker, is that past performance is the best predictor of future performance.

I've heard this morning, listening very carefully, the member from Nickel Belt. The Nickel Belt member is highly regarded in this place. She said what I think, which is, this just doesn't get it done.

A good example would be the member from Peterborough just talking about the patient advocate. In fact, really, what would be the most independent, qualified oversight would be the Ombudsman oversight. If you really want accountability and the patient first, we don't want any political manipulations going on here, which is what I suspect is happening here. It's again a matter of trust.

When I come down to it—the member from Haldimand—Norfolk, Mr. Barrett, this morning spoke about his daughter witnessing an accident, and all of the volunteers who showed up.

This industry, the Ornge industry, ever since it was taken over by McGuinty, now Wynne, is the largest bureaucracy, the most expensive bureaucracy. Chris Mazza was in the paper last week about taking payments over and above the one-point-something million dollars he made, and yet he didn't even know how to spell "helicopter," let alone how they operate.

I honestly put to you that this bill—it replaces Bill 50—Bill 11, I think, simply doesn't get it done. Mr. Speaker, this is important: It comes down to trust. At the end of the day, I can't trust that this bill is fixing a problem. It's just simply putting a coat of paint over a very rotten, substantive organization governance model that this government—they can't step it aside. They put it in place. It simply doesn't do it for me.

I look forward to our critic, Christine Elliott, from Whitby–Oshawa—she'll tell you what the truth is. You should listen up because I think she's the next speaker on this bill.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Ottawa–Orléans, you have two minutes for a reply.

Mr. Phil McNeely: I'd like to thank the members for Whitby–Oshawa and Davenport, the Minister of Rural Affairs and the member from Durham for their comments.

One of the issues that I would like to speak about is that privatization, in many cases, has worked well. In this case, it went horribly wrong—the wrong people, who were very lacking in the standards that we have.

But we now have Dr. Andrew McCallum as the president of the board. He's a trained military flight surgeon and a former chief coroner of Ontario. I think that's the new standard in Ornge, and it's certainly needed.

Sitting through those many hours of having people come into the public accounts committee to answer questions—certainly, much was needed in changing Ornge. We never get away from that.

I'd just like to say that the whistle-blowing protection is something that's very well set out in the act: “No person shall retaliate against another person, whether by action or omission, or threaten to do so,” because of many reasons. “Retaliate” includes dismissing a staff member; disciplining or suspending a staff member; imposing a penalty upon any person; and intimidating, coercing or harassing any person.

The whistle-blowing part of this legislation is extremely important. We have all these good people on the front line for us, saving patients every day. An Ornge employee can phone the independent ethics officer, Grant Thornton LLP, to get information about the process. All disclosures will be made in writing—

The Deputy Speaker (Mr. Bas Balkissoon): Thank you.

Second reading debate deemed adjourned.

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

The House recessed from 1017 to 1030.

INTRODUCTION OF VISITORS

M. Grant Crack: Il me fait un grand plaisir et un grand honneur de souhaiter la bienvenue à tous les participants du septième Parlement jeunesse à l'Assemblée législative. Ils sont ici à Queen's Park cette semaine pour approfondir leurs connaissances du gouvernement et pour participer à une simulation parlementaire, tout en français. Ils sont ici en haut dans les galeries de l'ouest et l'est, et j'aimerais que nous les accueillions avec un chaud applaudissement. Merci beaucoup, et bonjour à tous les élèves.

M. Gilles Bisson: J'aimerais reconnaître les élèves des secondaires qui viennent de Hearst, de Kap, de Moon-

beam et de Timmins. Ils font partie de ce parlement. Hier soir on a eu l'honneur d'être ici dans l'Assemblée, puis expliquer ce qui se passe. On veut leur dire bienvenue et beaux travaux cet après-midi.

Mr. Ted Chudleigh: Charlie Violin is our page captain today. Family and friends have come to see him: his mother, Susan; his brother, Jack; his sister, Grace; and their friend, Amisha Agrawal. Congratulations, and welcome.

Mr. Bob Delaney: Speaker, we are all used to Speaker Dave, but this morning I'd like to introduce Actor Dave, who made his television debut in a little guest spot on Murdoch Mysteries this week solving a murder right here in Queen's Park in 1901. You looked really good, Speaker.

The Speaker (Hon. Dave Levac): I hope I'm not considered a visitor.

Member for Renfrew–Nipissing–Pembroke.

Mr. John Yakabuski: I would like to introduce in the west members' gallery today Charlie Bossy, who hails from my riding of Renfrew–Nipissing–Pembroke and is currently a student at Ryerson University. Welcome, Charlie.

Hon. Kathleen O. Wynne: I'd like to welcome Camilia Hanna, who is a constituent of mine and the president of the International Women's Association of Toronto, to Queen's Park today. Welcome.

M. Michael Mantha: J'aimerais vous introduire à un jeune homme de l'É.S.C. Trillium de Chapeau, M. Robert Tessier, qui est ici avec ses collègues, avec les étudiants francophones.

Hon. Jeff Leal: I'd like to introduce a guest from the heavenly Legislature. I rise today to acknowledge that Canadians lost a great patron yesterday, Stompin' Tom Connors. As many of you will know, the name Stompin' Tom was first used in Peterborough when he was introduced by Boyd MacDonald—

Interjection.

The Speaker (Hon. Dave Levac): The member for Nickel Belt.

M^{me} France Gélinas: Ce n'est pas souvent que j'ai de la visite deux fois dans la même semaine. J'ai Zacharie Gagné du Collège Notre-Dame, Tina-Marie Gagné de l'école catholique Champlain, et Krystelle Larrivée, qui, elle aussi, est de l'école catholique Champlain, dans le cadre du Parlement jeunesse francophone. Bienvenue à Queen's Park.

L'hon. Madeleine Meilleur: J'aimerais souhaiter la bienvenue aux élèves de l'école Samuel-Genest dans la circonscription d'Ottawa–Vanier.

Mr. Ted Chudleigh: I'm pleased to introduce Maddy Stieva and Mey Fung, who are in the members' west gallery today. They are members of the Ontario PC Youth Association—

Applause.

Mr. Ted Chudleigh: We start 'em young. Welcome.

Mr. Joe Dickson: I'd like to welcome to the Legislature today Ajax page Jessica Kostuch's mother, Christine Kostuch; father, Jim Kostuch; and twin sister, Kristen

Kostuch. They are sitting in the public gallery. I know that Jessica is honoured to have her mother, father and twin sister here this morning showing their support on her last day at the Legislature and one on which she is page captain. I welcome you to Queen's Park.

Mrs. Laura Albanese: I'm pleased to introduce in the Legislature today Beth Elder, a very capable OLIP intern. She's working in our office. I want to welcome to Queen's Park her dad, Phil Elder, who's visiting from Calgary.

The Speaker (Hon. Dave Levac): In the Speaker's gallery, we have Gilles Morin from Carleton East in the 33rd, 34th, 35th and 36th—also, Steve Peters, Elgin—Middlesex—London, 37th, 38th and 39th, and Speaker of the House.

Also in our gallery is Peter Milliken, former House of Commons—the Speaker—from Kingston and the Islands, from 1998 to 2011. Was anyone not born on that date? Sorry.

Mr. Shafiq Qadri: It's 1988.

The Clerk of the Assembly (Ms. Deborah Deller): Speaker, 1988.

The Speaker (Hon. Dave Levac): Nineteen eighty-eight.

Anyway, it is now time for oral questions.

ORAL QUESTIONS

POWER PLANTS

Mr. Victor Fedeli: Speaker, my question is for the Premier.

Good morning, Premier. I wonder, when you first heard of Project Vapour, if you ever asked anyone what the actual cost of cancelling the Oakville gas plant would be, and I wonder if you blindly went along with whatever the Liberal talking points were that were handed out, or if you actually wanted to know the real cost of cancelling.

Let me share some of those facts, Premier. The documents we have show that TransCanada was offered a \$712-million compensation package, but they turned it down. They turned down \$712 million. Now you and your energy minister insist that they settled for \$40 million. So tell me, Premier: Did they really settle for \$40 million?

Hon. Kathleen O. Wynne: Mr. Speaker, I know that the Minister of Energy and the government House leader are going to want to weigh in on the supplementary questions.

I just want to say that I'm very pleased that the justice committee is now under way, that the justice committee is calling people to come and appear before it and are going to be able to ask all of the questions that the committee members deem appropriate. I have said that I agree that I will appear before the committee, and I'll be happy to respond. But, Mr. Speaker, I think what's really significant is that that committee has the scope now to be

able to ask questions about tendering, planning, commissioning, cancellation, relocation. I'm really glad that the justice committee has that broader scope and will be able to explore the issues that the member opposite is interested in hearing about.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Victor Fedeli: Premier, we have here the year-end financial report from TransCanada. That's the company that was contracted to build the cancelled Oakville gas plant. In their year-end report, it shows that the company has so far received \$250 million in compensation from the provincial government. This is printed in their annual report—\$250 million, so far.

Even the head of the Ontario Power Authority would not stand by your figures on Oakville or Mississauga at his recent news conference.

So, Premier, I'll ask you again: Will you stick with your story that they settled for \$40 million?

Hon. Kathleen O. Wynne: Government House leader.

Hon. John Milloy: Mr. Speaker, not only has the committee been charged with looking into this issue, but the Auditor General is also examining this issue. I think we should wait for his report, and we should also let the committee do its work.

I'd remind members that the reason why the committee is able to look at the issue of costing is because this House passed a motion unanimously to expand it. But what's very strange, Mr. Speaker, is that the offer was made to the opposition and it took them a week of considering whether they wanted to expand it, which has been part of their strange behaviour all along. First they opposed the gas plant during the election, and then when we did exactly what they promised, they stood up and said it was the worst scandal that had ever befallen us. Then, the member from Cambridge spoke about a public inquiry and said it was too expensive, and the member from Nipissing held a press conference calling for a public inquiry. Then we offered them a select committee—

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

1040

Mr. Victor Fedeli: Thank you, Speaker. I appreciate that.

Let's get this down to the facts here. You believe that this is a \$40-million hit to the taxpayer when TransCanada so far has shown payments of \$250 million in their financial reports, and the documents that were turned over in one of the document dumps show a contract—an offer—of \$712 million that was turned down because they believe they're entitled to more. So you're at \$40 million; they turned down \$712 million.

We asked you yesterday to apologize to this House for not telling us what we need to know; we asked all of your members. It appears that being a Liberal means never having to say you're sorry.

Interjections.

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

Hon. John Milloy: To the Minister of Energy, Speaker.

Hon. Bob Chiarelli: The member says that we should deal with the facts. I agree with him 100%. We should deal with the facts—

Interjections.

The Speaker (Hon. Dave Levac): Order. Member from Lambton, second time. Let's make it clear. Member from Lambton, you are now warned.

Minister of Energy.

Hon. Bob Chiarelli: Mr. Speaker, the member says we should deal with the facts and, I agree with him 100%. We should deal with all of the facts.

On that particular cost assessment, the province did, in fact, pay for very expensive equipment on behalf of the vendor, on behalf of the developer. But what he didn't say is that that extra cost above the \$40 million was 100% set off by a reduction in the price of the energy, and it ends up with a net cost of \$40 million, the number that the OPA has fully determined.

Not only that, Mr. Speaker: The chief executive officer of TransCanada confirmed that that's what the deal was.

POWER PLANTS

Mrs. Jane McKenna: My question is for the Premier. On September 25, 2012, the Premier, in her former role as a senior minister in Dalton McGuinty's cabinet, stood in this House and quoted an article written by Dalton McGuinty. And I quote from Hansard: "This week, our government announced we are relocating a gas plant from Oakville to eastern Ontario. The total cost of the relocation is \$40 million. This follows another settlement to move a natural gas plant from Mississauga to Sarnia. The cost of that relocation was \$190 million."

Since Premier Wynne was in cabinet when the decision was made, and since she read it into the record, my question is simple: Does she stand by those numbers?

Hon. Kathleen O. Wynne: To the government House leader, Mr. Speaker.

Hon. John Milloy: As I said, there is a committee of the Legislature—

Interjections.

The Speaker (Hon. Dave Levac): Who's next?

Hon. John Milloy: There's a committee of the Legislature which is currently looking into this issue, as well as the Auditor General.

In fact, the committee heard this morning from a very esteemed witness, the former Speaker of the House of Commons and noted parliamentary expert, the Honourable Peter Milliken, whom you recognized a little bit earlier.

And it's interesting, Mr. Speaker, when you look at Mr. Milliken's testimony. For example, the member from Mississauga—Streetsville asked, "Let's start with one question. Minister Bentley ultimately complied. Shouldn't that end the matter?" This is what former Speaker Milliken had to say: "If he complied with the de-

mand for the production of the documents, I would have thought he would have"—yes, "if" he complied—"I don't know why there would have been a breach. I don't understand that." Again, showing the fact that what started out as an attempt by this government—

Interjections.

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

That's better.

Supplementary?

Mrs. Jane McKenna: Again, Mr. Speaker, it is a simple question. The Premier herself stood in this Legislature and read that statement into the record. It is a legitimate question.

Let me read it again. Kathleen Wynne, September 25, 2012, and I quote from Hansard: "This week, our government announced we are relocating a gas plant from Oakville to eastern Ontario. The ... cost of the relocation is \$40 million. This follows another settlement to move a natural gas plant from Mississauga to Sarnia. The cost of that relocation was \$190 million."

A simple yes or no will do. Do you stand by those numbers? Is what the government announced true—yes or no?

Hon. John Milloy: Mr. Speaker, again, the behaviour of the Progressive Conservative Party over the past little while has been strangely erratic. First, they promised to cancel the Mississauga power plant, and then when we followed through on their promise, they said that it was a scandal. Then the member from Cambridge spoke about the high cost of a public inquiry, that we didn't need one. Then the member from Nipissing had a press conference saying he wanted one. Then we offered—

Interjection.

The Speaker (Hon. Dave Levac): Attorney General, come to order.

Hon. John Milloy: —a special committee of this Legislature that would look at the very issues that the member just raised, and they said they didn't want it. They wanted to go on a witch hunt over a former member of the Legislature. Then we came forward with a proposal to broaden the scope of the committee again to look into the issues that she has asked. It took them a week to get back. Then we offered them every government document, and they voted against it.

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

Mrs. Jane McKenna: Government House leader, thank God we all have five minutes of truth every day.

Again, the Premier is as tired of us asking these questions as we are of hearing her avoiding the answers. Again, on September 25, 2012, Premier Wynne stood in the Legislature and cited a price tag for the cancellation and move of an Oakville gas plant: "The total cost of the relocation is \$40 million." Documents show that the government offered TransCanada Energy \$712 million to settle the contract-breaking liability on the Oakville plant. TCE rejected that offer; they wanted \$900 million.

Premier, I have to ask, because I've honestly never seen the Liberals bargain someone down before: What

did the government put up on the table to convince TCE to suddenly settle for \$40 million?

Hon. John Milloy: If there is anyone who is avoiding answers, it's the Progressive Conservative Party. We have come forward over and over again to offer them the opportunity to discuss these very issues at committee. They rejected the idea of a special committee. It took them a week to agree to broaden the scope of the committee. And then, when we offered them every single document—

Interjections.

The Speaker (Hon. Dave Levac): The member from Leeds–Grenville and the member from Simcoe–Grey, come to order.

Hon. John Milloy: When we offered them every single government document, to my astonishment, and I think the astonishment of everyone watching the parliamentary channel, they voted no. It is worth looking at this clip. The motion is made that the government will produce all documents far beyond the scope of any other request, and the three PCs proudly put up their hands to vote against it. If there's anyone who doesn't want to get to the bottom of this, it's that party over there.

PROROGATION

Ms. Andrea Horwath: My question is for the Premier. Yesterday, the member for Kitchener–Waterloo asked a question that the Premier didn't quite answer. I'd like to do it again. I'd like to ask that question again. Does the Premier agree that the cynical decision to shut down the Legislature last fall was a mistake that should not be repeated?

Hon. Kathleen O. Wynne: I will say what I said before, and that is that I believe that the Premier, my predecessor, made the decision that he needed to make in order for us to have a leadership race and in order for us to be able to negotiate some contracts, and we did that.

I've also said that I look forward to the debate on prorogation that is being precipitated by the private member's bill. There are no procedures and there are no protocols that can't be looked at and that we can't have a discussion about. I think it's important to talk about those traditions, and I think that the debate this afternoon will allow us an opportunity to do that.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: While the doors of the Legislature were locked, I talked to a lot of people all over Ontario, and they were pretty clear: They are tired of cynical, self-serving politics—the Premier just admitted to it herself, in fact—and they want to see change that puts them first for a change. The Premier can start today by admitting that her government's crass abuse of prorogation last fall was a mistake. Will she do that?

Hon. Kathleen O. Wynne: Two things on this: First of all, during the prorogation, we continued to work. I made the point that there were a lot of negotiations that went on. We were able to settle with AMAPCEO—10,000 Ontario public service employees with a contract

because of that negotiation. We worked with the OMA—25,000 doctors with a contract because of that. We worked with OPSEU—two-year collective agreements with those public servants.

1050

What I said is that I was going to bring the House back as soon as possible. I said that at the first possible date—and that was February 19—I was going to bring the House back. We did that. We are here, Mr. Speaker, and I am so pleased that we are doing the work of the people of Ontario and that we'll have an opportunity to talk about this issue later today.

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

Ms. Andrea Horwath: Well, Speaker, it's disappointing that the government and the Premier of Ontario believe that the accountability and scrutiny that our democracy is fundamentally based upon are not important in her books.

Speaker, people are hoping for a change, but when they look to this government, they're seeing a lot of the same old status quo: cuts and layoffs in hospitals and schools, dismissed with an "A-okay" by ministers; back-room lobbying to build casinos; killing rural jobs without giving people a voice; and a government that seems unwilling or unable to admit when they've made a mistake.

New Democrats think Ontarians deserve better. Why doesn't the Premier?

Hon. Kathleen O. Wynne: Mr. Speaker, I would just say that the party opposite does not have the corner on intellectual curiosity. The notion that somehow we're not interested in having a discussion about prorogation and about its uses is just wrong. It's just not true.

Every single party in this Legislature has used prorogation, Mr. Speaker. The PCs used it five times under Harris and Eves. The NDP used it three times when they were in government, Mr. Speaker. So the question is not whether—

Interjections.

The Speaker (Hon. Dave Levac): Carry on.

Hon. Kathleen O. Wynne: The question is not whether prorogation is or is not a good thing. The question is: Is it working? Are the rules around it what they should be? Has it been used appropriately?

Interjection.

The Speaker (Hon. Dave Levac): The member from Hamilton East–Stoney Creek is not helping.

Hon. Kathleen O. Wynne: I'm open to that conversation. I'm looking forward to the debate this afternoon, Mr. Speaker. It's entirely appropriate that we would ask those questions.

HOME CARE

Ms. Andrea Horwath: My next question is to the Premier. I think it's not just about asking questions, though; I think it's about providing answers to the people of the province.

Now I want to ask about the sort of change that people want to see in our health care system, Speaker. Throughout the last week, my colleagues and I have asked the Premier to make a firm commitment to a five-day home care guarantee. Will she do that today?

Hon. Kathleen O. Wynne: I know the Minister of Health and Long-Term Care is going to speak to that issue. I would say that we have said very clearly that we are committed to improving home care in the province. We referenced it in the throne speech, and we know that there is more to be done.

Mr. Speaker, we are making changes in the health care system, and the Minister of Health made an announcement today in conjunction with a member of the party opposite around preventing cancer and making sure that our young people are not exposed to tanning beds. That's an issue that was taken from the lexicon of the third party. I hope that the leader of the third party understands that we are very interested in finding ways to provide better health care to all of the people of Ontario, seniors and otherwise.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: Speaker, later today the government will introduce a bill based on a bill from our health critic, France Gélinas. She put it in this place for five years now. For five years, our health critic has been trying to get this passed. Finally, the Liberals have seen the light, but that bill was killed when the government prorogued the Legislature last fall. It's a no-brainer of a bill, as is capping salaries for CEOs of hospitals and providing the 6,000 people currently waiting on a home care wait-list the home care that they need.

Will the Premier commit to real changes like this, or are we going to see more of the same old status quo from the Liberals?

Hon. Kathleen O. Wynne: To the Minister of Health and Long-Term Care.

Hon. Deborah Matthews: I'm very happy to rise again to talk about how important it is that we continue to invest more in home care. But, Speaker, this is not something new for our party. In 2003, there were 348,000 clients served in the community through home care. That number is now almost 620,000. We have gone so far when it comes to home care, but we are redoubling our efforts, because we know that there are still people in hospital who could be cared for at home if they had appropriate home care supports.

So, Speaker, there are changes in our health care system. We hear about them here every day. But everything we're doing is focused on getting more people the care they need in the most appropriate place, and that very often is at home.

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

Ms. Andrea Horwath: New Democrats think that we should invest our precious health care dollars in getting seniors into home care within five days of being approved, but the government seems content with the status

quo, where CEO salaries stay high and nurses lose their jobs.

Will the Premier explain to Ontarians why they should wait 262 days for home care while the CEO of a hospital can make more in bonuses than most families make in a year?

Hon. Deborah Matthews: As I've said here before, when someone needs that home care immediately, if they're being discharged from the hospital, for example, the wait time is zero; there is no wait time.

We are bringing wait times down, though. We've gone from 13 days to nine days, and we are investing more, and as we invest more in home care, we will see those wait times come down.

Again, we have such strong common ground on this; we both want the same thing. It's wonderful to see at least two parties in the Legislature agreeing that the focus on home care is the right focus.

AIR AMBULANCE SERVICE

Mr. Frank Klees: My question is to the Minister of Health. Since 2007, the emergency health services branch has reported some 24 cases to the coroner of Ontario in which operational issues at Ornge may have contributed to the death of a patient.

On August 15 of last year, the chief coroner, Dr. Andrew McCallum, announced the establishment of an expert panel to review those deaths. That report was to have been filed by the end of this past year. But instead, on December 19, the new Ornge board announced that the same Dr. Andrew McCallum, the chief coroner of Ontario, had been hired as the new CEO and president of Ornge.

I want to ask the minister this: First, where is that report? And, second, at what point in the course of the coroner's investigation of those deaths did Ornge begin to make an offer of employment to the coroner?

Hon. Deborah Matthews: Speaker, I find the suggestion embedded in that question to be a very offensive suggestion, frankly. Dr. Andrew McCallum is a very, very highly regarded person. He is extremely well qualified to be the CEO at Ornge, and the suggestion that he would not do his job as coroner is extraordinarily offensive. I reject it wholeheartedly.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Frank Klees: The first question was, where's the report? The second question is, at what point in the investigation that the coroner was undertaking did Ornge or the government begin negotiating an employment contract with the same coroner who was investigating the organization?

So my question—I'll put it again, in a different way—whose judgment should we be calling into question: the government's and Ornge's for entering into negotiations for an employment contract with the coroner of Ontario who was investigating them, or is it Dr. McCallum's judgment that we call into question for even entertaining such an offer?

Hon. Deborah Matthews: Speaker, the member opposite, I think, owes some people an apology for that question, but let me answer it nonetheless.

Speaker, Dr. Dan Cass is heading the investigation—*Interjections.*

The Speaker (Hon. Dave Levac): Now, my editorial: Don't start up.

Hon. Deborah Matthews: Speaker, Dr. Don Cass is heading up the investigation of those incidents related to Ornge. I think it's important that the coroner did take this on as a special project. Dr. Cass, from the beginning, was heading that investigation.

I welcome that report. We are determined to do anything we can do to make it better, to improve patient safety, Speaker. That report, that investigation, is under way. The member opposite knows that that is happening, and he's being nothing but mischievous today.

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CASINOS

Mr. Peter Tabuns: My question is to the Premier.

Yesterday the government shrugged off concerns that the Liberal-appointed chair of Metrolinx is also a paid lobbyist for MGM Resorts, an organization that wants to put a casino in downtown Toronto. Today we learned that another Metrolinx board member is also a paid lobbyist for the Nevada-based company.

Considering that MGM's casino plans will have substantial impact on transit and traffic in this city, how does the Premier not see significant conflict of interest with two Metrolinx board members—the very government agency responsible for transit—also being paid lobbyists for MGM Resorts?

Hon. Kathleen O. Wynne: Minister of Transportation and Infrastructure.

Hon. Glen R. Murray: There are very, very clear and strict rules governing all of these bodies. All of these bodies, by their very nature, invite very significant business leaders on to them. Mr. Turnbull has an incredible reputation with TD Bank and TD Securities, one of our most reputable financial institutions. Mr. Prichard has been president of our most significant university and a senior executive with our daily newspaper. This is a man of incredible ethical renown, Mr. Speaker. They have followed the rules very carefully. All of the routes have been planned, and both these gentlemen are following those rules and excluding themselves fully from any conversations relating to this particular piece of property or any piece of property that would involve any clients they have.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Speaker, Torontonians are not keen to have a Las Vegas-style casino in this city, yet this government would rather ignore their concerns and stand by while Liberal appointees to Metrolinx are being paid by MGM to lobby provincial officials for a casino in Toronto.

Can the Premier explain why she's choosing to listen to Liberal insiders who stand to gain from a casino in Toronto instead of the very residents whose community will be affected?

Hon. Glen R. Murray: Mr. Speaker, the air of irony coming from the party that brought gambling and casinos to Ontario verges on satire. I never, ever thought I would live to see the day to see such chutzpah in this House from the parties opposite, who downloaded onto municipalities like crazy, talking to us, who introduced the City of Toronto Act respecting the integrity of the city council, quite frankly, where the members of that party almost have a majority.

I think we can trust the New Democratic members of city council and others to have that kind of authority with the responsibility—what their party has always asked us to have. We're the party that has been uploading from municipalities.

Mr. Speaker, this is just bordering on precious. I cannot believe the member actually had the chutzpah to ask that question.

HOSPITAL SERVICES

Ms. Soo Wong: My question is for the Minister of Health and Long-Term Care.

Speaker, I have serious concerns about the changes that could take place at the Scarborough Hospital, located in my riding of Scarborough—Agincourt. Our hospital has been undertaking a process to balance their budget, and we need to make sure any service change protects the patients. I, along with my community, am concerned about potential changes to the hospital services.

Yesterday, along with the member from Scarborough—Rouge River, we released a statement calling for more public consultation to take place before any decisions are made about proposed changes at the hospital. Local residents need to have a real voice at the table and real, meaningful consultation so that they can move forward together.

Through you, Speaker, to the minister: Will you support further review of the hospital's proposed changes?

Hon. Deborah Matthews: I want to thank the members for Scarborough—Agincourt and Scarborough—Rouge River for their advocacy on this matter. I have met with them; we have discussed the issue. They have been talking to me, expressing concerns they are hearing from their constituents about proposed changes at Scarborough Hospital.

Speaker, it is vitally important that any changes hospitals make take into account the needs of patients, of course, but also physicians and health professionals who provide care in that organization.

I know Scarborough Hospital has been engaging members of the community; however, I agree with the members from Scarborough—Rouge River and Scarborough—Agincourt that further review is required. I support their call for further review on the hospital's proposed changes.

Hospitals belong to their communities, Speaker. It is vitally important that communities be engaged and have an opportunity to be engaged to make changes in hospitals.

The Speaker (Hon. Dave Levac): Supplementary? The member from Scarborough–Rouge River.

Mr. Bas Balkissoon: I just want to recognize the health professionals at the hospital who continue to provide care for our loved ones day in, day out with patience, dedication and compassion. They are truly the heart of this hospital and our local community.

Scarborough Hospital faces a difficult challenge, and they are currently facing a deficit they need to resolve. People in my riding understand that the status quo is not acceptable and that the hospital needs to be innovative in order to provide sustainable health care.

An important component of this is more care being provided at home or at specialized clinics in the community. However, it is incredibly important that the community be part of the process in a transparent, open and accountable manner.

Through you, Mr. Speaker, to the minister: How can we be assured that the residents of north Scarborough's concerns will be addressed?

Hon. Deborah Matthews: Speaker, the member is absolutely right. The status quo is not an option. We know we can do better when it comes to delivering health care services. That is why we are expanding home care, and that is why we are expanding services in the community.

We have recognized from the beginning that this transformation in health care will be a challenge, but the health care sector recognizes that we do have to make important changes in how we deliver health care. I have the utmost confidence that they are ready to take on this challenge.

Part of the transformation is our work with hospitals to change how we fund hospitals. We're moving from a lump-sum funding allocation toward a patient-centred model, where funding is based on the services provided and the number of patients served. Hospitals will be paid for increasing services—where appropriate—delivering them more efficiently and serving more patients. Once hospitals adapt to this new approach, we will all see better value for money and better quality care.

RURAL ONTARIO

Mr. John Yakabuski: My question is for the Premier. Premier, after nine and a half years of neglecting their needs, during the recent Liberal leadership race, you promised new respect for rural Ontario. In fact, your new Minister of Economic Development, Trade and Employment promised a share of the gas tax revenues for rural municipalities for infrastructure projects. Your new Minister of Rural Affairs promised at a meeting of Eastern Ontario Wardens' Caucus that you would be bringing forth gas tax sharing for rural municipalities.

Speaker, today the rubber meets the road. Will you support my gas tax bill that will be debated this afternoon in the Legislature that we'll share gas tax revenue with all municipalities? Will you instruct your caucus to finally show some real respect for rural Ontario to support that gas tax bill?

Interjections.

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

Hon. Kathleen O. Wynne: I know the Minister of Transportation is going to want to weigh in on this, but I'm—

Ms. Lisa MacLeod: Oh, we don't want to hear from him.

Hon. Kathleen O. Wynne: Well, you're going to hear from me first, to the member opposite.

Once again, I think that private members' time is a really important opportunity for questions to be raised, for issues to be discussed across all parties, Mr. Speaker. I think that there are a number of issues. This is one of them. I know prorogation is another discussion that's going to happen this afternoon. The OMB, I believe, is going to be discussed this afternoon. There are a number of issues that it's very important that people across the parties have the opportunity to weigh in on. So I'm very pleased that the member opposite has raised this question and that there will be a debate on it this afternoon.

The Speaker (Hon. Dave Levac): Supplementary? The member from Bruce–Grey–Owen Sound.

Mr. Bill Walker: My question is also for the Premier. Premier, can you explain why you voted against Mr. Yakabuski's PMB in the past—seven times, I believe? Yet today you expect the people of Ontario to believe you are sincere when you say this needs to be a priority.

Will you finally put action behind your words, and will you commit today to providing a percentage of the gas tax to rural and northern Ontario municipalities?

1110

Premier, will you show respect for rural and northern Ontario, vote later today to support the motion being introduced by my colleague Mr. Yakabuski, and provide rural Ontario with their fair share of the gas tax revenue?

Hon. Kathleen O. Wynne: To the Minister of Transportation and Infrastructure.

Hon. Glen R. Murray: You know, today must be the international day of chutzpah.

Mr. Speaker, we have taken funding—

Interjections.

The Speaker (Hon. Dave Levac): Order.

Interjection.

The Speaker (Hon. Dave Levac): The Attorney General is not helping.

Hon. Glen R. Murray: We have taken the infrastructure budgets in this province from a pathetic \$3 billion to \$4 billion, to \$12.9 billion this year. We are twinning highways in the north.

Mr. Speaker, not only do we put the gas tax into transit to take congestion off roads in communities like Orillia—there are over 90 communities small and large

that get it—we also introduced MIII, which is a \$90-million program that repairs bridges and roads, exactly what this gentleman is talking about.

More than that; this government is committed to going—

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

ASSISTANCE TO FARMERS

Mr. John Vanthof: My question is to the Premier. Agriculture and food processing create over 700,000 jobs in Ontario and have an economic impact of over \$50 billion, and we all know that farmers are the cornerstone of this economic engine.

Farm commodity groups, like green farmers of Ontario, worked tirelessly to push the government to create the Risk Management Program—which you did.

Farmers need to feel confident that the funds available to help them out in times of need will be sufficient for the viability of the sector. The cap on the program has shaken farmers' confidence in the government's true commitment to agriculture.

As Premier and Minister of Agriculture and Food, are you prepared to take action on this issue?

Hon. Kathleen O. Wynne: The member opposite noted that we have worked with commodity groups. We have worked very hard to make sure that the program was in place and that it worked for the groups. That's why my predecessor brought groups in, had a conversation with them and made sure that, as the program was designed, it was designed according to the parameters that they thought were important.

My response is that we will continue to work with those groups, and if there are changes that need to be made, we will make those changes in consultation with the people who are using the program.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. John Vanthof: Once again, to the Premier: Ontario farmers grow the food on which the processing sector depends, but growing food is a risky venture. The Risk Management Program not only protects farmers; it protects the processing sector and the consumers who want to buy Ontario food, yet this government chose to cap the Risk Management Program, which, in fact, leaves farmers grossly underinsured. If farmers are at risk, so is the entire sector and all the jobs it creates.

Will your government act to help farmers so that they are fully insured to drive the economic engine of this province?

Hon. Kathleen O. Wynne: The redesigned program that my predecessor worked on with the sector includes some things like an industry-managed premium fund, so they're managing the fund themselves. I know that the member opposite knows that that was a very popular and a very good move, and I've certainly had feedback from farmers that that was a good thing.

But then there are some specific things that we've done to demonstrate our commitment to making sure that

farming is sustainable—\$104 million for farmers in drought this year—responding to needs that are relevant in a particular year or particular season. We'll continue to do those things, respond in a timely way, and we'll continue to work with the farmers as we develop programs that respond to their needs on an annual basis.

SERVICES EN FRANÇAIS

M. Phil McNeely: Cette question est pour la ministre déléguée aux Affaires francophones.

Notre province, l'Ontario, compte maintenant plus de 600 000 francophones. Lorsque je rencontre des commettants francophones, j'ai toujours constaté à quel point notre gouvernement a offert, au cours des 10 dernières années, un soutien constant pour la communauté francophone de l'Ontario.

Alors que nous venons de renouveler notre gouvernement, j'aimerais savoir, quels sont les nouveaux engagements pour la communauté francophone de l'Ontario?

L'hon. Madeleine Meilleur: Je voudrais remercier le député d'Ottawa-Orléans pour son appui constant dans la francophonie. Je voudrais aussi souhaiter la bienvenue à nos étudiants qui sont ici du Parlement jeunesse.

Je suis très heureuse de ce que mon gouvernement a fait depuis 2003 en francophonie, que ce soit l'indépendance de la chaîne TFO; que ce soit le poste de commissaire aux services en français; que ce soit la journée franco-ontarienne; que ce soit la cible de 5 % en immigration francophone dont on vient de se doter; que ce soit l'amélioration de la justice en français—je voudrais féliciter mon collègue de tout le travail qu'il a fait—que ce soit l'augmentation du financement en éducation : 80 % d'augmentation. Nous avons maintenant 437 écoles. Justement, la semaine dernière, j'étais à Sault Ste. Marie et j'ai vu la nouvelle école, Notre-Dame-du-Sault, qui est une école extraordinaire. Je voudrais souhaiter la bienvenue à Alexandre et Nathan, qui sont ici de Sault Ste. Marie.

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

M. Phil McNeely: Je suis heureux de voir que notre engagement demeure infaillible. Hier, j'étais au Parlement jeunesse, ici même à Queen's Park. Celui-ci donne l'occasion à des élèves francophones du secondaire de toute la province de se rendre à Toronto pour en apprendre plus sur l'Assemblée législative.

Encore à la ministre déléguée aux Affaires francophones : quelles sont nos priorités en termes d'éducation postsecondaire en français?

L'hon. Madeleine Meilleur: Tôt en 2003, je me suis aperçue que l'éducation postsecondaire dans le sud-ouest de l'Ontario n'était pas ce qu'elle devrait être. Alors, j'étais très heureuse de voir que notre première ministre, lors du discours du trône, a donné son engagement pour améliorer l'éducation postsecondaire dans le sud et le sud-ouest de l'Ontario. Alors, on veut, bien sûr—nos étudiants qui vont graduer du secondaire et qui sont ici veulent, s'ils demeurent dans la région, pouvoir pour-

suivre leurs études en français. On sait qu'on a le Collège Boréal, La Cité collégiale, l'Université d'Ottawa, l'Université de Hearst, l'Université Laurentienne et aussi l'université bilingue de Glendon, mais nos jeunes veulent étudier dans le sud et dans le sud-ouest de l'Ontario en français. Alors, c'est un projet qui va aller de l'avant.

Je remercie la première ministre d'appuyer la communauté francophone pour les études postsecondaires.

WIND TURBINES

Mr. Jim Wilson: My question is for the Premier. Premier, during your campaign for the Liberal leadership, you visited my riding and you were briefed on the ridiculousness of a German company's proposal to build eight 500-foot-tall wind turbines on a flight path of the Collingwood Regional Airport. The turbines being proposed are almost as tall as the TD tower down the street here in Toronto.

At the time, you told my constituents that, if you were successful in your leadership bid, you would bring the Collingwood proposal to the direct attention of the Minister of Energy. You also said, "If there's a safety issue ... an economic issue ... we need to understand how that happened.... To have that airport shut down (because of turbines) doesn't make sense to me."

Premier, can you confirm today that you kept your word and tell us what you've done to stop this dangerous proposal from going ahead?

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

Hon. Bob Chiarelli: I'm glad there will be two opportunities, and I'll have an opportunity to answer his supplementary.

What I want to say to the member and to the opposition is that we understand that you do not approve of green energy policies or initiatives. That's number one.

We also acknowledge that they don't—

Interjections.

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Hon. Bob Chiarelli: At the appropriate time, we'll have an opportunity once again to have that debate with the electors across the province of Ontario; the same as we will on full-day kindergarten, which you don't approve of; the same as on uploading to municipalities. You've downloaded; you want to keep the expenses down with the municipalities. There's a whole series of issues where we have to agree to disagree. That should—

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

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. The member from Chatham, the member from Huron-Bruce—and about four others, but I'll get to you later—come to order. And I honestly think I heard somebody try to sneak by a swear word.

Interjections.

The Speaker (Hon. Dave Levac): Righteous indignation aside, I would ask all members to be honourable in this place.

Supplementary, please.

Mr. Jim Wilson: Mr. Speaker, this is a serious issue about safety and the rights of people in rural Ontario, which you don't give a damn about. That's for sure.

The Speaker (Hon. Dave Levac): I would ask the member to withdraw.

Mr. Jim Wilson: Withdraw, Mr. Speaker.

Premier, I'd appreciate an answer from you. You're the one who made the commitment when you visited Collingwood.

On February 20, I introduced legislation that amends the Planning Act by reversing the amendments made by the Liberals' Green Energy Act that exempted renewable energy projects from the municipal process. My bill restores municipal planning powers and allows local leaders to make decisions over renewable energy projects like the one being proposed on the flight path of Collingwood Regional Airport.

Premier, when you visited my riding, you said you support more municipal autonomy and a better process for siting these projects. Will you show Ontarians that you can actually stay true to your word? Will you commit today to supporting my legislation and restore municipal control over renewable energy projects that are being built in vast areas of the province against the people's wishes?

Interjections.

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

Minister of Energy.

Hon. Bob Chiarelli: Mr. Speaker, the Premier is honouring her commitment. The Minister of Rural Affairs, the Minister of Energy and the Minister of Municipal Affairs are working now together to look at the types of solutions that the Premier committed to enlisting for the province of Ontario.

We are extremely serious about giving more control to the municipalities, about dealing with Planning Act issues and about dealing with the level of control that particularly rural municipalities will have over wind and solar in their communities. We are absolutely committed, and we will be back to you very soon with alternatives and solutions that we believe will be satisfactory to the rural communities across the province of Ontario.

OBSTETRICAL CARE

Ms. Andrea Horwath: My question is for the Premier. Pregnant moms in Windsor are worried. As cuts mount to front-line care workers, hospital beds and children's mental health care, Windsor mothers are left wondering if their neonatal intensive care unit is next. The Windsor NICU is already operating at reduced levels because this government refuses to guarantee funding for a level 3 facility.

Will the Premier protect Windsor's most vulnerable babies and clear up any doubt about the future of neonatal care in Windsor?

Hon. Kathleen O. Wynne: To the Minister of Health and Long-Term Care.

Hon. Deborah Matthews: It's wonderful to see the new focus on Windsor and London that we are seeing from the leader of the third party. It's fantastic to see that.

I can tell you, Speaker, that we are doing everything we can to protect patient care. This is an issue that has been raised in the past. I know that the people of Windsor are advocating for this. I can tell you that the interests of those babies, the interests of those mothers will always be paramount. We will do what we need to do to make sure that babies born get the very, very best possible care.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: Speaker, somebody's got to be standing up for the people of Windsor and London. New Democrats are proud to do it.

The Windsor neonatal intensive care unit will change the lives of hundreds of moms and babies this year. Without access to a fully functioning NICU, pregnant moms, in a fragile condition, will be sent down the highway for care. The last time New Democrats brought concerns about the Windsor NICU to this Legislature, the Minister of Health said this: "We will always make decisions based on what's best for those babies." But, recently, she also said she's okay with cuts to front-line health care services in Windsor.

What does the Premier have to say to Windsor mothers who are worried that that city's neonatal intensive care unit is next on the chopping block?

Hon. Deborah Matthews: Speaker, there has been no change in the designation of the NICU at Windsor Regional Hospital.

We have invested enormously in Windsor Regional Hospital; in fact, their funding has increased by \$100 million. That's an 83% increase in funding at Windsor Regional Hospital. The hospital is continuing to make improvements. The neonatal unit is a very important part of Windsor Regional Hospital.

We will continue to improve care, and I will always say, whatever is best for those little babies who are born with high health care needs will always guide my decision-making.

TRANSPORTATION INFRASTRUCTURE

Mr. Steven Del Duca: My question today is for the Minister of Transportation and Infrastructure.

I know that continued economic growth and job creation are key priorities for our government, and that our ongoing investments in crucial public infrastructure have helped our economic recovery a great deal.

In my own riding of Vaughan, there are plans to extend Highway 427 from its current end at Zenway Boulevard to Major Mackenzie Drive. This roughly seven-kilometre extension will help my community unlock tremendous economic development potential in the Vaughan enterprise zone, an area of hundreds and hundreds of acres that has the potential to generate tens of thousands of jobs when fully built out. However, the potential of the Vaughan enterprise zone cannot be fully realized until Highway 427 is extended.

Mr. Speaker, can the minister please update the House as to the progress being made regarding the extension of Highway 427?

Hon. Glen R. Murray: I want to thank my friend the member for Vaughan for his unrelenting advocacy for Highway 427—and when I say "unrelenting," I mean just about daily, Mr. Speaker.

Highway 427 is an important priority for us. We're very proud of our partnerships with Mayor Bevilacqua—and the mayors of Vaughan and Caledon, who have been working very hard with their economic development agency, which has seen a significant expansion of employment lands, major new investments by Canadian Tire and Canadian Pacific Railway. This is becoming one of the most successful and dynamic areas of our province.

We have invested over \$300 million in that area. We will continue to do that, and there is an additional \$620 million in transit funding that will relieve some of the car pressures on that highway.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Steven Del Duca: Thank you very much to the minister for that update. My constituents in Vaughan will be very happy to hear of the progress that's being made on this important issue.

In addition to the tremendous possibilities that exist in terms of job creation, the extension of Highway 427 will help to alleviate some of the gridlock that is currently depriving the residents of my community, particularly those living in Kleinburg and in west Woodbridge, of time with their families. In fact, I spent time last evening in Kleinburg at a town hall meeting and I heard about this issue directly from my residents.

Can the minister please inform the House of the measures being taken by our government to ensure that progress continues to be made on this issue and other transit-related issues in my area?

Hon. Glen R. Murray: Mr. Speaker, we have about a \$13-billion infrastructure commitment this year alone. That is the biggest, I think, in the modern history of our province, and up from about \$3 billion when the parties opposite were in power. In Vaughan, this has resulted in \$1.4 billion over 10 years for the vivaNext rapid transit system, a \$670-million investment to extend the Spadina subway to Vaughan, and this 8.6-kilometre extension of the 427 is the next critical and priority piece of infrastructure. We are serving rural folks with our new MIII program, which extends that to small bridges.

We will not do what the party opposite—which is, compete between the suburbs, rural and urban Ontario for scarce dollars. We are going to build new revenue tools, under our Premier's leadership, to ensure that every Ontarian has access to great infrastructure.

HIGHWAY CONSTRUCTION

Mr. Ted Chudleigh: My question is to the Premier. During the 2011 election, you were Minister of Transportation. At a campaign stop in Burlington, you prom-

ised—promised—that the controversial Niagara-to-GTA highway route through north Burlington was cancelled. On February 19 of this year, the MTO held its final public information session in Ancaster on the progress of the environmental assessment for the north Burlington route of the highway. It wasn't cancelled; it's continuing.
1130

Premier, during an election and for political advantage, are my constituents in north Burlington correct in saying that they were misled?

The Speaker (Hon. Dave Levac): Withdraw.

Mr. Ted Chudleigh: Withdraw.

Premier, what conclusions should my constituents in north Burlington draw from the promise you made during the campaign?

Hon. Kathleen O. Wynne: To the Minister of Transportation and Infrastructure.

Hon. Glen R. Murray: Mr. Speaker, first, the advice I give them is that whatever you do, don't vote Conservative, because you'd be voting for a government that has never committed more than \$3 billion or \$4 billion to infrastructure, and all of these projects would be a pipe dream.

Mr. Speaker—

Interjections.

The Speaker (Hon. Dave Levac): Minister?

Interjection: What's your leader's position?

Hon. Glen R. Murray: My position and that of the previous two Ministers of Transportation is that we would do everything else and look at it in that context.

We have done the road studies. They are tabled; they are public documents. I would suggest the member opposite look at them. He should talk to his friend the critic, because he and I have been meeting and we've had a very fulsome conversation about that. Or maybe he wants to talk to the member for Burlington, who wrote a letter to us just a year ago, asking us not to build the mid-Niagara—

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

Hon. Glen R. Murray: I am always open to the many opinions that—

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

Mr. Ted Chudleigh: This isn't about the highway between Hamilton airport and the Niagara frontier. This is about a promise that you made during an election. Premier, you made a promise to the voters of north Burlington, not the current minister. Premier, you told them the highway was cancelled across the north Burlington area, not this current minister. Premier, you caused the current angst by failing to fulfil your promise, if you ever intended to do so.

Premier, do the right thing: Fulfil your promise. Or was it just a smoke-and-mirrors announcement to win a few votes in a typical Liberal way? Premier, fulfil your promise and stop lying to my constituents.

Interjections.

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

Mr. Ted Chudleigh: Reluctantly withdraw.

The Speaker (Hon. Dave Levac): I do know this part of my job. The member please withdraw.

Mr. Ted Chudleigh: Withdraw.

The Speaker (Hon. Dave Levac): Thank you. New question—sorry; answer.

Hon. Glen R. Murray: Thank you, Mr. Speaker. To the Premier.

Hon. Kathleen O. Wynne: I just want to take this opportunity to respond to the member opposite, because I remember the meeting that I was at in the Burlington area. I remember having that conversation very clearly, Mr. Speaker. And what I said was that I acknowledged that there was a lot of concern about the corridor that was being identified for that road. What I promised was that we were going to do everything possible to make sure that we had an integrated transportation plan for that region, because unlike the party opposite, I recognize that we need to have roads and corridors built in the province, but we also need to focus on transit. We need to focus on using the corridors and the roads that are already there. How can we maximize the use of the roads that are already there and how can we make sure that public transportation is part of any plan going forward? That's what I said to the people of Burlington, Mr. Speaker.

HOSPITAL SERVICES

Ms. Cindy Forster: My question is for the Minister of Health and Long-Term Care. I have heard from thousands of people across south Niagara who are worried about health care services. Nearly 20,000 residents have signed a petition calling on the government to stop the move of important services from the Welland and Niagara Falls hospital sites to the new St. Catharines hospital. For many residents, that move means driving over an hour to access essential and sometimes urgent services. And if you're travelling on public transit, which is—

Interjection: Non-existent.

Ms. Cindy Forster: —non-existent in many of the municipalities in my riding, the trip could take as long as four hours each way. Will the minister commit to preserving existing health care services in south Niagara?

Hon. Deborah Matthews: I understand that health care in Niagara has been a topic of much discussion in that area, and I certainly hear from the member of St. Catharines about what we must do to improve health care in the Niagara region, and from the member from Niagara Falls.

What I can tell you is, things are a lot better at Niagara Health System than they were a short time ago. I want to say thank you to Dr. Kevin Smith, who was appointed supervisor of NHS some time ago. The supervisor was appointed because the community had concerns about care at Niagara Health System.

NHS is moving forward. It is implementing the necessary measures to improve patient care. We know there's more to do, but I do think that we are absolutely on the right track when it comes to Niagara.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Cindy Forster: People are worried that the ribbons that are being cut today at the new St. Catharines hospital will mean out-of-business signs for south Niagara. Residents know that re-establishing the services close to home, which is part of the long-term-care plan for hospitals, is years away at best. This gap in services is unacceptable. Many residents worry that those services will never return to south Niagara.

Experts in my riding like Dr. Andrei Arvinte, president of the Niagara Health System Medical Staff Association, are concerned that once these services like obstetrics and pediatrics are moved out of the area, other health care services will follow, and the expertise, the staff and the money will leave south Niagara hospital services.

Will the minister listen to the residents of south Niagara and preserve these important services for the residents of south Niagara?

Hon. Deborah Matthews: I can assure you that those voices are being heard loud and clear, and I know that Dr. Smith has spent a considerable amount of time travelling in the south Niagara area listening to the concerns, and he has come forth with some recommendations on how we can improve care in south Niagara.

I do want to take the opportunity to celebrate the opening of the new hospital in St. Catharines, which will provide service to the people of south Niagara as well. One big advantage is that people will be able to receive cancer treatment in Niagara. They would have previously had to travel to Hamilton. They will now be able to get it much closer to home.

CORRECTION OF RECORD

The Speaker (Hon. Dave Levac): Premier, on a point of order.

Hon. Kathleen O. Wynne: I'd like to correct my record. In answer to a question about risk management, I said that farmers received \$104 million. In fact, it was \$106 million, on top of \$41 million through the Growing Forward programs for farmers damaged by drought.

STOMPIN' TOM CONNORS

Mr. John Yakabuski: On a point of order, Mr. Speaker: I would seek unanimous consent of the House that, upon the death of one of Canada's most patriotic sons, the flags would fly at half-mast for Stompin' Tom Connors.

The Speaker (Hon. Dave Levac): Unanimous consent was asked for the acknowledgement of the death of Stompin' Tom Connors and that our flags fly at half-mast. Is it the pleasure of the House that—can I say today?

Mr. John Yakabuski: No, on the day of the funeral.

The Speaker (Hon. Dave Levac): On the day of the funeral. Agreed? Agreed.

Ms. Lisa MacLeod: I seek unanimous consent that we sing the song.

The Speaker (Hon. Dave Levac): We most definitely would get a no.

Interjections.

The Speaker (Hon. Dave Levac): Hey, I'm allowed my jabs.

NOTICE OF DISSATISFACTION

The Speaker (Hon. Dave Levac): Pursuant to standing order 38(a), the member for Halton has given notice of his dissatisfaction with the answer to his question given by the Premier concerning the Niagara-to-GTA highway. This matter will be—

Hon. John Gerretsen: Check your diary, Ted. Check your diary.

The Speaker (Hon. Dave Levac): Check your heckling. I'm not even finished yet. Let me finish.

This matter will be debated on Tuesday, March 19.

There are no deferred votes. This House stands recessed until 1 p.m. this afternoon.

The House recessed from 1139 to 1300.

ESTIMATES

Hon. David Zimmer: Mr. Speaker, I have a message from David C. Onley, the Lieutenant Governor, signed by his own hand.

The Speaker (Hon. Dave Levac): The Lieutenant Governor transmits estimates of certain sums required for the services of the province of Ontario for the year ending March 31, 2013, and recommends them to the Legislative Assembly. Toronto, March 6, 2013, David C. Onley.

INTRODUCTION OF VISITORS

Mr. Ernie Hardeman: Mr. Speaker, I have a group of citizens from the great riding of Oxford county in the members' gallery today. They are here for the part of the meeting that comes later—petitions—as I officially present the petition they have gathered names on. We have with us Shirley Schuurman, Mary Ellen Borndahl, Wayne Walden, Monika Rauch, Deb Tait and Terry Coleman. We welcome them to Queen's Park. Thank you very much for indulging me in presenting this—

The Speaker (Hon. Dave Levac): Introduction of guests? The member from Nickel Belt.

M^{me} France Gélinas: We have four representatives from the cancer society with us, who will be here to witness the Skin Cancer Prevention Act. This is Florentina Stancu-Soare, Joanne Di Nardo, Rowena Pinto and Nicole McInerney. Welcome to Queen's Park and thank you for all your help.

The Speaker (Hon. Dave Levac): We always welcome our guests. Thank you.

Mr. Peter Shurman: I have a great friend and companion up in the gallery today who just had lunch with

me and is here to watch what goes on in the House: Phil Lightstone from the riding of Thornhill.

The Speaker (Hon. Dave Levac): Thank you. We welcome our guest.

Mr. Kevin Daniel Flynn: We're joined today in the members' gallery by Sydney Clark. Sydney is an intern at SickKids hospital and is here to see how we do things at Queen's Park today.

Mr. Frank Klees: I want to extend a special welcome to members of the Polish community in the greater Toronto area who are here with us today. Join me in giving them our very warm welcome to this place.

The Speaker (Hon. Dave Levac): *Remarks in Polish.*

LEGISLATIVE PAGES

The Speaker (Hon. Dave Levac): Further introductions? There being no further introductions—just a moment, please. I had to remember that I had arranged for this to happen. I know all members will join me in saying thank you and job well done to our pages. This is their last day, so we want to thank them. Well done. Good job.

Applause.

The Speaker (Hon. Dave Levac): I thank you for that and I understand the member from Durham said, "Make them come back next week."

MEMBERS' STATEMENTS

JIM ALEXANDER

Mr. Frank Klees: I rise today to pay tribute to an exemplary citizen of our province and our country. In doing so, I join with Community Living Newmarket/Aurora District, which is honouring Jim Alexander at its 11th annual community tribute dinner in recognition of his passion for volunteerism and generosity of spirit that has enriched the lives of so many.

The Community Living vision is a community where everyone belongs. Jim Alexander has not only supported that vision as a member of the Community Living board of directors, he has demonstrated that commitment by employing people with intellectual disabilities at the seven Tim Hortons franchises he and his wife Yvonne own throughout York region. In Jim's words: "They are the most dedicated employees, and really bring something to the workplace."

Not only is Jim doing his part to build a community where everyone belongs, he is giving individuals the opportunity to develop self-confidence, to be valued and to live with dignity.

Jim credits his father for instilling in him the importance of giving back to the community, and he is walking in those footsteps through his involvement with the Belinda's Place Foundation, the Southlake foundation board, the Newmarket Chamber of Commerce and St. John Chrysostom church. The town of Newmarket,

the province of Ontario and our country are better places because of Jim Alexander.

Speaker, I ask all members of the Legislature to join me in congratulating Jim on being honoured with the 2013 Community Service Award by the Community Living Newmarket/Aurora District.

SEVERANCE PAYMENTS

Ms. Cindy Forster: I raise an issue having a devastating impact on workers in my riding and in the Niagara Falls riding. When US-based company Vertis Communications declared bankruptcy and laid off some 100 employees, they strategically avoided paying these workers their owed severance pay, to the amount of \$2.7 million. By declaring bankruptcy in the US, they circumvented labour laws in this country, and are denying workers their right to severance.

Many of these workers have 30 to 35 years of service at the plant, and merely expect their rights will be upheld and severance will be granted. However, it's become quite clear that Vertis has no intention of honouring their rights, leaving these workers with no recourse but to picket outside the plant in hope that public pressure and media attention will force Vertis to live up to its legal and moral obligations. Their efforts are in vain, though. Instead of being granted the right to severance, these workers have now been served summons to appear in court today for an injunction to end the picketing.

Quad/Graphics, the company that purchased the equipment and supplies, wish to remove these from the plant, and have gone so far as to ask for damages from these employees for the alleged loss of hundreds of thousands of dollars. These are the same employees that are owed \$2.7 million in severance.

This is an affront to these workers and a shameful result of no-strings-attached relationships that our government currently has with US-based corporations. What is the government prepared to do to prevent attacks on workers' rights from happening in the future?

STOMPIN' TOM CONNORS

Mr. Kevin Daniel Flynn: I rise today to acknowledge that Canadians lost a great patriot yesterday in Stompin' Tom Connors. As many of you know, the name Stompin' Tom was first used in Peterborough when he was introduced by Boyd MacDonald, who was a waiter at the King George Tavern. His career originally took off in 1960 when he started singing for beer in Timmins.

In honour of the passing of this legend, I don't think there's any better way I could pay tribute than to read from his final letter to Canadians. It reads as follows:

"Hello friends, I want all my fans, past, present, or future, to know that without you, there would have not been any Stompin' Tom.

"It was a long, hard, bumpy road, but this great country kept me inspired with its beauty, character, and spirit, driving me to keep marching on and devoted to

sing about its people and places that make Canada the greatest country in the world.

"I must now pass the torch to all of you, to help keep the Maple Leaf flying high, and be the patriot Canada needs now and in the future.

"I humbly thank you all, one last time, for allowing me in your homes. I hope I continue to bring a little bit of cheer into your lives from the work I have done.

"Sincerely,

"Your friend always,

"Stompin' Tom Connors"

And just like the good ol' hockey game, Stompin' Tom will always have a place in our hearts.

ISRAELI APARTHEID WEEK

Mr. Peter Shurman: I rise on behalf of Tim Hudak and the entire Ontario PC caucus to condemn anti-Israel activities of any kind. There is no place in our province or country for hatred towards any group anywhere, especially on our university campuses. The Ontario PC caucus has been—and always will be—a champion of human rights, including freedom of speech.

Public debate in Ontario should be informed, respectful and fair to all who seek to express an opinion. Those behind the events of Israeli Apartheid Week, or IAW, take untenable, unilateral positions and offer no reasonable room for discussion. Their campaign is aimed solely at denying Israel's right to exist, and IAW's proponents do nothing at all to promote any kind of reconciliation or real dialogue.

1310

IAW seeks to intentionally intimidate supporters of Israel and lessen their feelings of security. For the past eight years, university campuses and their students have been the central targets of IAW. I do not condone any university using its campus for these activities.

I am proud to have tabled and unanimously passed a resolution in 2010 that transcended the political divide with the full endorsement of all parties in the Legislature that condemned the use of the term "Israeli Apartheid Week." We must continue to encourage Canadians to stand up and speak out against hatred of all forms.

The Ontario PC caucus stands united with Ontario's Jewish community to condemn Israeli Apartheid Week and all forms of hatred.

STOMPIN' TOM CONNORS

Mr. Taras Natyshak: I join colleagues in the House today on behalf of the Ontario New Democratic Party to pay our tributes and respect to a Canadian icon whom we lost last evening.

On behalf of New Democrats, we are all saddened to hear of the passing of Stompin' Tom Connors. From humble beginnings to the Order of Canada, Stompin' Tom was a Canadian icon who was revered from coast to coast. His songs brought Ontario to the world. He was a

promoter of rural Canada and of farmers, bringing the PEI potato and the Leamington tomato together like I don't think anyone else could have in our Canadian lexicon.

With his signature cowboy hat and stompin' boots, his country folk songs like Canada Day, the Hockey Song, Bud the Spud and Sudbury Saturday Night made us all stomp our feet, clap our hands and sing along. The man may be gone, but his music will never die.

Our thoughts and prayers go out to himself, his friends, his family and his fans. It is quite poignant, if you look at his last remarks: He asked all Canadians not to send flowers to his service but instead to send a donation to your local food bank or homeless shelter. Stompin' Tom was an advocate for the poor and the working class in this province and this country who need support and need help.

Thank you, Stompin' Tom, for your years of service and arts to our community.

The Speaker (Hon. Dave Levac): He also helped with plywood sales.

Mr. Taras Natyshak: Hear, hear.

LEGOLAND DISCOVERY CENTRE

Mr. Steven Del Duca: On March 1, I was delighted to attend the official opening of the Legoland Discovery Centre in my community of Vaughan.

Nestled specifically in the Vaughan Mills shopping centre, Legoland offers the community over 3,000 square metres of fun learning space. Whether it is model-testing, building new Lego creations or watching a film in their new 4D theatre, the discovery centre has many things to offer families here in Ontario.

The Legoland Discovery Centre is truly a world-class attraction, and it has already brought a number of new jobs to Vaughan. In addition, both my riding and the surrounding areas will reap many benefits from the increased tourism as those travelling from out of town come to visit this exciting new facility.

Just as importantly, attractions such as these offer Ontario families a chance to spend valuable time together. A visit to the new Legoland facility will allow families to take time from their busy schedules to learn new skills and play in a fun and safe environment. It is a fun and interactive year-round destination for Ontario families.

I am extremely proud that such a world-class attraction has found its roots in Vaughan, and I look forward to seeing the positive effects that this centre will continue to have for my community.

If I could say, Mr. Speaker, I'd like to congratulate Merlin Entertainments Group, the Vaughan Mills mall, Vaughan Mayor Maurizio Bevilacqua and the members of council and the city of Vaughan's economic development department for pulling this off and for making Legoland a reality in my community.

WIND FARMS

Mr. Randy Pettapiece: On Tuesday of this week, I hand-delivered an important document to the Premier. It was a copy of the municipal consultation form regarding the Conestoga wind energy project as submitted by the municipality of North Perth. But it was much more than that. It included page after page of evidence documenting serious problems and faulty assumptions with the industrial wind farm proposal. In total, it was about an inch thick.

It also included a strongly worded letter from the mayor of North Perth. In bold letters, she writes, "The project does not have municipal support." She notes that in the survey of residents in the affected area, 96% are opposed to the project. The mayor also pointed to the Premier's promise contained in her government's throne speech to listen to municipalities when it comes to energy projects.

By now, I hope the Premier has read the mayor's letter and my letter supporting the people of North Perth. Given such overwhelming opposition to this wind farm, I am asking again for her to do the right thing. I'm asking for her to stop this proposal from going any further. If she refuses to do that, we're asking the government, at the very least, to issue another 90-day review period after the proponent tries to fill in the information gaps recorded by the municipality.

If the Premier really meant what was in the throne speech, and if she wants to prove that it wasn't just talk, she has no other choice.

POLISH-CANADIAN WOMEN

Mrs. Donna H. Cansfield: I am delighted to welcome to Queen's Park this afternoon Marek Goldyn, founder and chair of the Canadian-Polish Foundation, and members and friends of the Canadian Polish Foundation.

I stand here today in recognition of International Women's Day and to honour in particular and pay tribute to Canadian women of Polish descent who have played a pivotal role in our lives as parliamentarians.

It is with great pleasure that I recognize our very own Dr. Helena Jaczek, from Oak Ridges–Markham. At the age of 22, Helena was the youngest medical doctor to receive her medical diploma in the province of Ontario. Helena will be honoured at the Polish Royal dinner this coming Thursday, March 14.

I wish to acknowledge Elinor Caplan, who served the Legislative Assembly as well; Elaine Ziembra, a New Democratic Party member who served; and Bonnie Crombie, currently a councillor in Mississauga, who served federally as well.

My grandparents came from the northern part of Ukraine. My grandmother is of Polish descent; she's a Starchesky. It was my grandma who taught me how to make perogies, or pyrohy, and for this I am eternally grateful.

I also want to acknowledge all those extraordinary women who followed their families to help start a new life in this country, regardless of where they came from, because it's their foundation that enables us today to live in the kind of democracy that we have. Thanks to each and every one of them, from all of us.

MINING INDUSTRY

Mr. Norm Miller: I rise in this House today to voice my concerns with the implementation of recent changes to the Ontario Mining Act, specifically dealing with the filing of prospecting plans and the issuing of permits.

The new regulations that come into effect on April 1 add a significant burden to the work of prospectors and junior miners. By forcing prospectors to now file detailed plans for activities as simple as flipping stones and driving stakes, the regulatory burden is increasing on this critical first step in the mining process.

There are many concerns about issues with the new permitting process. I have already heard from concerned people in the business who are frustrated with the new system. John Chisholm described the ministry as having "an incredibly casual approach to the whole process that creates uncertainty for those in the mining business." Mr. Chisholm lost three precious weeks because his permit was delayed by the Ministry of Northern Development and Mines's online system. They would not allow the application to be couriered, because the new process is to be online-only.

This isn't just costing the developers money. It is costing Ontario jobs, jobs that could be created by new discoveries, by new mines opening and the prosperity that follows new developments into local communities. Poorly implemented regulations such as these only add duplication and pile red tape on the heads of our resource-sector job creators.

When these amendments were passed, the current government announced they would modernize the system and promised to bring the Mining Act into the 21st century. Judging by the response so far, it sounds more like a step back.

VISITORS

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

Mr. Phil McNeely: I want to welcome to this Legislature Rick Hiemstra, just above us. He's the father of John Hiemstra, one of our very capable and prominent pages. Welcome to Queen's Park.

The Speaker (Hon. Dave Levac): Welcome.

Ms. Lisa MacLeod: Point of order, Speaker.

The Speaker (Hon. Dave Levac): A point of order: the member from Nepean–Carleton.

Ms. Lisa MacLeod: I do apologize. I wasn't in here when we were able to do the introduction of guests. Today is a very special day for me. I have a number of people from my community in Ottawa here.

Hélène Campbell—many of us know her—who appeared on Ellen, just joined me in the dining room and spoke to many of our colleagues. Hélène Campbell, of course, had a double lung transplant here in the city of Toronto just last year, and I'm pleased that she was able to join us today.

I also have a number of realtors who are here from Ottawa. I'd like to introduce them: Pat Verge, a really good friend of mine, from OREA; Linda McCallum, right beside her, from OREA; Duane Leon, also from Ottawa and from OREA.

We do have some people from the head office here in Ontario. Matthew Thornton, who used to work here for Tim Hudak, is the assistant director of government relations for OREA; and—I'm going to get this wrong—Yuliya Khraplyva. Did I get it even anywhere passable?

Interjection.

Ms. Lisa MacLeod: Okay.

Thank you very much, Speaker, and I appreciate your indulgence.

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The Speaker (Hon. Dave Levac): I do show lenience from time to time, and Mr. Thornton also worked for me. I'd like to point that out as well.

Ms. Lisa MacLeod: Speaker, I just wanted to clarify a point of order: I know Matthew also spent time with the esteemed member for Brant, the wonderful Speaker Dave Levac.

The Speaker (Hon. Dave Levac): There we go. You can correct your record all day long. Thank you very much.

INTRODUCTION OF BILLS

CLANDESTINE DRUG OPERATION PREVENTION ACT, 2013

LOI DE 2013 SUR LA PRÉVENTION DES OPÉRATIONS DE STUPÉFIANTS CLANDESTINES

Ms. MacLeod moved first reading of the following bill:

Bill 29, An Act to amend various Acts to prevent clandestine drug operations / Projet de loi 29, Loi modifiant diverses lois afin de prévenir les opérations de stupéfiants clandestines.

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

First reading agreed to.

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

Ms. Lisa MacLeod: Thanks very much, Speaker. Again, I do have Pat Verge, Linda McCallum and Duane Leon here from the city of Ottawa to witness this bill being introduced. It's a bill that I had introduced previously, and it also made its way into the Ontario PC platform in the last election.

The bill would amend a number of acts with respect to clandestine drug operations, which are defined to be illegal operations where any substance listed in any of schedules I to IV to the Controlled Drugs and Substances Act of Canada can be obtained by any method or process.

At present, under section 15.9 of the Building Code Act, 1992, an inspector under the act can enter upon land at any reasonable time without a warrant or for the purpose of inspecting a building to determine whether it is unsafe. The bill clarifies that a building is unsafe if an inspector determines that it contains a clandestine drug operation. Upon finding that a building contains a clandestine drug operation, an inspector is required to make an order setting out the remedial steps necessary to render the building safe and to register the order against the title to the land on which the building is located. When the order has been carried out, an inspector is required to register a discharge of the order against the title of the land.

The bill amends the Municipal Act, 2001, to broaden the obligation of a local municipality or an upper-tier municipality to conduct an inspection of a building located on land in its jurisdiction when notified by a police force or a local municipality, respectively. At present, the inspection is designed to determine whether there is a marijuana grow-op in the building. Under the amendment, the inspection is designed to determine whether there is a clandestine drug operation in the building.

The bill makes an equivalent amendment to the City of Toronto Act, 2006. The bill amends the Residential Tenancies Act, 2006, to allow a landlord, on giving at least 24 hours' notice, to enter a rental unit to determine if it contains a clandestine drug operation.

Speaker, this is about the health and the safety of young children in those communities. It is also important that we have consumer protection in our province. I appreciate the opportunity to deliver this bill.

SKIN CANCER PREVENTION ACT (TANNING BEDS), 2013

LOI DE 2013 SUR LA PRÉVENTION DU CANCER DE LA PEAU (LITS DE BRONZAGE)

Ms. Matthews moved first reading of the following bill:

Bill 30, An Act to regulate the selling and marketing of tanning services and ultraviolet light treatments / Projet de loi 30, Loi visant à réglementer la vente et la commercialisation de services de bronzage et de traitements par rayonnement ultraviolet.

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

First reading agreed to.

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

Hon. Deborah Matthews: I will make my statement during ministerial statements.

STATEMENTS BY THE MINISTRY AND RESPONSES

INDOOR TANNING EQUIPMENT

Hon. Deborah Matthews: I rise in the Legislature today to introduce legislation that, if passed, would protect Ontario's young people from the harmful effects of ultraviolet radiation by prohibiting the use of tanning beds for youth under age 18.

I would like to begin by acknowledging that this proposed legislation is highly consistent with private member's Bill 74, An Act to help prevent skin cancer, 2012, which was introduced by MPP France Gélinas in the last legislative session.

I would like to sincerely thank MPP Gélinas for the tremendous work she has done to move this policy forward and for her dedication to protecting Ontario's youth against the many harms associated with tanning beds.

I would also like to thank MPP Margaret Best and former MPP Khalil Ramal for their past efforts to restrict tanning for youth in Ontario.

There are others with us who got us to where we are today. Susan Cox is sitting in the gallery. She's a courageous Ontarian. She has shared her powerful story this morning about her experience living with melanoma. We are very, very happy you are with us today. Thank you, and welcome.

I would like to thank Annette Cyr. She is the chair of the board of the Melanoma Network of Canada. I want to thank her and all of her associates for the work they've done to advocate for women living with melanoma across Canada.

We're also joined today by several representatives from the Canadian Cancer Society. Some of them with us today are Joanne Di Nardo and Rowena Pinto; there are others, I know.

I also want to acknowledge the courage of Kate Neale, another melanoma survivor who has worked very hard to bring this issue to the forefront.

I would also like to say thank you to people in my ministry who worked very hard to bring this legislation forward. Some of them, I believe, are joining us today.

This proposed legislation represents common ground between all of us in this House. I know we all want to protect our youngest Ontarians and keep them healthy. There is clear and compelling evidence to indicate that we must take action, and we must take it now.

The dangers associated with exposure to artificial ultraviolet radiation at a young age have been well documented. It can cause malignant melanoma, a deadly form of cancer, later in life. In fact, tanning bed use increases the risk of malignant melanoma by 17%. More import-

antly, that risk increases to 75% if tanning bed use begins before age 35.

And yet, despite the risks, despite the warnings, tanning bed use among youth is increasing. Between 2006 and 2012, tanning bed use more than doubled among grade 11 and 12 students, from 7% to 16%.

I know we can all attest to the fact that cancer in any form can take a terrible toll on individuals and families. By passing this legislation, Ontario will join six other Canadian provinces and several international jurisdictions that have already decided to take action on youth indoor tanning.

The legislation also responds to the call of many organizations in the health community that have advocated for a ban on youth indoor tanning, including the Canadian Cancer Society, the Ontario Medical Association, the Canadian Dermatology Association and many others.

Further, this legislation aligns with our goal to keep Ontario healthy as part of our action plan for health care. As I mentioned, the proposed legislation will do much of what was proposed in earlier legislation tabled by MPP Gélinas, and I would like to highlight some of the action this legislation would take.

First, it would establish a ban on the sale of tanning services to youth under the age of 18 and require tanning bed operators to request identification from anyone who appears to be less than 25 years of age.

It does include a provision for medical exemptions. We would consult with health care specialists and providers to determine if a medical exemption is necessary and advisable and the form it would take.

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Second, the legislation would require that salon operators post signs noting the prohibition on tanning for those under 18 and the health risks of using tanning equipment for people at any age.

Third, the legislation would prohibit the advertising or marketing of tanning services to youth under the age of 18.

Fourth, it would permit the appointment of inspectors to support compliance. Operators would be required to inform their local public health unit of their business contact information to facilitate inspections.

Finally, the proposed legislation would provide for offences consistent with those in the Health Protection and Promotion Act. Specifically, operators would be subject to a maximum fine of \$5,000 for individuals and \$25,000 for corporations for every day or part of a day in which they fail to comply with the proposed legislation.

Speaker, I believe these measures are strict enough to ensure compliance with the proposed legislation, but I would also like to assure members that we will work with all stakeholders on implementation. This includes developing guidelines on advertising and marketing which will be prescribed by regulation.

I'm confident this proposed legislation responds to the evidence before us, and I am very hopeful that we can take action together to protect our youngest Ontarians

from the risk of cancer. I am asking that all members support this very important and life-saving piece of legislation.

The Speaker (Hon. Dave Levac): It is now time for responses.

Mrs. Christine Elliott: Thank you very much, Mr. Speaker, for the opportunity to comment on the government's legislation on tanning beds. I would also like to acknowledge the significant efforts made by the member for Nickel Belt in introducing this bill last year and for her continued advocacy on this point.

I would like to say that I can't really comment specifically on the legislation today, because it has only just become available to us now. So my comments will be somewhat general, and I will comment in just a moment.

I would like to say that this is an important piece of legislation, but there's also other important legislation that has not yet been introduced by this government, and that's legislation to deal with the pressing jobs and economic crisis that this province is in right now. We need to make sure that we deal with this in a timely manner. We're looking forward to the government bringing forward legislation that's going to get the 600,000 unemployed people in this province back to work.

I do want to say specifically with respect to this legislation that I am concerned about evidence that using tanning beds does present considerable increased risk to young people versus adults. Specifically, we're worried about warnings from organizations like the World Health Organization, which has said, "The consequences of regular sunbed use may include disfigurement from removal of skin cancers, early death if the cancer is a malignant melanoma..."

In addition, studies show that childhood exposure to ultraviolet rays from sunbeds increases the risk of developing melanoma later in life. In fact, studies show that young people who regularly use tanning beds are eight times more likely to get melanoma than people who have never used tanning beds. So we are particularly concerned about the use of tanning beds among youth.

In addition, the World Health Organization report notes that the use of tanning beds creates "substantial costs to national health systems for screening, treating and monitoring skin" conditions. So there's certainly an important fiscal component to this argument as well.

We strongly believe in the importance of keeping our youth healthy and educating them and encouraging them to make good decisions.

I would like to acknowledge the significant work and advocacy that has also been done by the Canadian Cancer Society and the representatives who are here today. We thank you very much for your important work in this area.

This is something that we do take very seriously, Mr. Speaker. We look forward to having the opportunity to review the legislation in greater detail and to have further discussions going forward.

M^{me} France Gélinas: I am so happy to be standing here today for the first reading of the Skin Cancer Pre-

vention Act. I must say that this is the lucky fourth time. I first introduced this bill in 2008, I did a co-sponsor of the bill in 2010, and I reintroduced it by myself in 2012. I was about to reintroduce it for a fourth time as a private member's bill when I saw that MPP McGuinty's name had been drawn as the first name on the ballot for private members' bills. So I gave him a call and I asked—I knew that he had supported the bill in the past, because when he was Premier, he had told me that he would support it. So I called him and said, "Are you interested in using your private member's slot for a co-sponsored bill?" His office looked quite interested.

But soon I got an even better offer. The minister came to see me and offered to move the bill through the House, under her leadership. That was an offer that I couldn't refuse. I felt like I had a little bit of leverage—that doesn't happen very often, but I did in this particular circumstance—and asked for a timeline, like, how quick? She said, "Soon." I said, "How soon?" She said, "Very soon." Then I said, "What does 'soon' mean?" After we went back and forth on this, I felt quite confident that she would use the fact that they control the legislative calendar and such to move this faster. So I was really happy that the government decided to move the bill forward and finally it would come.

Looking back, of course I would have loved for the bill to have come into effect in 2008. There have been five years of young girls who, eight, 10, 12 years from now will be at their physician and will be diagnosed with skin cancer, some of them melanoma, which is a cancer that is really tough to treat and often fatal. I can't change the past, but I can certainly influence the future. This bill is here now and I'm really happy about it.

In the five-year span that went by, a lot of work was done. Of course, I want to call upon the Canadian Cancer Society, who were the biggest champions. Florentina Stancu-Soare is here today. Joanne Di Nardo is here today. Rowena Pinto is here today. Nicole McInerney is here today. Certainly, Kate Neale had done a ton of work with us. Unfortunately, she can't be with us because she's fighting cancer right now. All of our best thoughts are with her. We do have Susan Cox, who also has done a ton of work.

During that five-year period, the health units were very helpful. I want to specifically thank Simcoe, Muskoka, Timiskaming and Sudbury district health units. They put together youth groups. Their youth put together a postcard campaign—I'm not supposed to show it—and they went through their peers, and we received thousands and thousands. But what they were really doing—sure, I presented the petition—they were educating their peers. The association of medical students did the same. They went through all of their peers at the university level, asked them to sign postcards, to sign petitions, which I presented in the House, and they were also educating their peers.

If you go on my Facebook page, on the Skin Cancer Prevention Act, you will see that I have thousands and thousands of likes from people who want to give their support to this good cause.

Of course, the Ontario Public Health Association was there; alPHa, through their executive director Mrs. Linda Stewart, helped out; the Ontario Board of Health; Marie Adèle Davis, who is the executive director of the Canadian Paediatric Society, was also very helpful throughout this process. We have Martin Kabat, CEO of the Canadian Cancer Society, Ontario division; Annette Cyr, who was mentioned by the minister, as chair of the Melanoma Network; Denise Wexler, who was president of the Canadian Dermatology Association; Leona Yez, who is the executive director of the Canadian Skin Cancer Foundation; Dr. Hirotako Yamashiro, chair of the pediatric section of the Ontario Medical Association; and Dr. Samir Gupta, who is the chair of the section on dermatology of the Ontario Medical Association.

Many, many thanks to all of those people. It's finally coming forward, and we're scheduled to start second reading on Tuesday, one week from now.

Thank you, minister. Thank you.

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PETITIONS

ELECTRICITY GENERATION

Mr. John O'Toole: Thank you very much, Mr. Speaker. I'm pleased to present a petition on behalf of an advocate who works at Queen's Park here very strongly, Jeff Mole. The petition is to the Legislative Assembly of Ontario:

"Whereas on March 22, 2012, the Ontario government completed a review of the feed-in tariff (FIT) renewable energy procurement program;

"Whereas the government stated 'Active participation of communities is important to the continued success of the FIT program' and the government acknowledged 'most local community and aboriginal projects require more time to mobilize';"—an important observation—

"Whereas active participation can be achieved by mobilizing 'community enterprises' to assess local energy generation opportunities and this development model provides a very high ROI for Ontarians by making certain that surplus revenues are reinvested for the betterment of communities;

"Whereas a community energy act is necessary to overcome the hurdles to mobilization of community enterprises for electricity generation;

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

"That the members of the Legislative Assembly of Ontario consider the need for a community energy act to help facilitate the mobilization of communities and financial resources for the purpose of developing community enterprises for electricity generation."

I'm very pleased to support this. This was presented by Jean-Maurice Cormier and Valerie Binnie, both of whom are from my riding. These signatures were collect-

ed at the recent Liberal leadership convention. Thank you, Mr. Speaker, for the opportunity.

INDOOR TANNING EQUIPMENT

M^{me} France Gélinas: I have a postcard petition that comes from the youth in Nickel Belt. It was collected by the Sudbury and District Health Unit. It reads as follows:

"I support the Canadian Cancer Society's call to action for the government of Ontario to ban the use of artificial tanning equipment by youth under the age of 18, prohibit the marketing of artificial tanning targeting youth, develop and maintain a registry of artificial tanning equipment in Ontario, ensure all staff operating artificial tanning equipment are trained on operation procedures, maintenance and how to identify people at greater risk of developing cancer, particularly those with type 1,"—that's fair skin—"and require that signage be placed in clear view of each bed clearly outlining the health risks of artificial tanning."

They petition the Legislative Assembly of Ontario to enact legislation that bans the use of artificial tanning equipment by youth under the age of 18. I fully support this petition, Mr. Speaker, will affix my name to it and ask my good page John to bring it to the table.

LANDFILL

Mr. Ernie Hardeman: Mr. Speaker, as you will know, I've introduced a number of people over the past few days who have been here at Queen's Park in recognition of this petition. They got all these names from the community, and on their behalf, I'd officially like to read it into the record. It is to the Legislative Assembly of Ontario:

"Whereas many of the resources of this planet are finite and are necessary to sustain both life and the quality of life for all future generations;

"Whereas the disposal of resources in landfills creates environmental hazards which will have significant human and financial costs for;

"Whereas all levels of government are elected to guarantee their constituents' physical, financial, emotional and mental well-being;

"Whereas the health risks to the community and watershed increase in direct relationship to the proximity of any landfill site;

"Whereas the placement of a landfill in a limestone quarry has been shown to be detrimental;

"Whereas the county of Oxford has passed a resolution requesting a moratorium on landfill construction or approval;

"Therefore be it resolved that we, the undersigned, humbly petition the Legislative Assembly as follows:

"To implement a moratorium in Oxford county on any future landfill construction or approval until such time as a full review of alternatives has been completed which would examine best practices in other jurisdictions around the world;

“That this review of alternatives would give special emphasis on (a) practices which involve the total recycling or composting of all products currently destined for landfill sites in Ontario and (b) the production of goods which can efficiently and practically be recycled or reused so as not to require disposal in landfills.”

Thank you very much, Mr. Speaker, for allowing me to present this petition on behalf of my community. I will affix my signature to it.

The Deputy Speaker (Mr. Bas Balkissoon): Before I go to further petitions, I will remind all members that the Speaker reminded us yesterday to try and stick to the petition and not the comments in a preamble.

HOSPITAL FUNDING

Ms. Teresa J. Armstrong: “To the Legislative Assembly of Ontario:

“Re: Dr. Kevin Smith’s Niagara Health System report to the Minister of Health and Long-Term Care proposed changes to the hospital services in south Niagara.

“Whereas the residents of south Niagara will not have equal, fair, safe and timely access to in-patient gynecological, obstetrical and pediatric services due to distance; and

“Whereas excessive travel times and lack of public transportation for residents in south Niagara will put patient safety at risk; and

“Whereas, if implemented, Dr. Smith’s recommendations and the proposed location of a new south Niagara hospital in Niagara Falls is approved, a two-tier health system in Niagara will be created, where north Niagara will be overserved and south Niagara will be underserved in relation to the safe and timely access to health and hospital care; and

“Whereas, if hospital services including in-patient gynecological and mental health, and all obstetrical and pediatric services from the Welland hospital site and the Greater Niagara hospital site will be relocated to the new north Niagara St. Catharines site in 2013, it will undermine the continued viability of these two sites as full-service hospital sites;

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

“We request the Legislative Assembly of Ontario to maintain existing services at the Welland hospital site and the Niagara Falls hospital site and that no services are to be moved until this new south Niagara hospital is open and request that any approval for a new Niagara south hospital include a site that is centrally located in Welland.”

I sign my signature to the petition and I give this to page Jenna to deliver to the table.

WIND TURBINES

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

“Whereas residents of Ontario, mayors and councillors for more than 80 municipalities and Ontario’s largest farm organizations and rural stakeholders, the Ontario Federation of Agriculture and the Christian Farmers Federation of Ontario seek an immediate moratorium on new wind development until an independent and comprehensive health study has determined that turbine noise is safe to human health; and

“Whereas the provincial Liberal government study back in 2011 failed to conclude anything more than that it needed to continue to study the turbine sound impacts; and

“Whereas the federal government is launching, through Health Canada, the first comprehensive study of health impacts of wind turbines;

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

“That the Liberal government follow the federal lead, accept the objective of the federal wind study, agree and accept that until the study is finished, it will not approve any new wind turbine projects in Ontario, effective immediately.”

I support this petition, will affix my name and send it with Joshua as perhaps his last task.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: We’re changing pages. Oh, that’s why. Well, that could also be Lauren’s last duty. Here I go.

“Whereas the Ontario government” has made PET scanning “a publicly insured health service available to cancer and cardiac patients...; and

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

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

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

I fully support this petition, will affix my name to it and ask Lauren to bring it to the table.

WIND TURBINES

Mr. Bill Walker: This may sound a little repetitious.

“To the Legislative Assembly of Ontario:

“Whereas residents of Ontario, mayors and councillors for more than 80 municipalities and Ontario’s largest farm organizations and rural stakeholders, the Ontario Federation of Agriculture and the Christian Farmers Federation of Ontario seek an immediate moratorium on new wind development until an independent and comprehensive health study has determined that turbine noise is safe to human health; and

“Whereas the provincial Liberal government study back in 2011 failed to conclude anything more than that it needed to continue to study the turbine sound impacts; and

“Whereas the federal government is launching, through Health Canada, the first comprehensive study of health impacts of wind turbines;

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

“That the Liberal government follow the federal lead, accept the objective of the federal wind study, agree and accept that until the study is finished, it will not approve any new wind turbine projects in Ontario, effective immediately.”

I support this petition, will sign my name and send it with page Stacey.

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LONG-TERM CARE

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

“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;

“Therefore we ... 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 support this petition, will affix my name to it and ask A.J. to bring it to the Clerk.

WIND TURBINES

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

“Whereas residents of Ontario, mayors and councillors from more than 80 municipalities and Ontario’s largest farm organizations and rural stakeholders, the Ontario Federation of Agriculture and the Christian Farmers Federation of Ontario, seek an immediate moratorium on new wind development until an independent and comprehensive health study has determined that turbine noise is safe to human health; and

“Whereas the provincial Liberal government’s study back in 2011 failed to conclude anything more than that it needed to continue to study the turbine sound impacts; and

“Whereas the federal government is launching, through Health Canada, the first comprehensive study of health impacts of wind turbines;

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

“That the Liberal government follow the federal lead, accept the objective of the federal wind study, agree and accept that until the study is finished it will not approve any new wind turbine projects in Ontario, effective immediately.”

I support this, will affix my signature and send it with page Jaden.

SERVICES EN FRANÇAIS

M^{me} France Gélinas: J’ai cette pétition qui vient de partout en Ontario :

« Attendu que la mission du commissaire aux services en français est de veiller à ce que la population reçoive, en français, des services de qualité du gouvernement de l’Ontario et de surveiller l’application de la Loi sur les services en français;

« Attendu que le commissaire a le mandat de mener des enquêtes indépendantes selon la Loi sur les services en français;

« Attendu que contrairement au vérificateur général, à l’ombudsman, au commissaire à l’environnement et au commissaire à l’intégrité qui, eux, relèvent de l’Assemblée législative, le commissaire aux services en français relève de la ministre déléguée aux services en français;

Ils demandent à l’Assemblée législative « de changer les pouvoirs du commissaire aux services en français afin qu’il relève directement de l’Assemblée législative. »

J’appuie cette pétition, j’y appose ma signature et je demande à page Daniel de l’amener à la table.

WORKPLACE INSURANCE

Mr. Ted Chudleigh: I have a petition to the Legislative Assembly of Ontario.

“Whereas beginning 1 January 2013 WSIB was expanded to include groups of employers and principals who had previously been exempt from WSIB and had private insurance; and

“Whereas this new financial burden does nothing to improve worker safety and only drives up the cost of doing business in Ontario;

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

“To repeal the statutory obligations created by Bill 119.”

I agree with this petition. I’m pleased to sign it and pass it to my page Luisa, who is here on her last day in the House.

REPLACEMENT WORKERS

M^{me} France Gélinas: “Whereas strikes and lockouts are rare: on average, 97% of collective agreements are negotiated without work disruption; and

“Whereas anti-temporary replacement workers laws have existed in Quebec since 1978; in British Columbia since 1993; and successive governments in those two provinces have never repealed those laws; and

“Whereas anti-temporary replacement workers legislation has reduced the length and divisiveness of labour disputes; and

“Whereas the use of temporary replacement workers during a strike or lockout is damaging to the social fabric of a community in the short and the long term as well as the well-being of its residents;

“Therefore we ... petition the Legislative Assembly of Ontario to enact legislation banning the use of temporary replacement workers during a strike or lockout.”

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

PRIVATE MEMBERS' PUBLIC BUSINESS

GASOLINE TAX FAIRNESS FOR ALL ACT, 2013

LOI DE 2013 SUR L'ÉQUITÉ POUR TOUS À L'ÉGARD DE LA TAXE SUR L'ESSENCE

Mr. Yakabuski moved second reading of the following bill:

Bill 3, An Act to amend the Public Transportation and Highway Improvement Act with respect to matching rebates of gasoline tax that the Minister provides to municipalities / Projet de loi 3, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun à l'égard des remboursements de la taxe sur l'essence similaires consentis aux municipalités par le ministre.

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): Can I at least recognize you first? I have to follow procedures too. I know you're excited.

Mr. John Yakabuski: Nervous; nervous. It's my first time.

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

Mr. John Yakabuski: Thank you, Mr. Speaker. I forgot about the procedure because I was so excited, because I have never been more confident that the people on the opposite side of this aisle might support this bill. I want to point out, for those that are not aware, that it is not the first time I have presented this bill, or one somewhat like it.

Interjection: How many times?

Mr. John Yakabuski: I don't actually know how many times. You stop counting after a certain length of time. But I do believe that there's no record of the first time, because the first time that I introduced this bill I don't think they had introduced recording devices to this

chamber yet. So it has been going on a long time. But as I said then and said each subsequent time that I put forward the bill for second reading and will say again: This is something that obviously I believe in very strongly as an issue of fundamental fairness for people who live in rural Ontario.

Time and time again, I have pointed out to the Liberal government that they cannot simply take rural Ontario for granted, treat them differently and to a lesser degree than they do people in urban Ontario. We understand that this is not a battle between urban and rural Ontario; this is an issue of fairness. We recognize that Ontario cannot be strong if urban Ontario is weak. But by the very same token, Ontario cannot be strong if rural Ontario is weak. Without a strong rural Ontario, we cannot have a strong Ontario. Without a strong northern Ontario, we cannot have a strong Ontario. We must work co-operatively and together for the good of us all and the betterment of all.

One thing that has continuously been put forward to me by municipal councillors, by people who live in rural Ontario: They pay a disproportionate share of gasoline tax; why in God's name can they not get a fair share of it back? My bill would compel the Minister of Transportation that, where they enter into an agreement with a municipality to provide a portion of the provincial gas tax or to a municipality that has a public transportation system, they could not refuse to enter into an agreement with a municipality that does not have a public transportation system. That is the simple part of the bill. So it would then treat everyone exactly the same, based on a formula that is followed by the federal government.

I could point out—and most people know—that the federal government has been sharing gas tax with all municipalities for several years now. It is the right thing to do. It has been pointed out as a priority of the Eastern Ontario Wardens' Caucus, of which my county is part. My warden, Peter Emon, is a member of that caucus. I go back to when Bob Sweet was the warden of Renfrew county for the first time. He came down to this chamber to support me the first time I introduced this gas-tax bill.

Ms. Sylvia Jones: Is he still the warden?

Mr. John Yakabuski: He is not the warden now, but he has been the warden on three different occasions.

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Speaker, it is a priority of the Eastern Ontario Wardens' Caucus. It's a fundamental issue that they have put forward as one that they expect the provincial government will heed—and give them a share of that tax. The provincial tax is 14.7 cents on every litre of gas—and then, of course, the provincial share of the HST.

It was pointed out to me by a member of the other party that, “You know, we might like that bill if it didn't say anything about kilometres.” Well, the whole point of it is about kilometres. If you don't drive, then what does it matter? You don't pay gas tax. If you sit in one spot, you will not pay any gas tax. But in rural Ontario, you can't get anywhere, you can't do anything, you can't accomplish anything, you can't go to work, you can't go get a quart of milk unless you're, usually, prepared to get

into a vehicle and drive somewhere—unless you happen to live next door to the food store within the town. We drive kilometres. Gas tax is derived from the use of gasoline. If you're sitting in one spot, you're not using it. Their argument doesn't make any sense. Kilometres are what is important. If you have a million people sitting in one spot, they're not going to pay any gas tax. But if you have 10,000 people spread out over several hundred kilometres, they're going to generate gas tax, and what my people want is some of that gas tax back.

Speaker, think about this: A family in rural Ontario, incomes are lower there, both parents have to work—but what are the odds that both parents are going to work in the same place at the same time, on the same shift, all the time? They're not good. The likelihood is that they have to work two different jobs. So if one has to go here to work, they're driving; and if one has to go somewhere else to work, they're driving. An unbelievable portion of people's income in rural Ontario goes to buying gasoline for their vehicles, and the price of gas today—is anybody happy about that? It's absolutely ridiculous.

As the gas prices go up, this government—hey, they were pretty cagey. They were always getting that 14.7 cents on each litre, but now they've put the HST on it. So as that price goes up, so does the tax—more money for the Liberals taken out of rural Ontario; no money going back to rural Ontario, even though it keeps getting bigger.

Oh, and I know they're going to have their arguments about, there are different kinds of funding—

Ms. Dipika Damerla: Yes, there are.

Mr. John Yakabuski: You want to talk about something that is fair? Are you going to charge different levels of income tax to people in different areas of the province? I say to my friend from Mississauga, is that what you want to do?

Ms. Dipika Damerla: No.

Mr. John Yakabuski: No, that would be wrong. It would be wrong to charge different levels of taxation to people who live in different parts of the province. It would be wrong. Then why is it not wrong not to share some of that revenue that you collect from those very people?

I put it to all these folks who live in the city of Toronto here—I'd like you to tell me how much money you spend a year on gasoline. I'd like you to tell me how much you spend on gasoline and I'll compare that to the folks who live up in Renfrew–Nipissing–Pembroke, or live in Haldimand–Norfolk, or live in Haliburton–Kawartha Lakes–Brock, or Leeds–Grenville, or Caledon, or Durham, or York–Simcoe, or Bruce–Grey–Owen Sound. You want to talk about how much it costs to live up there and how much you spend on gas?

Let's get down to the meat of the matter here. Before I run out of time, let's start talking about Liberal promises and the value that they have. Maybe they should tax Liberal promises, because the tax would be zero, because when something has no value, you can't tax it.

Oh, there's the Minister of Transportation, who was running for the Liberal leadership, and he promised new respect for rural Ontario. He said, "We're going to start listening to rural Ontario."

The Premier promised new respect for rural Ontarians. She was going to look at things differently.

The Minister of Economic Development, Trade and Employment says, "Not only will we respect rural Ontario more"—it's funny what they say when they're looking for votes, eh, Speaker?—"we're actually going to share the gas tax with people from rural Ontario municipalities so they can plan their infrastructure in a more coordinated way so they have sustainable, annual, dependable funding that they know they can build into their long-term transportation plans." That came from the Minister of Economic Development, Trade and Employment.

As I said to the Premier earlier today, this is the day, Speaker, that the rubber meets the road. We're going to find out if what the Liberals said during that leadership convention had a shred of truth to it. This is their opportunity.

But it gets better, Speaker. The Minister of Rural Affairs, the member from Peterborough, Mr. Leal, visited the Eastern Ontario Wardens' Caucus in January. He stood in there and he said, "We're going to share the gas tax with you."

Mr. Bill Walker: How will he vote today?

Mr. John Yakabuski: Well, I want to know how Mr. Leal is going to vote. I want to know how Mr. Hoskins is going to vote. I want to know how Mr. Murray is going to vote. I know he dropped out of the contest, but his words are still his words. I want to know how the Premier is going to vote. Are they going to vote to respect rural Ontario, or is it just going to be the same old same old?

As I said, Mr. Speaker, this is a fundamental issue of fairness. There are only 81 municipalities in Ontario out of 440 or so that actually get a gas tax to run public transportation systems. It's time to show some respect to those other municipalities.

As my friend from Burlington pointed out, as more and more people populate the urban areas and less the rural areas, the divide is going to get greater. So how are we going to support that portion of the population? How are they going to maintain those roads? That is the public transportation system of rural Ontario. There is never going to be a subway going to Renfrew. There will never be a bus picking you up in Palmer Rapids. It's not going to happen.

So why don't we, after 10 years of absolutely ignoring the needs of people in rural Ontario and voting time and time again against them—because this government has shown over that time that it doesn't really care about rural people. It cares about one thing: Hanging on to power, and the truth be darned. You'll have an opportunity later today.

Yes, if it looks like I'm frustrated, I am, because I've been up in this House many times asking for some—

some—evidence that you care about rural Ontario. Today, you can stand in your place and say—I will not accept that all of a sudden you've turned 180 degrees, but it would be one heck of a first step in showing that you've started to learn what matters in rural Ontario and what you can do to help.

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

Ms. Sarah Campbell: I agree with the point that was raised by the member from Renfrew–Nipissing–Pembroke that this is a matter of fairness. It really is. No matter where we live in the province, it's true that whenever we fill up our tanks with gas, we are all paying the gas tax that is levied by the provincial government, yet not all municipalities are eligible to receive the tax. It is an unfair system because all municipalities face challenges, but yet again not all municipalities receive a portion of the levied tax. This is because not all municipalities have public transit, and this is a stipulated requirement, that municipalities have to provide public transit in order to be eligible to receive a portion of the provincial tax levy.

In my experience, it's not because the municipalities don't want to provide public transportation; it's simply because not all municipalities can afford to provide it. Many are struggling just to keep afloat and pay their minimal obligations.

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Yesterday in Queen's Park in question period, I raised the issue of the MPAC assessment that the city of Dryden is struggling with. They were recently hit with a 72% reduction in the assessed value of their largest taxpayer, Domtar. Now they're required to pay back over 20% of their annual operating budget to cover the drop in assessment. All the while, they're struggling to pay for the very expensive services that were downloaded by the Mike Harris government in the late 1990s—things like housing, child care, ambulance services—and they're still required to at least partially finance public infrastructure such as the Trans-Canada Highway, which crosses through the community, at a substantial cost to their bottom line.

While Dryden does receive some gas tax money, it doesn't come close to addressing the financial challenges they have. So the question is: Are any municipalities less deserving than a community that can already afford to provide public transportation? The answer is no. But is it fair to the other communities that currently provide public transportation to further split the already small and underfunded pot of money they receive from the provincial gas tax? I would contend that that's not fair either.

Other communities, like Kenora, another community in my riding, which along with Dryden are able to provide limited public transportation, are struggling as well. They're not immune from the downloading of services that occurred under the Mike Harris government. And in addition to funding the public transit, housing, child care and ambulance services that Dryden has to

pay, they too have their own set of public infrastructure challenges. In fact, they have over \$100 million worth of roads, bridges and culverts alone that they have to pay for. Will reducing the amount of money they get from the gas tax, as proposed in this bill, help them? The answer, again, is no, it won't. It will only serve to penalize them.

The solution is to create a dedicated infrastructure fund, like the one we proposed in the last election, which would see \$70 million a year put toward roads and bridges alone, in addition to returning to the 50/50 provincial/municipal split of the transit operating subsidy, because nobody wins when we pit communities against one another. Really, that's what this bill is doing. What we have right now is not fair. But what this bill is proposing, as earnest as it really is, doesn't really solve the problem either, because there is chronic underfunding across the board.

To be clear, I will be supporting this bill, because I believe it does need to be sent to committee because it raises some very valid and serious concerns that are experienced across the province, not just in rural Ontario but in northern Ontario as well. I want to continue to pressure the government to do the right thing and create a dedicated and adequately funded program to address the critical issue of public infrastructure maintenance, both in municipalities and in unincorporated areas as well, which is also not covered by this bill.

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

Mr. Kevin Daniel Flynn: A pleasure to join the debate today on Bill 3, An Act to amend the Public Transportation and Highway Improvement Act with respect to matching rebates of gasoline tax that the Minister provides to municipalities, put forward by my colleague. I commend the member for bringing it forward; I think it's excellent politics. What I don't think it is, though, is excellent public policy, and that's why I think it needs much further examination than the member perhaps gave in his 12 minutes.

I think the proof is in the pudding. I think our government, certainly over the 10 or 11 years I've been here, has a record of investing in transportation throughout the province of Ontario. Certainly, my community of Oakville has seen some massive investments in the QEW and in its transit system. While obviously not all municipalities in the province of Ontario have a public transit system, the government is still committed to helping those municipalities maintain the road and bridge infrastructure that needs to be maintained.

It's interesting to note, just take eastern Ontario, for example, how the municipalities came to be responsible for looking after the roads in the numbers that they do. Our research has found that 42% of the roads that are being looked after in eastern Ontario were actually downloaded to the municipalities by the Harris government in the first place. Certainly, that has exacerbated the problem we're dealing with today. But municipalities that don't qualify for the gas tax program are continuously eligible for funding programs through various ministries in the province of Ontario.

Since 2003, we've provided a number of funding opportunities and funds to support road and bridge projects right throughout the province of Ontario.

In 2008, we announced \$1.1 billion in the Investing in Ontario Act, and that can be used for roads, bridges, transit and other projects. The MIII funding: \$450 million to support municipal infrastructure priorities such as roads and bridges in communities across Ontario, but surprisingly, I couldn't—in Oakville, my community cannot qualify for that fund.

The \$400-million road and bridge fund was announced in the 2008 budget. The Infrastructure Ontario loan program provides long-term loans for really critical infrastructure projects at very low rates. It also allows municipalities to do priority road and bridge repairs and to amortize the cost of that over the life of the asset that's being repaired.

What this bill appears to me to do—I said it's good politics because it points out an issue that we certainly need to address: how public infrastructure is funded in the province of Ontario and how it's funded especially when it comes to roads and bridges in rural Ontario. I don't think anyone denies that that is something that needs to be done. What I have an objection to is the methodology that's being proposed by the member here today. I come from a community that does have a public transit system, and it would lose money under this bill. Money would be taken out of my community as a result of the passage of this bill. I'm pretty sure the mayor of Oakville would not want me to support this bill.

Who else might lose money under this bill? What I can get is York region. Owen Sound would lose money under this bill. Sarnia would lose money under this bill. Guelph, London, Kingston, Fort Erie, Brampton, Milton, Cornwall, St. Catharines, Burlington, Barrie and Brantford: All those transit systems would lose money under this bill.

It seems to me that we need to address the issue, and that is that rural Ontario is asking for increased infrastructure funding to maintain the public infrastructure that it has. I don't think there's any argument from this side of the House that that is something that perhaps we should be looking at in a more comprehensive way, but I think that tinkering with an existing method of funding public transit in the province of Ontario is not the way to do it. I think we can do much better than that.

We can go back to the days—if you want to assign blame around the House, and certainly the speaker who spoke to us today assigned enough blame to this side of the House. What he left out, though, is that the Tory government cut capital transit funding to 0%.

Interjection: Zero.

Mr. Kevin Daniel Flynn: To zero. All the transit authorities that are in all of your communities, including those of Sarnia, Guelph, Fort Erie, Brampton, Cornwall, St. Catharines, Barrie, Brantford: All had their transit funding cut by that party to zero. So when it came time to buy new buses, to build new bus depots, bus shelters, anything involved with the running of a public transit

system, that party decided that municipalities would get absolutely no help at all, and yet they're now standing up and lecturing us on what we should do with that public transit fund in the first place. That, to me, seems a little bit of doublespeak, and I don't think it's appropriate for this House. We didn't see any action at all on designated rapid transit rail lines in the eight years that they formed the government, so I don't think we need to take any lessons.

Certainly in Oakville, we've been playing catch-up ever since. After years of neglect, though, we've witnessed quite a lot of progress in my own community of Oakville. There are new lanes on the QEW; we've got a third lane on the GO track now that's running into my community. We've expanded the GO parking lots that they couldn't. The GO trains now are longer, cleaner and more frequent. We've invested millions of dollars into local transit systems through the gas tax. It's a program that is working for urban municipalities and for rural communities that have public transit.

I suggest that we maintain a focus on the problem that urban and rural infrastructure needs to be funded, but simply tinkering with a program that's working seems to me very short-sighted.

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

Mr. Toby Barrett: Bill 3, with respect to gas tax fairness, is very important, certainly outside of the cities. So many people in my riding drive pickup trucks, they have to commute to work in cities outside of the area, and as a result, we pay an awful lot of money to government in the form of gas taxes.

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Northern Ontario, most of rural Ontario—you really can't go anywhere without getting into a vehicle. Every time we fill up the tank, we're paying these provincial taxes, as we recognize a portion of which goes to support public transit.

Many will know there's no public transit in Haldimand county. Very recently there's a minibus experiment in Norfolk county, but as far as ridership, public transit hasn't existed in my riding for several decades.

All municipalities should receive a share in the portion of the gas tax they pay by making all municipalities eligible to receive a rebate from the provincial government, not just the urban municipalities with public transit systems. We're just asking to bring some fairness into this system. The gas tax rebate could be allocated to those municipalities without public transportation systems based on population size, based on length of the roads in their jurisdictions.

Everybody who pays gas tax in this province has a right to get some benefit from it. In rural Ontario, our bridges, our roads, our streets: That is our public transportation system. In fairness, we need to get some of this tax back to support this kind of an infrastructure.

When it comes to paying for gas, none of us are immune to the roller coaster of market-driven price hikes, which makes it all the more frustrating when this

government brought in the HST on gasoline, which in that case essentially becomes a tax on a tax.

We see this in rural Ontario, adding insult to injury, that when it comes to the redistribution of gas tax, we all pay. While cities get in line for the rebates, rural municipalities without transit can't even join the lineup.

Our member for Renfrew–Nipissing–Pembroke has reported on his previous attempts to institute some fairness. The federal government has seen the light when it comes to gas tax fairness. They've made it permanent that all communities in this province will get a share of the federal gas tax that they pay every time they fill up their tanks.

I've have raised this issue a number of times. Back in April 2009, the government made an announcement of \$9 billion for transit in the GTA. I had an opportunity to ask the minister of the day when rural residents would expect to hear some news like that, something with respect to their very own public transit funding. We're still waiting for certainly an announcement of that magnitude. I did remind the minister at the time that we pay the 14.7 cents a litre tax like everybody else, plus HST, as I mentioned. We're well aware of the unfairness of a program that only shares funding with municipalities that are already benefitting from public transit.

We remember that gas tax. I asked the minister not to rub it in. He made it very clear: Some ridings benefit from this; others do not. As I've indicated, my riding gets nothing from the gas tax. For that reason, I ask everyone present to support this bill.

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

Mr. Gilles Bisson: I just want to say that we, as New Democrats, don't have a huge problem with this bill. I think the first thing is that we should get it to committee because there are some issues from other communities, as they see this bill, that I think are legitimate and that need to be dealt with. This is obviously an issue that's big for northern Ontario, big for rural Ontario. There are a lot of communities out there that don't get a share of the gas tax and, as a result, they are having a harder time trying to maintain roads and bridges.

I'll give you a little story. Iroquois Falls, in the riding of my good friend John Vanthof: They're at a point where they're going to have to shut down a bridge between Matheson and Iroquois Falls because they don't have money to fix it, and there are no provincial dollars to be able to assist them to replace it. Here's a road that's been used for years and years and years, where people are going to have to detour around Highway 11 to get there. I guess they'll get there eventually, but the point is, it's a real—

Mr. John Yakabuski: More gas to get there.

Mr. Gilles Bisson: More gas, but it's really, really frustrating for small communities, such as Matheson, such as Iroquois Falls and others to be able to deal with that and not have money. So there is a legitimate issue that the member raises in regard to how we utilize tax dollars in this province when it comes to assisting our small communities to maintain infrastructure.

The member has an idea. He's saying we should allow them to keep a share of the gas tax, and we'll support him, generally, on that idea. We think it's not a bad idea, but I think we need to look at some issues, because some of the larger communities worry that that may mean less money for them. I think we have to look at that and figure out how we find the mix and how we find the balance. We'll support the bill; we think generally it's the right thing.

The other thing I just want to say is, the real issue here is that we need to find predictable funding for capital for municipalities. That's the issue. Andrea Horwath in the last election actually said that. That's what we ran on. We said, "We need to have predictable, stable funding that you know is multi-year so that communities the size of 1,000 people or a municipality the size of 2.5 million people are able say, 'Okay, we know what our capital is this year. We know what our capital is going to be for a number of years,'" and to have the proper funds there to be able to do that so they can do proper planning. Because part of the problem you've got now is, if I'm the city of Timmins or Opatatika or Hearst or Pembroke or wherever it might be, how do I know how much money I'm going to get from the provincial and federal levels of government when it comes to planning capital in the years to come? You're constantly going, "Oh, there's a pot of money there. Let's go and apply," or "Oh, there's a pot of money over there. Let's go and apply." Municipalities are essentially running—I should say lurching—from pot to pot, pardon the term, to fund their infrastructure. Every municipality in this province, if it be Toronto or Hamilton or Timmins or Opatatika, needs to make sure they have the ability to plan. That's what Andrea Horwath and New Democrats want to see. We need predictable, stable funding to deal with their capital infrastructure plans.

I know I have other colleagues that want to speak to this. I'm just wondering—okay, my whip is saying go, so I'm going to keep on going. You've got to love the whips when they do that for you.

I'm just saying that you need to have that.

The other thing is that, as my good friend Sarah Campbell, the member from Kenora–Rainy River, had raised, we had raised the issue in the last election—that in fact we had put forward a fund that would be able to deal with part of what the member asked about, the \$240 million, I think it was, in order to look at capital for small communities to deal with some of these issues, because clearly there's a need, and we need to find a way to fill the need. It's difficult because every community is different. What works for Timmins may not work for Pembroke, may not work for Toronto, may not work for Hamilton. We need to find something that works for those communities in a way that makes some sense.

I've got to end on this last point in regard to our highways. Wow. Talk about bad highways. My good friend from Renfrew–Nipissing–Pembroke drives into work every week from far away, as do my good friends John Vanthof and Mr. Mantha and others who drive in

from far away to come in to the city to sit in this Legislature every week. The roads have been closed more times than not than we used to see in the past. Part of the reason for that is a pretty simple one: It used to be that the Ministry of Transportation used to run their own plow system. In other words, they owned 50% of the plows and sanding trucks in this province, and then they used to contract; the private contractors came in and augmented. Also what used to happen is that the standards that the ministry had established that say, “This is a class 1, class 2, class 3 highway and you’ve got to take the snow off and you’ve got to make it centre bare or make it essentially asphalt within so many hours or minutes,” were set down in standards.

Well, the truth is the ministry of transport never really met those standards. They surpassed them because the ministry of transport would look at the road and say, “God, that’s a class 2 highway” or “That’s a class 3 highway. If I maintain it to that standard, it’s going to be in bad shape, and it’ll be dangerous.” So the ministry of transport used to take care of the highways in excess of what the standards set out. Plus, they used to do their own patrolling.

This Liberal government—first started by the Conservatives when they downloaded and privatized—first of all, they downloaded to municipalities many of our highways, but then they privatized their winter road maintenance. The Liberals, who were in opposition, have shifted into high gear, and Kathleen Wynne as Minister of Transportation said, “I’m not happy with a little bit of privatization; I want more privatization, and I want bigger privatization.” When she was minister of transport, she essentially got rid of the small contractors. Now we’ve got large-area maintenance contracts that are held by a few companies. Now I’m not going to say that those companies aren’t trying hard and they’re not trying to do a good job. I think generally that’s what they’re trying to do. But here’s the trick: The government under Kathleen Wynne as minister said, “I’m going to privatize the patrolling of when we dispatch sand, salt and snowplows on highways, and I’ll allow the contractors themselves who have those contracts to determine when it is they’re going to be doing the plowing and the salting and the sanding.” That’s like putting—what’s the old saying?—the fox in charge of the henhouse.

But here’s the bigger problem: We’re saying to those contractors, “You must maintain the highway to a standard”—class 1, 2, or 3. Well, the ministry never used to do that. The ministry always maintained it above that standard, and so we are saying it’s true when the minister stands up and says, “Our highways are being maintained according to the standards set out in regulation.” He’s right when he says that. But the problem is we never maintained them to those standards; we always maintained them above those standards. So we’re saying to the contractors, “Here’s a little bit of money, and you’re going to maintain it to the standard we tell you on paper,” fully knowing that that standard is lesser than what it was when MTO did it themselves.

1430

My friend John Vanthof and my good friend Sarah Campbell from Kenora–Rainy River and Mike Mantha have raised this with members, along with France Gélinas, and we’re asking the government to relook at that.

We had a meeting this morning with the minister. He seemed a little bit surprised when we raised it with him, but he did acknowledge that this is something new that he’s got to look into. So all of us across this province are looking forward to seeing what the minister is going to do when it comes to this issue. At the very least, we should run our own patrol systems and dispatch, and we should relook at those standards so they actually meet the demands of our highways out there.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Mike Colle: Five minutes? Okay. I’ll try my best.

I think this is a good debate, because transportation is really critical for everybody in every municipality—small, large—all across Ontario. It’s good to have this debate, really, because it is a complex issue, and I think the member is trying to bring forth a legitimate concern that his residents and other people have. I don’t admonish him for doing that.

I just want to make sure that we also don’t demonize people who live in the cities like he was. I think that’s the only thing I totally disagree with—

Mr. Gilles Bisson: We never demonized anybody.

Mr. Mike Colle: That was the member from Pembroke—anyways.

The thing is, people who live in Mississauga or Ajax or Markham or Oshawa pay for gas; they pay the gas tax. They pay for transit on their property taxes. They also pay huge insurance for their cars. In terms of travel, although there may be shorter distances, if you’re stuck in gridlock—as most people are, from Oakville, Oshawa, every day—you’re paying so many more dollars for your gas, and you’re wasting your time. As you know, it’s about \$6 billion lost, the cost of gridlock. So it’s not cheap to live in Toronto.

So you’re paying the gas tax, you’re paying car insurance, property taxes, all to move around the city. Then what you have to do is you also pay for TTC fare, and it ain’t cheap for people. A lot of working people have to use transit. It can cost \$125 a month for a Metropass, three bucks each way on the TTC, and that is very expensive. So municipalities and transit authorities need some help.

The intent of this gas tax is to make sure that municipalities that are trying to provide good transportation have some funding for transportation in their city, because if transit works, other modes of transportation work.

You can’t separate Toronto and the north. They manufacture Toronto streetcars and subways in Kenora, so if Toronto is buying streetcars and subway cars, it creates jobs in the north, and has done so since the early 1990s at that great plant in Thunder Bay. So let’s not try to pit one

part of Ontario against another. Everybody works hard in this province.

It is not easy living in Toronto or Oshawa or Ajax. Look at the price of a house. People have to live in a 500-square-foot little condo that they're paying half a million bucks for. Then they're paying condo fees on top of that. Then they're paying for the TTC, and some of them, again, have to spend, even though they're in the city—

Interjections.

Mr. Mike Colle: I know they don't want to hear the side of hard-working people in our cities, but there are, in fact, many hard-working people in the cities who, at one time, lived in a small town and came to Toronto. We love that. We welcome that. I don't know why they're sort of slugging people who live in cities. It doesn't get you anywhere.

So there's opportunity to look at how we fund transportation, and I think the new Premier is very aggressive in terms of looking at new ways of helping rural municipalities, remote municipalities get the resources they need. That's what we should be talking about, not about saying that people in cities got it easy; people in rural municipalities—everybody has got a tough time getting around. Everybody needs a helping hand. Whether you drive a truck, whether you're on a bicycle, whether you're on transit, whether you're on a slow train to nowhere, everybody needs help. That's what the government has tried to do. I think there's no reason why we can't try to improve this so that people who live in northern municipalities or who live in rural municipalities feel that they're getting a fair shake.

That's where I agree with the member for putting this forward, and I think it's really worth the examination. But, please, as the member from Kenora—Rainy River said, let's not pit one against the other. That achieves nothing. We tried that during the Mike Harris days when he downloaded bridges, highways; zero funding for transit. He created massive chaos. He downloaded everything he could touch onto the local property taxpayers and basically brought transportation to its knees in this province. In fact, somebody mentioned the subway funding. We had started building a subway on Eglinton in 1990. It would have cost \$1 billion then—all the way to the airport, \$1 billion. Mike Harris came along and said, "Oh, we don't need this subway. Cancel it." Now it's going to cost—

Interjection.

Mr. Mike Colle: To the member from Durham: \$8 billion. It would have been finished and gone to the airport, but because the Mike Harris people were so farsighted, they were so interested in transportation, they killed transportation in Ontario and now—be very careful before you pretend to have all the answers.

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

Mr. Bill Walker: Bill 3: why rural Ontario can't wait any longer for fair treatment. A little story to illustrate, if I can, Speaker:

In 2004, the newly elected Liberal government, under Premier Dalton McGuinty, quietly adopted a controversial policy paper entitled *Small, Rural, and Remote Communities: the Anatomy of Risk*. While no one in Toronto was paying attention, the folks north of Highway 7 were, and they were and remain worried—very worried. It is important to examine the details of this policy, as its ideas are responsible for imposing some of the most devastating socio-economic conditions on small towns across rural Ontario, including my riding of Bruce—Grey—Owen Sound, in recent history.

To quote from the Liberal doctrine, "Most communities in the periphery cannot be self-sustaining, economically, socially or fiscally...."

"Hard choices have to be made. The provincial government cannot provide subsidies to everyone everywhere in the province. Nor can all small communities survive, and provide a reasonable minimum level of services and jobs, within a climate of population and economic decline."

The Liberals suddenly deemed us as insignificant, and so it set to pull the plug on rural industries, business and infrastructure, leaving its residents, many of whom are rapidly aging, to fend for themselves.

The report devastated small communities. Nine years later, about 100 municipal delegates walked out on Dalton McGuinty at a municipal rural conference in Toronto. Rural Ontario does not accept that as its fate, one of welfare dependency. The municipal leaders were protesting this government's signature policy: the no fair share for the small guys.

Such was the government's decision to pull the plug on the Slots at Racetracks Program, putting the entire horse racing industry in chaos. The hasty cancellation of the program is putting thousands of people out of work, and this at a time when the economy is very fragile and very scarce.

In my riding, the Hanover Raceway and slots in Hanover, which is owned by the Hanover, Bentinck and Brant Agricultural Society—a not-for-profit organization that employs 180 people and contributes about \$2 million to our regional economies, but they've devastated that.

Municipal leaders were also protesting the government pulling the plug on our young people by forcing our small schools to fit an urban school funding model. This outdated funding formula is threatening to close down hundreds of rural schools across the province and, at the same time, wrecking and destroying the social fabric of our communities.

In the last year alone, the government has actually pulled the plug on the Bluewater Technology Centre and continued its assault on the closure of Owen Sound and Walkerton jails. This latter resulted in the loss of 200 jobs and \$6 million in combined payrolls for Grey and Bruce counties.

The Liberal government also pulled the plug big-time on municipal planning powers when it passed the Green Energy Act. It took away their total power to have a say, and they talked earlier about their subsidies—"can't

subsidize everyone.” I wish they would have thought about that with these \$20 billion in subsidies they signed with Samsung.

But perhaps, Speaker—and getting back to the point of this bill—the most persistent anti-rural policy is the gas tax. The story of how this government pulled the plug on rural infrastructure begins in 2003, which is about the time my colleague and MPP for Renfrew–Nipissing–Pembroke, John Yakabuski, first introduced the tax fairness bill, the first of many more tax bills to come from Mr. Yakabuski. To think that 10 years on we’re still debating this most basic question of fairness is really shameful.

1440

All we’re recommending is that taxes paid on gasoline by all Ontario residents be shared by all Ontario residents. The objective of this bill is to ensure that the gas tax revenue is shared with all 440-plus municipalities, not just the urban centres, so they have an equal share of funds to build their highways, roads and bridges. After all, roads and bridges are the only means of transportation in rural and northern Ontario.

I want the members opposite to acknowledge that this issue is about fairness, and I call on every one of them on that side of the House to acknowledge that rural and northern Ontario has had enough of this nonsense, that rural Ontario can’t take it anymore. To continue to strip them of their fair share accomplishes nothing, save giving more oxygen to the story of the urban-rural divide.

Vote to pass Bill 3. Stop pulling the plug on rural Ontario, and acknowledge that communities are sustainable if given their fair share.

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

Mr. Jim McDonnell: I am very pleased to stand up and talk about Bill 3. In my role as warden in SDG—Stormont, Dundas and Glengarry—it was a key issue when I was in that chair. I saw the amount of tax we were losing due to the farm tax rebate.

Through my work meeting with ministers, I was signed to the committee for our counties to work with the Eastern Ontario Wardens’ Caucus. At that time, the Minister of Municipal Affairs had asked us to wait. They were listening, and through the Who Does What committee, they would be acting on this issue. We had delegations from our county and many of the other counties eastern Ontario.

I remember being there at AMO that year when they came out with the results. Sadly, there was nothing for rural Ontario in the tax plan. His answer was, “We ran out of time. We didn’t have time to get to it.”

The committee met for about two years longer than it was supposed to, and there was no time for rural Ontario. So I think it just shows how this government treats rural Ontario. We’re not looking for anything more than our fair share. Right now we get nothing. We here in our party included in the last campaign a form of gas tax that addressed some of the issues of rural Ontario, because, as the mayor of South Glengarry, we receive less money

today than we did in 1999. I think it would be fair to say that costs have gone up drastically since 1999.

When you look at the TTC, I think our honourable member from Renfrew mentioned that they receive \$1 billion a year from this government. So these are funds that go to the larger municipalities, but sadly, when you come back to rural Ontario, there’s nothing.

I look at this Premier that, over the past through to her latest leadership campaign—she promised to address this. Numerous times in the past—I think it was mentioned seven times—she voted on this bill that my honourable member from Renfrew put through.

At the Eastern Ontario Wardens’ Caucus, I had the opportunity to work with Bob Sweet, who was a warden from Renfrew county at the time as I. He was a great guy to work with. This was a key issue amongst ourselves. We promoted some of the issues that were affecting us in rural Ontario and why we were being unfairly treated in many respects. I was very pleased to work with him and very pleased to see the feds listening to our discussions and then coming out with a form of gas tax that really helped us in rural Ontario.

But you know, we fought for predictable funding, because that’s one thing we don’t have today. We really receive nothing. When you take into consideration the farm tax rebate, we actually get no funding from the provincial government. We are a creature of the provincial government. So much depends on the relationship.

It’s interesting to note, in talking to the now mayor of South Glengarry: When they applied for the MIII funding, they were told that they weren’t allowed to apply even because they were in too good of financial shape. This is an issue of not being a—rich man’s value. We’ve raised our taxes so that we have a modest reserve. It allows us not to have to go and borrow money every year. This is the message back from this government: “If you have put yourself into severe debt so that you can’t afford to do anything, well then, we may be there.” The answer is “We may be there,” because you do have to compete for this money. This was over a bridge that has been condemned and allowed to operate for another year, a \$2.5-million bridge now put back to the people.

So it’s interesting to see. I thought I would hear the member from Glengarry–Prescott–Russell talking about this bill. Around the county table, he really spoke in favour of the gas tax, but sadly I don’t see him here. In fact, in the past, he has voted against it—as the Premier did. I think it’s time that we speak up for rural Ontario and we have some action.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Renfrew–Nipissing–Pembroke, you have two minutes for a reply.

Mr. John Yakabuski: Before I begin, I do want to recognize my friend Rick Lemenchick, who—okay, he didn’t stay for the rest of the debate. He was sitting there watching the debate. He must have thought I was done. Anyway, Rick was here earlier from Ottawa to watch the debate.

I want to thank all the members on all of the parties for offering their views. I particularly want to thank my

colleagues from Haldimand–Norfolk, Bruce–Grey–Owen Sound and Stormont–Dundas–South Glengarry for their support, and also my colleagues from the New Democratic Party for offering their support for the bill as well. I didn't hear support from the Liberal Party; I guess nothing has changed.

But I do want to challenge the member from Eglinton–Lawrence, who characterized this as a demonization of people from Toronto. I might want to point out to him that I have three brothers and a sister and their families who live in the GTA. It's not like I have never been out of the hayfields of eastern Ontario. I'm quite confident I have a lot better understanding of the city of Toronto than those folks have of my riding and the rest of rural Ontario. So for him to characterize this as a demonization of Toronto is simply wrong.

What this can be characterized as is, can all members of this House, and particularly the Liberal members, for once in their 10 years understand what fairness and not trying to divide the province of Ontario are all about? You collect tax; tax should be shared back. If the revenue is collected from all of the people, then all of the people should receive a benefit from that particular source of revenue.

That's what it's about. That's what you'll vote on today.

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

LEGISLATIVE ASSEMBLY
AMENDMENT ACT, 2013

LOI DE 2013 MODIFIANT LA LOI
SUR L'ASSEMBLÉE LÉGISLATIVE

Ms. Fife moved second reading of the following bill:

Bill 24, An Act to amend the Legislative Assembly Act with respect to prorogation / Projet de loi 24, Loi modifiant la Loi sur l'Assemblée législative relativement à la prorogation.

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

Ms. Catherine Fife: Thank you, Mr. Speaker. Today, I'll be providing some context for the bill and rationale for supporting it. I will also be explaining why I feel this bill is so important, both professionally and personally. Obviously, I hope to make the case for supporting this new measure as it relates to our democracy and our responsibilities as legislators. I'm pleased that it has generated such a passionate response, not only from those who study such issues but citizens, young and old, who are listening and watching today.

It has been an interesting journey for me after the by-election. The very thought of working here and serving the public in this place carried with it such an enormous weight of responsibility. I, like many of you, entered this building with a sense of awe out of our respect for our

history as a province and, quite honestly, for those of all party stripes who have served before me. I certainly carried with me the hope of making a difference, and I still do.

Indeed, the people of Kitchener–Waterloo sent me here with a very clear mandate: “Get to work for us. Get results for us—jobs, health, education, health care—plus a renewed focus on social and economic justice.” I believe that we are in a critical place in the history of this province, so why prorogation, and why now?

Almost three years ago, in March 2010, the late Jack Layton, then-member of Parliament for Toronto–Danforth, said these words in the House of Commons: “We must clearly re-establish the basic principles of our democratic system. The principle of ministerial accountability is critical. This means that the Prime Minister must be accountable to Parliament. And being accountable starts with ensuring that the Prime Minister cannot abuse his powers: first and foremost, the power to lock the doors of Parliament and halt the work of those who were elected by the people to represent them and speak for them.”

1450

Which brings us to October 15, 2012: The government House leader has claimed prorogation happened because this chamber had become poisonous. Now, I'm not sure that that's a word anyone should use to describe democracy, no matter how difficult the process becomes. What is true is that, when the Premier closed the doors of Queen's Park, a lot of important work ended, including an investigation into the cancellation of the Mississauga and Oakville plants. The discussion over these matters was heated, to say the least, but there was good reason to question the gas plant issue, and Ornge and eHealth. But was proroguing the answer? I would suggest that running away from the hard questions around the gas plant scandal, instead of navigating through what is a growing mess that needs to be cleaned up, is simply not acceptable. We need to remember: We answer to the people of Ontario, and the Premier answers to this Parliament.

When I was visiting a grade 5/6 class at Elizabeth Ziegler Public School in Waterloo, I explained the concept of prorogation, sticking only to the facts and leaving the politics out of the conversation. The students replied with some indignation. They said, “That's just wrong.” I tell you, I've heard that a lot: in stakeholder meetings, from business and health care leaders, from people in my community of all ages. Nurses, business leaders, farmers, professional athletes, wind turbine and auto insurance executives—they don't get to prorogue when life becomes too difficult.

Let's be clear: The citizens of this province don't care that the temperature was raised. They don't care that one party felt the other was being mean and the other contemptible. They want us to get to work. On October 15, the people of this province were not put first. Sadly, one party's interests came first.

Some of the more powerful stories of discontent about prorogation came from seniors. I believe that the senior

citizens in communities across Ontario understand—perhaps more than most of us—how fragile a democracy can be, and they understand that we can never take it for granted. We should never allow ourselves to become complacent, especially as legislators.

This was a lesson that I learned early in my life, from my family and also from a close friend who was a World War II veteran. His name was Jack Hale. He served as a tanker and he shared his wartime experience with me in my formative years. His stories informed my respect and my reverence for our democracy. I was fortunate to know him and to thank him. If he were alive, he'd be sitting right here in the members' gallery, cheering on this debate, because this debate is good for democracy.

Prorogation, when it is used as it was on October 15, has a negative impact on the health, democracy and economy of this province. This is indisputable. Proroguing outside the traditional and historical use of prorogation is indefensible, and we should be mindful of this emerging trend.

Traditionally, it has been an uncontroversial tool, but in December 2008, Prime Minister Stephen Harper set a different precedent when he asked Governor General Michaëlle Jean to prorogue Parliament to avoid the defeat of his minority government. This manoeuvre was repeated a year later, in December 2009. Despite the outrage of the public at that time and despite the objections of the federal opposition parties—both Liberal and New Democrat—we have seen the abuse of prorogation become a worrying trend.

In BC, Premier Christy Clark simply cancelled the entire fall session of the Legislature in September 2012. Newfoundland and Labrador followed—a year earlier. Then, of course, on October 15, 2012, here in Ontario—in this very building—then-Premier McGuinty decided unilaterally to request prorogation, while the Ornge investigation was ongoing and just before the committee investigating the gas plants planned for Mississauga and Oakville was to meet. That was the time to kick MPPs out of Queen's Park, while the Liberal Party looked after its own interests and selected a new leader. It was not right when Prime Minister Harper used prorogation to avoid accountability, and it was not right when then-Premier McGuinty used it. Prorogation was never meant to be a tool of avoidance.

Let's be clear: Ontario can raise the bar on accountability. We can signal to the people of this province that we take the business of this place seriously. This bill is an opportunity for redemption. We need to put an end to the abuse of what was intended to be a tool that would help this country's Legislatures function more efficiently.

Going back to Jack Layton's motion from 2010, which was designed to start a dialogue on putting limits on the ability of the Prime Minister to unilaterally and indefinitely prorogue: It received support from a noted constitutional expert, Peter Russell. Mr. Russell said:

"Part of Jack Layton's legacy is the motion he placed before the House of Commons in March 2010 requiring that a prime ministerial request to prorogue Parliament

for more than a week have the support of a majority of the House of Commons.

"It strikes me that the Layton motion is a good model for Ontario."

I think it is worth taking that advice seriously.

Let's be clear about what the amendment to the legislative act will be and what it can accomplish. This bill will ensure that if the Premier wants to prorogue the Legislature, she or he needs the support of a majority of MPPs by way of a resolution. This resolution would be date-specific, meaning the Premier could not shut the doors of the Legislature unilaterally or indefinitely.

Now, there will be some who say that this amendment further politicizes prorogation. For me, this statement is a clear reminder of how powerful language can be. When we say that we hope to take the politics out of prorogation, what this bill will accomplish is to remove the politics of one person—the Premier—or one political party from the politics of the people. Partisan politics should not trump the needs of the citizens we are elected to serve.

There will also be some in this House who point out that we only lost 18 days. Well, I'm here to tell you that you can't measure democracy in days, and it is an insult to suggest that 128 pieces of legislation dying on the order paper are inconsequential. We should also note that there is a cost to reintroduce all of the work, and the taxpayers of this province will continue to pay this price.

Today, we have an opportunity to recalibrate and to reset a new level of trust and accountability. We collectively have that power in this House, through the vehicle of this bill. We, as legislators, should be part of the decision to prorogue. Indeed, all of us fell victim to the decision to prorogue this Parliament on October 15, as did the citizens of Ontario.

We can do better; people expect us to do better; and I would urge my colleagues from both parties to support sending this bill to committee. Thank you very much.

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

Hon. John Milloy: It's a pleasure for me to speak just briefly. I know there are other members of the caucus over here who want to speak on the member's bill. I want to congratulate her. She's a new member and my neighbour from north of my riding, and a very welcome addition to this Legislature. It's her first private member's bill.

I want to say off the top, the idea of debating or discussing prorogation, which has gone from being an arcane parliamentary term to actually something that is in the public mind, is something that we're open to and certainly I'm open to, and I plan to support this motion—excuse me; the bill, I guess I should say.

But where I take a little bit of a different tack from the member is this kind of view that somehow prorogation is a horrible thing or a dirty word. The idea that prorogation, with the exception of what this government did last fall and what Mr. Harper did in Ottawa, is always used in simply administrative ways and is not used as it

was intended, as a pause during periods when, really, it's time for a pause; in periods when the political atmosphere has heated up to the point where the governments need to regroup and come forward—Mr. Speaker, that's simply wrong.

History will show that governments of all stripes—I would hasten to say, almost every single government, with the exception of maybe a few that have been a short time in office—have prorogued the House, and many have used the prorogation, as I said, as a way of pausing, as a way of dealing with the political atmosphere, which we did last fall.

The background of last fall is something that I think we all know. The Legislature had ground to a halt. It was a poisonous atmosphere here. We came forward, as a government, with our legislative agenda, and on top of that legislative agenda was a piece of legislation about public service pay. It was presented to the opposition in draft form, and we asked the opposition to use it as a starting point to come to us with their ideas, with their amendments, with how we would deal with it.

Quite frankly, Mr. Speaker, if I may use the vernacular, we were told to pound salt. We were told they had absolutely no interest in dealing with that legislation. Not discussing, debating and amending it, Mr. Speaker—they didn't want to deal with it. Instead, we saw the spectacle of a witch hunt against a former member of this Legislature. We saw a political situation in which we had to do the prorogation.

The member from Kitchener–Waterloo presents what happened last fall as unique. It's by no means unique. I hear some of my friends across the way talking. I'd just like to talk about what Mr. Harris did when he was in power.

1500

I quote from the Hamilton Spectator, January 2, 2002:

“The Legislature broke December 13 after a flurry of bills and regulations were passed.

“It was initially scheduled to resume sitting in March, but that was before Premier Mike Harris's surprise resignation announcement....

“Ontario Tories pick a new leader March 23, and the five candidates vying to replace him—four of whom are cabinet ministers....

“Because of the party's one-member, one-vote system, candidates are trying to meet as many potential supporters as possible....

“Once the new leader is in place, he or she will have to deliver a throne speech, pick a new cabinet and devise a new budget, suggesting the Legislature might not sit again until May or June.”

I checked, and they actually came back May 9 of that year. So does it sound familiar? A Premier resigns with some political turmoil that's going on. He calls a leadership convention and prorogues the Legislature.

Mr. Speaker, what happened last fall was not ideal. I am the first to admit it. Prorogation is something that we should debate and discuss. But to come to this Legislature and present what happened last fall as

something unique in Ontario's history—in fact, it follows years and years of individual Premiers who have made that call. Just as they call elections, they prorogue the Legislature as a way to regroup, to press “Pause” and move forward. As I say, I just wanted to speak briefly on this. I'll leave it up to other colleagues in the House to further carry on the debate.

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

Mrs. Julia Munro: I'm pleased to speak to Bill 24, An Act to amend the Legislative Assembly Act with respect to prorogation.

This is clearly a timely bill in light of our recent circumstances here at the Legislature, and I believe that in the most recent case of proroguing, the system was indeed abused. The purpose of prorogation is for the government to stop and refocus. There are definitely legitimate times when prorogation is necessary for the health of a government. Furthermore, prorogation is not a new phenomenon.

My favourite story is that of Elizabeth I, who prorogued Parliament—for years, I might add—for a simple reason: that Parliament—and it was all men at that time, I would just remind viewers—was spending all of its time working on the issue of whom she should marry. She got tired of that, and so she prorogued. This, to me, is a great example of when it was necessary to prorogue.

However, I do not believe the circumstances in which the Liberals decided to prorogue were justified. I also believe that our recent prorogation was not in the spirit of democracy or historical precedent. Dalton McGuinty saw fit to shut down the Legislature for an indefinite period of time because his government was caught up in a scandal and did not want the opposition to shed light on his billion-dollar seat-saving gas plant fiasco, on top of the Ornge scandal. We, the opposition, were ready and willing to come to the Legislature and hold committee hearings. The government was not and took four months to call the Legislature back. This is an unacceptable amount of time.

Despite this abuse of power, the Premier was within his constitutional right to prorogue the Legislature. The Lieutenant Governor takes the advice of the Premier, not the Legislature. This is our constitutional and historical arrangement. If the Lieutenant Governor were to begin taking advice from the Legislature, as Bill 24 suggests, this would change our political system. Furthermore, the Lieutenant Governor's decision must be impartial. If there were a vote in the Legislature, his decision would no longer be impartial.

I would also like to point out a fundamental difference between a democracy—that is to say, the Legislature—and our constitutional monarchy, the representative of the crown. The Legislature and the crown hold different roles in our system. The Legislature debates policy, whereas the crown ensures responsible government and weighs the advice of the government's leader, the Premier. The crown is not obligated to take the advice of the Premier but instead weighs the advice impartially and decides on

a course of action to take that it believes is in the best interests of the province. I do not believe that we should take this role away from our crown. If Parliament disagrees with the government of the day, then Parliament should vote no confidence in the government, thus ending the Premier's right to request a prorogation from the crown.

The root of the problem is the integrity of the people who have the responsibility. The mechanics are time-honoured. Thank you.

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

Ms. Andrea Horwath: It's my pleasure to rise and speak in favour of the private member's bill brought forward by the member for Kitchener–Waterloo.

I have to say, I was interested in listening to the government House leader's remarks. It brought to mind almost immediately one of the sayings my mom used when we were kids growing up. She used to say, "Dear, two wrongs don't make it right." And you know what? Ten wrongs or 20 wrongs in the history of prorogations that are politically motivated don't make it right, Speaker, and that's the fundamental issue before us with this bill.

This prorogation was odious. It was very, very obvious that the only reason the government was shutting the Legislature down was because it was trying to save its own political bacon and get out of the political hot seat. I say that because, in fact, the Premier today in question period all but admitted that. She said that not only did they do it for that reason, but also for the purposes of looking after their Liberal interests, which of course were to undertake a leadership race. They didn't want to be bothered with having to make the effort to come into the Legislature to do the people's work while they were taking care of their own party business. So they decided that it was time to prorogue the House.

It's interesting, because one of the things that I think has already been brought to light is the fact that there was the ongoing Ornge air ambulance scandal. There were the gas plants, of course, that were about to hit hearings the following day. There had been a fantastic by-election win in the Kitchener–Waterloo riding when, in fact, the Premier was trying to behave like a Conservative and thought he would win the previously Conservative riding. But New Democrats actually were happy to have a very positive relationship with the people of Kitchener–Waterloo, and we elected a New Democrat in that riding. All of these things, I think, were things that were growing problems for the Premier, and rather than deal with those problems in an upfront way, he decided to take the easy way out and shut down the Legislature.

There's something that I think needs to be said, and it's a characterization of the events that were happening in the House at that time. I don't buy for one minute the government's description of a House that became dysfunctional. For many days, weeks—in fact, over two and a half weeks—the government members and the Conservative members sat in this House and debated the

issue of contempt. New Democrats debated for one day. Why? Because we didn't want to tie up the chamber with the contempt issue when it came to the gas plant scandal. We wanted to get things rolling, to keep things moving, to make sure the Legislature could actually be doing its work.

It's passing strange that the government House leader would somehow characterize the dysfunction in the Legislature as something that was surprising. They were a major player in making it dysfunctional. They were the ones who were continuing the debate over and over and over again. At any time, that debate could have closed down and we could have had the issue in committee, but it worked to their benefit. It helped justify their story of prorogation—again, cynical, cynical silly games being played by the governing Liberals. We saw it over and over again in the fall. It ended in the prorogation, and we see it unfortunately to this day, Speaker, as we have resumed in the last couple of weeks.

I know the other members of my caucus want to speak to this, Speaker, so I'm not going to keep going except to say that we think it's about time that things get changed around and we actually listen to the will of the people. The will of the people was very clear, and still is: They don't like politically motivated prorogation. They think prorogation is fine. They get it that it has to happen from time to time when a government completes a mandate and wants to chart a new course with a new throne speech. They understand why it exists. But they do not like to see it being used for purely political reasons and for political advantage of the governing party.

That's what's wrong with what Mr. McGuinty did in the fall. That's what's wrong with what Mr. Harper has done. That's what's wrong when it gets used for that purpose. All we're saying is, let's not let it get used for that purpose anymore. Let's use it for the purpose it was intended for, but not for politically motivated purposes, Speaker. New Democrats believe that that's the best way to go.

I would hope we'll get some support from the Liberal benches and from the Conservative benches, because this bill at the very least needs to be in committee so we can actually do the work the people have asked us to do in terms of cleaning up this prorogation stink. Thank you.

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

1510

Hon. Glen R. Murray: I actually think this bill has a lot of merit, and the content of the bill elevates the discussion here more than the debate so far has elevated it. I want to congratulate the member from Kitchener–Waterloo for bringing forward a very thoughtful piece of legislation.

I think it's also a very positive piece to be considered, and whether it gets passed today or whether we find some other ways to make these improvements, I, certainly as a member, find this a helpful and constructive discussion. I think it's very helpful when newer members of the Legislature bring those fresh eyes. For

many of us who have been in municipal government, we find this place gets a little overly partisan and a little crazy sometimes.

All of us are political. We're members of political parties. I always find it a little humorous and ironic when, all of a sudden, some of us get up and accuse the others of being political. I think the leader of the third party was hopefully saying that with a certain amount of humour, given that every question period has had her reference Windsor and London, where there are upcoming by-elections. We're no different. I'm sure we will try to talk about Windsor and London as much as we can. But to sort of suggest that somehow this process is political, and you're not or we are—we're all political.

I think probably previous members—we've had prorogations under the Harris government for over a year, 11 months. There was one year under the Rae government where the Legislature was avoided for—I think it sat for 20 days. We were actually out of the House for 18 days that we would have been normally sitting out of the calendar because we don't sit for most of those—

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): Order, please. Stop the clock. Everybody has had their opportunity to speak, and the House was nice and quiet. I would offer the minister the same opportunity.

Minister?

Hon. Glen R. Murray: Mr. Speaker, I am being far gentler in my criticism than some of the members opposite were of my party and my government.

I think there's an opportunity here to work on this, because I think the substance of this bill makes a lot of sense. If we all had a little more humility, this could go a lot further. We could be better at this. We could use prorogation in a more measured way. I am very happy to work with the official opposition and the third party on building these things forward. I think there are some extraordinarily positive private members' bills before the House today. I plan on voting for some of them, and I even go further to plan on championing some of them. If we all just treated each other, as I've said many times—or as the Speaker has invited us to do—to be part of a race to the top, God, we could get so much done.

I was very impressed when I heard the Minister of Health and the member for Nickel Belt are producing a piece of legislation today that is going to save the lives of many people. Why aren't we doing that? My friend, the member for Trinity–Spadina, who is one of the most delightful members of this Legislature—he's witty and smart—is bringing forth something we all want to do, which is reform the OMB. The member for Kitchener–Waterloo has a great idea today. You can certainly count on my help to do that.

I don't think we have to toss up everyone's record. We've all been involved in prorogation. We've just changed our leader. We have a new leadership group. We've gone through a very difficult process. It's very hard to change while you're sitting in a session. That's really important. It's a hard process while you're in a

minority government, to change a leader, to get a new Premier. I think we did that in a very respectful way. I was very proud to be part of that leadership race. We treated each other with respect. I think we all came out of that saying, “Jeez, wouldn't it would be nice if we could come back and treat each other with greater respect?”

Mr. Speaker, I'm just going to look to make sure if I should be wrapping up now. I should be wrapping up now.

I want to thank the member for Kitchener–Waterloo very, very much for this. She brings fresh eyes and fresh energy. I want to thank the members of the third party for their positive discussion and bringing some very positive ideas forward today.

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

Mr. Victor Fedeli: The prorogation of the Ontario Legislature was the last tactical option available to Dalton McGuinty to avoid scrutiny of the growing power plant scandal.

The known tab has grown to over \$1 billion for the politically motivated cancellations of the Oakville and Mississauga gas-fired power plants aimed at saving Liberal seats in last year's election. What this means is that Parliament was closed, all debate suspended and any bills not already passed were cancelled. Moreover, suspending Parliament shielded the Premier and the Liberal government from having to answer any questions about what came up that week: Project Vapour. This sinister-sounding file name is where secret gas plant cancellation documents were found.

Had the Liberals not locked the Legislature, he and his ministers would have had plenty to answer for. Speaker, they had nowhere to go; no other card to play. There was documented proof that he had spent over \$1 billion cancelling the two power plants—four times what the Liberals claim it cost.

This scandal began when the Standing Committee on Estimates demanded documents from the energy minister. He refused, and the only avenue left was bringing a contempt-of-the-Legislature motion. The Speaker ruled there was indeed a basis for contempt, and this in fact was confirmed only this morning in committee by former Speaker Milliken.

He ordered the minister to turn over the documents. Some 36,000 pages were delivered, many whited out. One by one, members of the PC Party presented redacted documents and missing pages, yet 32 Liberal MPPs stood in this Legislature and insisted that every document was delivered. Two weeks later, Speaker, the Liberals turned over 20,000 additional documents, including files called Project—

The Deputy Speaker (Mr. Bas Balkissoon): I have listened to the member very carefully—stop the clock—and I would ask you to confine your remarks to the bill that's in front of us. I don't mind a small amount of comment as to why prorogation, but I think you're carrying it a little too far.

Mr. Victor Fedeli: Thank you, Speaker. I'll continue with my talk on why we prorogued.

A few hours later and just days before the finance committee was to begin hearings into who ordered the documents to be suppressed, Dalton McGuinty resigned and prorogued Parliament, putting an end at that time to the contempt charge. But Speaker, here's where that turns diabolical: Dalton McGuinty prorogued Parliament to stop us from learning about his latest in a series of billion-dollar scandals. That is his true legacy.

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

Ms. Cheri DiNovo: I want to commend the member from Kitchener–Waterloo. She is a breath of fresh air in this place, and this bill is indicative of that. This is a bill that's absolutely timely.

Many of us were lucky enough to watch the unveiling of the Jack Layton movie just recently this week. It's going to be on Sunday night, by the way, on CBC at 8 o'clock. The beginning of the Ornge Crush really started with Jack Layton taking on Michael Ignatieff and saying some pretty critical words. He said that if people in the world outside of Legislatures acted like Michael Ignatieff and the Liberals federally and didn't show up for work most of the time, they'd be fired. That's what this bill talks about. It talks about, again, Liberals not showing up for work, and, in fact, doing worse than that, Mr. Speaker: preventing anybody else from showing up for work as well. Truly, what they did here suspended democracy.

I listened intently to the House leader across the way. He's wrong, by the way. It's the first time in the history of Queen's Park that a Premier suspended the operation of the Legislature after a committee has been directed to investigate allegations of contempt. No one—not Peterson, not Harris, not Eves or Rae even—now that Rae, of course, is a Liberal; we have to remember that—did that. Not one did that. And by the way, no other Premier has ever suspended the operation of the House by prorogation to run a leadership campaign, which we heard the Premier today admit. She said point blank the reason they prorogued the House was to run a leadership campaign for the Liberal Party. Not Davis, not Harris, not Robarts, not Frost, not Drew, not Hepburn—none of them ever did that, even though they ran leadership races while in office—and resigned, by the way.

1520

Here we are: a simple bill, an absolutely necessary bill, a bill we should all support so that we don't have to have this happen again. And again, commendations to Catherine, our new member from Kitchener–Waterloo, on an excellent bill at the perfect time.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate? The Minister of—

Mr. Michael Prue: Aboriginal Affairs.

The Deputy Speaker (Mr. Bas Balkissoon): Aboriginal Affairs.

Hon. David Zimmer: Thank you, Speaker. I'm happy to speak on this bill.

Let me say this about the prorogation: Everybody who was in the House this morning—and we heard what the Premier said with respect to a question on prorogation. She made it quite clear that she was looking forward to the debate that this private member's bill would cause. It's a debate that all members of this House should have, whether they're on the Liberal side, the Conservative side or the NDP side.

The history of prorogation in the parliamentary tradition goes back 300 or 400 years. All parties in England and in Canada, and then more recently, have made use of prorogation. I've got the statistics here, but suffice it to say that the Conservative Party, when they were in government, used it extensively; the NDP did when the NDP was headed up under then-Premier Rae; and, frankly, the Liberals have used it. It's a protocol of this chamber that frankly, as the Premier has said, needs to have a new look—a fresh look at it; perhaps all the issues surrounding the prorogation do require some reform and some adjustments so that the House is assured that prorogation will be used modestly, if I can use that expression.

But having said that, after this chamber was prorogued in the middle of October, we worked very, very hard here. In fact, during this period of prorogation, we reached an agreement with AMAPCEO covering 10,000 public servants. We reached another agreement with the OMA—25,000 doctors. We reached an agreement with OPSEU—a two-year collective agreement. I can tell you that the AMAPCEO agreement took 1,000 hours of bargaining. The OMA agreement we worked on over a period of two years, right up until just recently. The OPSEU agreement—700 hours of bargaining. In addition to that, there was all sorts of work done in the respective ministries.

This idea that, because this chamber is prorogued, somehow government shuts down, is a false idea. Even when we adjourn for the summer months, there are cabinet meetings under way, there are committee meetings under way; I'm sure that the opposition is doing their work that they do in preparation. So the idea that prorogation is some tool to shut down the House is not the case.

We look forward to the debate that this bill is going to engender now.

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

Mr. John O'Toole: I'm very pleased, first of all, to recognize the member from Kitchener–Waterloo as a new member here. I commend you for your initiative here.

I do think it's really a little bit—being private member's bills—popular. There's no question about that. I say that you've got to put it in context, and I think the member from York–Simcoe's remark was very well-informed in referring to the history of this, the 500 years that prorogation has been in place—you could say from 1215, from the point of the Magna Carta itself. It's the right of the Prime Minister—or in our case, the Pre-

mier—to speak directly to the Lieutenant Governor or, in the case of the Prime Minister, directly to the Queen or the Governor General—in confidence and, in that confidence, to refocus. That’s important for the leader of the country or the province, to have those tools to do that.

What is unacceptable here is what happened under Premier McGuinty. It wasn’t just the one event—and I’ll be a very short time here. Yes, it’s important to stop and refocus. Then, you ask why he stopped and focused: Because he was getting pilloried on the whole fact of the wasteful spending on the gas plants, period—and not producing the documents. He was running against a wall, so he just turned the lights out and sent everyone home for four months, 127 days—unacceptable. So there’s a reason for this debate today.

I would say that the NDP cannot take the top of the hill on this. In the 35th Parliament, you actually had three prorogations during your time. Not only that; you also had a vote where you opened up every contract in the province of Ontario. So you can’t claim the high ground on this point. Although I agree with the sentiment here, it’s the politics, like Mr. Murray said—it’s the obvious politics of it all, abusing this, knowing that in private members’, it’s actually going nowhere.

I would say, in respect to history—and this point is most important—

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): Stop the clock.

Mr. John O’Toole: Stop the clock. Thank you.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Hamilton East–Stoney Creek and the Minister of Citizenship and Immigration: If you wish to have a dialogue, I’d ask you to take it outside.

Member for Durham.

Mr. John O’Toole: Thank you, Mr. Speaker.

As the Minister of Transportation says, let’s be honest here; it’s all politics. There is a game here, and I put to you—we’ll see at the time of the vote. The tools that a Premier, whether it’s Bob Rae, David Peterson, whoever it is; Michael Harris—I would say that they need to have the tools. Any leader would need them. As indeed the member from York–Simcoe said, the Queen herself interrupted and prorogued Parliament.

Our democratic system is founded on principles and fundamentals. I tend to support that. The obvious politics of the debate here today are important, and yes, we should look at the standing orders and the orders of the Legislature.

I agree with one section, and that section has to do with an end date. We shouldn’t all be left in the dark, and that’s exactly what Dalton McGuinty did. He shut off the lights and sent everybody home.

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

M^{me} France Gélinas: Merci, monsieur le Président. Moi aussi, je voulais juste ajouter quelques petits commentaires aux commentaires de mes collègues. En français, ça s’appelle la Loi modifiant la Loi sur L’Assemblée législative relativement à la prorogation.

Une prorogation, en français, ça se dit mal; ça ne se dit pas. C’est un mot qui accroche pour bien, bien des raisons.

M. Rosario Marchese: Et que personne ne comprend.

M^{me} France Gélinas: Et que personne ne comprend. Donc, en général, les gens disent : « On a fait un pirogui. » Ca, c’est plus facile à dire et tout le monde le comprend. Un pirogui, c’est bon; une prorogation, ça ne l’est pas. Un pirogui avec des patates et tout ça, j’adore ça; une prorogation, pantoute.

Une prorogation, c’est vraiment comme l’efface magique de M. Clean. Tu sais, lorsque que tu sors ça, tu effaces les 128 projets de loi qui étaient déjà présentés. Tout ça, c’est parti. Prendre une pause, c’est quelque chose. Une prorogation, c’est beaucoup plus qu’une pause; c’est que tu effaces tout le travail qui avait été fait. Et ça, tout le travail qui avait été fait a été effacé pour des raisons partisanses. Donc, là, tout ce qu’on demande dans le projet de loi, oui, ce sont des privilèges de l’Assemblée qui est là depuis des siècles et des siècles, et on respecte les assemblées protocolaires. Mais ce qu’on est en train de dire c’est amenons-le en 2013 pour qu’en 2013, si on a à sortir notre efface magique, notre prorogation, ça va se faire d’une façon ouverte pour des raisons qui bénéficient aux Ontariens et Ontariennes, et pas comme ce qu’on vient de voir le 15 octobre dernier quand le premier ministre du temps, M. McGuinty, a décidé de faire une prorogation et de tout arrêter pour des raisons partisanses, parce qu’il avait besoin d’air pour son parti, parce que ça commençait à aller mal, leurs affaires. Ça ne faisait pas juste commencer, en fait; ça allait vraiment très mal.

Mais, du côté des Ontariens et Ontariennes, eux ont tout perdu. Donc, ce qu’on dit est que c’est vraiment le temps de mettre ce projet de loi-là en place pour amener la prorogation en 2013. Merci, monsieur le Président.

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

Mr. Rob Leone: I do want to acknowledge and congratulate the member from Kitchener–Waterloo on her maiden piece of legislation that she has brought forward. But I want to frame my remarks with this date, this year: 1848. Eighteen forty-eight was a couple of centuries ago; 1848 was the year we won responsible government in the province of Ontario. That is actually a very important thing to understand, Mr. Speaker. We actually fought for responsible government in the province of Ontario.

1530

I want to bring reference to a book that I think members of this Legislature would do well to read on this matter—it’s called Canada’s Founding Debates; it’s edited by Janet Ajzenstat, Paul Romney, Ian Gentles and William Gairdner—which enumerates a lot of the debates that happened prior to Confederation with respect to responsible government. I think we would do well to read those remarks, and I wish I had more time to talk about what’s in this book with respect to that.

My main criticism, Mr. Speaker, is that this is a foundational principle of our parliamentary system, a foundational principle that was hard-fought. We just saw

this bill for the very first time yesterday. In effect, we are asked to change a foundational principle of our parliamentary system in 24 hours. That's simply not enough time to have an adequate debate about these issues.

I don't want to talk about the politics surrounding the prorogation that happened in this Legislature because we're going to have an opinion on this. But ultimately, responsible government means government for the people and of the people. We don't really know, despite what the leader of the third party said, what the people actually think on this matter. I think we would do well to pause to consider the ramifications for a foundational principle of this Legislature and to take a step outside of politics.

I agree with the Minister of Transportation and Infrastructure with respect to raising the level of debate and taking the politics out of it. I do want to have a reasoned debate about this, but 24 hours simply isn't enough time to debate a very important bill such as this.

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

Ms. Sarah Campbell: Last fall, MPPs were locked out of Queen's Park for what can only be summed up as political reasons. The doors were shut, but more importantly, the work that we had been sent here to do just over a year before was completely scrapped. Everything that had not received royal assent died on the order paper that day. Bills like amendments to the air ambulance act, a bill to take the HST off home heating, Ontario's Wood First Act, changes to the electricity system operator act—all dead so the governing Liberals could pick a new leader. The work of committees, private members' business and a number of government bills that we were all told were essential bills were gone—dead and wasted. All of that time that we had put in, that we had invested in those bills, was also wasted.

At a time when we needed to be here to roll up our sleeves and work together for the people of this province to get us out of this recession, the doors were closed. People were looking to this House for leadership. Instead, what they got was a Liberal leadership race. Prorogation was not necessary.

This bill seeks to correct some of the wrongs that were committed, all in the name of politics, by this government. This bill doesn't say that we can't prorogue. It does say that if we are going to prorogue, we need to have respect for the residents of this province and stand here and defend our actions. It takes the power out of the backrooms and puts it in the hands of our province's democratically elected representatives.

I'm very pleased to stand here and offer my unequivocal support for this bill today.

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

Mr. Gilles Bisson: Mr. Speaker, I'm going to do the one-minute waltz in 30 seconds.

I listened to the members speak about how the whole point is, it has happened in the past, others have done it, blah blah blah. I'll say what Andrea Horwath said: Just because it was done that way in the past and somebody

did something wrong in the past doesn't mean we shouldn't try to correct the situation now.

Clearly, there's an opportunity here to resolve what is a serious, legitimate problem. You don't prorogue a House at the beginning of a session in order to hide from an issue.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Kitchener–Waterloo, you have two minutes for a response.

Ms. Catherine Fife: I appreciate the feedback from members of all parties. I want to point out that some of the—

Interjections.

Ms. Catherine Fife: Excuse me; I'm talking here.

Some of the points that have been made have been good points. We all want to make democracy more accountable. I was asked on the Steve Paikin show, "Did anything good come from prorogation?" The only good thing I could see that came from that is a renewed interest to strengthen the democracy and the work we do in this House. There's no doubt that the only place where legislation can happen—and 128 pieces of legislation actually died on the order paper—is here.

I tried tweeting out questions to keep involved in a social media engagement kind of way. There was a mock Parliament here. But really, the reality is that the people of this province have sent us here to do a job, to do the work. It has nothing to do with the Queen proroguing to find a husband. It has nothing to do with making a point that prorogation is not a legitimate tool. It is a legitimate tool, but it was abused; it was misused for political reasons.

All this bill does is add another level of accountability, another measure of accountability. It brings it to us so that we can speak on behalf of the people. The member from Cambridge says, you know, "We don't really know what the people of this province feel about this." Actually, we do. We were looking for engagement from the population of Ontario, from citizens of Ontario. Do you know what we got? We got enraged people. That's not good for democracy.

The scholars are going to argue. The right thing to do with this bill is to send it to committee for further discussion, for further debate. That's good for democracy. That's good for all of us in this House. I urge everyone to support it, please.

The Deputy Speaker (Mr. Bas Balkissoon): We'll take the vote at the end of regular business.

RESPECT FOR MUNICIPALITIES ACT
(CITY OF TORONTO), 2013

LOI DE 2013 SUR LE RESPECT
DES MUNICIPALITÉS
(CITÉ DE TORONTO)

Mr. Marchese moved second reading of the following bill:

Bill 20, An Act respecting the City of Toronto and the Ontario Municipal Board / Projet de loi 20, Loi portant

sur la cité de Toronto et la Commission des affaires municipales de l'Ontario.

The Deputy Speaker (Mr. Bas Balkissoon): Pursuant to standing order 98, you have 12 minutes for your presentation.

Mr. Rosario Marchese: It's a pleasure to speak to this bill, because I think it's a timely one. People have been waiting for this kind of a bill for a long time. I know that many people in Ontario are arguing we should get rid of the Ontario Municipal Board. I would be a proponent of that. If the government were to move such a motion, you would find me supporting it.

That's not what my bill does. What my bill does today—and by the way, it's called An Act respecting the City of Toronto and the Ontario Municipal Board. What it does is to free Toronto from the OMB. It exempts Toronto from the Ontario Municipal Board's oversight. That's what it does, and that's why the people who are in these galleries are here today. I was going to name them all. I won't do that, because it will take too long. I just want to thank them for being here, because these people, these citizens, have been fighting the OMB for a long, long time. Many of them are part of residents' associations, a few of them are architects, and many are just good, strong, active citizens wanting to do the right thing.

What does the OMB do? The Ontario Municipal Board settles land use disputes having to do with minor bylaw changes and/or bigger changes, major rezoning. That's basically what they do.

And who are these people? Well, there are 25 of them, appointed by government, whoever is in government at the time. They are unelected and unaccountable. In my view and in the view of many Torontonians, this is a serious problem.

The OMB is a gladiatorial place. What does it mean? It's about having developers who have a lot of money to hire good planners, good lawyers—great lawyers, that can be paid \$1,000 an hour—versus cash-strapped citizens who, yes, can afford to pay the \$120 fee, which is not the problem, but don't have the money to be able to hire lawyers or the time to be able to defend themselves, and overworked planners. Who do you think is going to win that fight? Which gladiator is going to win that one? I'm not a gambling man. My money's on the developers with the deep pockets. They're the ones who win most of the time.

1540

A paper presented at the Canadian Political Science Association conference in 2009, studying the period of the years 2000 to 2006, found that when developers and the city faced off at the OMB, developers emerged victorious 64% of the time. You get the picture; right? It's the people with money who tend to win. It's just the way the system works. It's not a level playing field. It can never be a level playing field.

My bill would exempt Toronto from the OMB's oversight and it would have the power to establish an appeal body, should the city of Toronto decide to do that.

There was a motion passed at city hall last February and the motion basically says what I am presenting here

today, and that motion to exempt Toronto from the OMB was supported by 34 councillors and opposed by five. That tells you there is strong support at the city level for the city to be able to have the power to be exempted from the OMB.

I know that Minister Murray supports this because I've seen the letter that he sent to the minister. I know there are probably many, many members in the city of Toronto who are likely to support this. This is good. I believe it speaks to the pressure that we've all been getting in the city of Toronto to make sure that the party that should have a say is the city and not some unelected individual that makes choices around development, that makes decisions around development.

I want to quote something from Minister Gerretsen because, in 2005—the bill was actually proclaimed or passed in 2007—they wanted to put power back in the hands of cities, something the Tories love. I'm hoping to hear from them because from the House leader's comments on my bill, I wasn't sure whether you folks might be supporting it, but you fine people love the idea of cities having greater control of their own development, and here's what Mr. Gerretsen said: "We want to put land use planning decisions back where they belong—in the hands of municipal decision makers. We want to give Ontario municipalities more power to determine what is best for their communities." That never happened. It never happened.

What Bill 51 did, which was a good thing, was to do the following: The bill's amendments to the Planning Act stated that the OMB decisions would have regard to municipal decisions and plans. So the government, at the time, felt that if you put in such language, "having regard to," that the people at the Ontario Municipal Board who make those decisions would of course be listening to what the various cities doing planning have to say.

Well, in 2009, the Ontario Divisional Court ruled that "have regard to" basically means nothing. "The OMB only has to provide minimal deference to the municipality," the court ruled—"only minimal deference." It means, "Yes, we heard you, but no, we're not going to listen to you." That's all it means. It means that that individual, unelected and unaccountable, says, "I heard your argument, city of Toronto. I heard the argument of the developers, and I kind of like the developer's point of view." That's basically what it means, and that's basically the way they're ruling.

I want to point out that last January, the OMB cited minimal deference when it ignored the region of Waterloo's growth plan which had been developed in consultation with the community over a decade. Instead of reflecting the community's official plan and desire to reduce urban sprawl, the OMB chose to massively increase the acreage available for development from 197 acres to 2,593 acres. It's nuts. It doesn't make any sense.

The OMB decision relied on growth calculations that assumed the demand for sprawling single-family homes would continue in the future, as it had in the past, as if the Places to Grow Act and the Greenbelt Act didn't

exist. Sprawl in the past compelled the region of Waterloo to accept sprawl forever. Only last week, the OMB approved a high-rise development at 154 Front Street East, right in the area that made up the original old town of York, now the city of Toronto. The approved building was far higher than city planners had recommended. The OMB rejected the recommendations of city planners, city heritage experts and a city design review panel. The OMB ruled that since the city had allowed high-rise buildings nearby in the past, it was obliged to allow another. It doesn't make any sense.

So what you've got is planners spending a whole lot of time talking about what is essential for its city. In this particular instance, you have the city's heritage experts saying, "No, we can't have this extra development," and the city design review panel agreeing with them, and saying, "You can't do that." But the OMB said, "Too bad, so sad." Well, why the heck do we need a planning department? Why don't we just get rid of the planning department of the city of Toronto and anywhere else, for that matter? Because if you take this to the OMB, the OMB will decide whatever they want to do. Again, it is absurd what is going on in relation to the OMB.

I want to cite another example, which is something that my friend Catherine Naismith, who's here—and the letter that was signed by the Architectural Conservancy of Ontario, by Susan Ratcliffe. They're very concerned about protecting the silhouette of this Legislature, and a number of people have been fighting this for quite some time. I had a bill. The previous Speaker was trying to persuade the government to express a provincial interest and did not. So the OMB ruled, on a decision regarding 21 Avenue Road, that it could go ahead with that development, meaning that when you stand on College or Queen, you'll be able to see it. The OMB's ruling means that even though the city of Toronto fought against it and even though they made changes in 2012 to the official plan amendment to protect the full silhouette—even in spite of those changes, they're likely to be taken to the OMB. The point is that it's time to give the city of Toronto the powers it needs and deserves.

They are—how old are they?—129 years old. It's time that they be given the powers that they deserve to be able to do planning on their own without having to be overridden by an institution—

Interruption.

The Deputy Speaker (Mr. Bas Balkissoon): Stop the clock. We always invite people into the chamber to observe what's going on, but I would ask our audience not to participate.

Mr. Rosario Marchese: The buck should stop at the city level. We need to be able to give the city of Toronto the power it needs to be able to plan its own growth.

By the way, I want to say to the member from Mississauga–Streetsville that if Mississauga members were to bring a motion here saying, "We want to be free from the OMB," I would support it as well. And if there is any other city here in Ontario that says, "We want to become part of this bill," and there's a way that I can do that, I

welcome it, because I believe that every city that has a planning department and is willing and ready to be able to do that, I say, God bless. They should have that power.

So if any other member, Conservative or Liberal, wants to bring forth amendments to be able to say, "I want my city to be included," I will support that.

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

Hon. David Zimmer: I'm very happy to speak to this because OMB issues are of huge importance in my riding of Willowdale. Since I was elected in 2003, every week, every Friday when I'm in my constituency office and at other times during the week and in the summer, I receive calls, I do meetings—and I do lots of them on all of the frustrations that the citizens of Willowdale are experiencing with the OMB. So I want to thank the member opposite from Trinity–Spadina for bringing this private member's bill forth. I thank him because the effect of his private member's bill is it's going to cause this chamber—on the Liberal side, the Conservative side and the NDP side—to start thinking seriously about OMB reform.

1550

This morning, I saw a story in the Toronto Star—and I'm going to quote the Minister of Municipal Affairs and Housing, Minister Linda Jeffrey. She said that the minority Liberal government is "keeping an open mind" about the NDP proposal.

Later on, at the end of the article, the article makes this point: "Last year, when she was municipal affairs and housing minister"—referring to then-Minister Wynne, now Premier Wynne. The paper goes on to say, "Premier Kathleen Wynne expressed the need for changes to the OMB." I thank the member for bringing this bill forward because it's going to engender a very serious discussion about OMB reform, and I support OMB reform.

Now, I'm going to make four points here, because there are four issues that everybody has to look at. First of all, whatever we do in this chamber, over 400 other municipalities in Ontario are going to look at it and say, "Ah," and they're going to draw lessons from what we do with respect to the OMB in Toronto. So we have to be mindful of the rest of Ontario.

Number two, if the OMB is just sort of completely abolished—wiped off the board—and the decisions on these planning issues are left to the planning departments and the city council and so on, there's always the question, then, of what does a ratepayer group do if they're unhappy with that decision? Right now they're unhappy with the OMB and they don't want to go there because it's very, very costly. If there's no OMB and they're unhappy with the decision, then their resort is to go through the court system. I just caution people: If you think the OMB is expensive, you ain't seen anything yet until you get into the court system. We're going to have a whole series of issues to deal with there. That's the second point.

The third point is that it's my understanding—and I stand to be corrected on this, but one of the issues in

Toronto, anyway, is that in fact, when push comes to shove and you drill into it, the city of Toronto does not have an official plan. There being no official plan, there's a whole lot of interpretation as to what buildings can go up in what locations and so forth and so on. I think if there was a city of Toronto official plan carved in stone—carved in stone—then the OMB, with respect to Toronto, would have to follow the rules that are clearly in the act that say that the OMB can only interfere with the decision if it's contrary in law to the Planning Act. There being no official plan in Toronto, that's one of the—maybe we should address OMB reform and address the official plan reform with respect to the city of Toronto.

My last point is that, as the member opposite from Trinity–Spadina said, the buck should stop at the city of Toronto. I guess what he means is the buck should stop with the planning department, but absent of an official plan and absent an OMB, people will be driven to the courts. As I've said, if you think the OMB is expensive, wait till you get into the court.

Having said that, thank you for bringing this forward. I look forward to the debate on reforming the OMB.

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

Mr. Rod Jackson: First of all, I'd like to say I appreciate the member from Trinity–Spadina putting this forward. I think it's a really important thing to actually get to talking about. I've actually been speaking about this since my days as a councillor in Barrie, where the OMB has had a dramatic effect on how a city like Barrie's rapid growth has been affected by, really, a board that's unelected and unaccountable, and has constantly, over and over again, overruled duly elected officials in our own city. It is frustrating, and I can tell you first-hand as a councillor how frustrating it is when you have not only a majority vote of a council but actually, in many cases, a unanimous vote of a council—which can be difficult to achieve at times—be overturned by a unelected board, and in almost all cases a faceless board, too. Many of the people who are actually making these decisions never even get to see or face the people who are overturning their decisions. It's patently unfair.

I think we're one of only two provinces in the country that has a board that is equal to the OMB, or whatever it's called in any other province. If they can, in other provinces, do without an OMB and have a good planning resource, then why can't we either?

One thing I do see here that's very positive is, I think, a general recognition from all three parties that there needs to be a critical and important reform of the OMB, at the very least.

Mr. Bill Walker: Not just Toronto.

Mr. Rod Jackson: But, as my colleague from Bruce–Grey–Owen Sound states, not just Toronto; I'll remind everybody, this isn't the province of Toronto; it's the province of Ontario. Although I respect the member's offer to invite all cities to join in his bill, this is something that, I think, needs to enjoy a much greater discussion in the political atmosphere.

We need to talk to municipalities about what they need. We know that many rural municipalities don't have the capacity, or don't have the option or the resources, to have an appeals process for the residents, the little guy who has got a development maybe going in next door to him, or across the road from him, or next to their kid's school.

The OMB does provide an outlet, an opportunity, for them to actually have a say and appeal decisions that are made by their local councils. That, I'm okay with. If that can be embedded within a municipal structure, I think that's probably the best way to go about it. But that requires, I think, a very intense review with all the municipalities in the province of Ontario, not just Toronto. If we start piecemealing this out and taking Toronto out of the OMB, when do we take Barrie out of the OMB, and how does that discussion happen? When does it happen with Owen Sound? When does it happen with Burlington? When does it happen with Oshawa? When does it happen with Ottawa, Kingston and any of these other cities, and how does it happen? Are we going to have an equal playing field with municipalities who don't have all the resources in place that are similar to Toronto or Barrie? It just doesn't work if you don't have a system in place.

That's where I think this bill is a little lacking. Although I do appreciate the spirit of it and actually quite agree with the spirit of it, I think the execution of it needs to be much broader. I look forward to hearing more in the debate, and certainly I look forward to, as the Minister of Aboriginal Affairs mentioned, a really wholesome review. I hope they're serious about that across the floor; that they actually do plan on reviewing the OMB and making sure that there are discussions that happen that are meaningful, that will help cities make good plans for the future and take into account that there are people who are duly elected to make these decisions and know their community better than any unelected official who has never even set foot in that community.

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

Mr. Jonah Schein: I'm pleased to stand and join the debate here. I represent the riding of Davenport, a fine Toronto riding, and I'm really happy to support this bill. For viewers tuning in from home, we're talking about the OMB and, specifically in Toronto today, the impacts here.

I want to congratulate my colleague from Trinity–Spadina, Mr. Marchese, who has been a strong advocate for our city for many years. I also want to recognize folks who've come in to support this and push this issue forward; we can't do this good work without you. The member from Trinity–Spadina can do this work because you've organized and supported it, so thank you very much.

The OMB is a provincial body, a provincial agency. It's responsible for settling land disputes, and I hear quite clearly in my riding of Davenport that constituents are fed up with the OMB. It has not served them very well.

It's clear to me that this is an unaccountable body; it's an outdated body. It's obviously heavily in favour of the wealthiest developers, the people with the deepest pockets, and this is obviously problematic for good public planning in our city.

I heard the comments from the member from Barrie, and I agree: Let's send this to committee and let's ask for a debate and see how this works in other communities as well. I can tell you: From my perspective in our city of Toronto, this makes a lot of sense.

With the OMB, lack of accountability means there's nobody actually elected on this board. Board members are appointed right here from cabinet, and they then stay on [*inaudible*] time, and it means that we don't have the kind of accountability that we'd see if city councillors had an actual say on these issues. Councillors in Toronto have come out strongly in favour of this. They've asked to be freed from the OMB—a vote of 34 to 5 in favour of doing exactly what we've proposed here today—so I think we should listen to them.

1600

I think we have a problem with accountability in this province right now. We have a problem when it comes to casinos in this province right now. I know that people in my community would really like a true consultation on that issue, and they can get that through a referendum, which is something we've been advocating for.

This issue of unaccountable agencies is prevalent, and it's having impacts directly in my community. We have the Ontario Lottery and Gaming Corp., the agency there, and it acts more like an advocate for gambling, in my experience at this point, than a regulator. People in my community of Davenport feel like they're being forced into the idea of having more gambling in downtown Toronto, which feels unacceptable.

We've all seen regulators like the Canadian Nuclear Safety Commission, which is a federal body, but at the same time, it advocates for the nuclear industry, not for safety in our community. As a result, we have uranium processing happening right in our neighbourhood. We've seen these agencies and how unaccountable they are. We have Ornge right here, right?

I think the member from Trinity–Spadina has identified another agency that is not accountable, that's not meeting the needs of our community, and we need to deal with this.

Lastly, I would say, in terms of this basket of agencies that are unaccountable—we have Metrolinx, which has not listened to our constituents in the west end when it comes to electrification of the air-rail link. In fact, we have members on the board there who are now advocating paid lobbyists for casinos in Toronto.

My constituents are saying that we need to do better, we must do better. We need planning that's in the public interest, and this shouldn't be left to just people with the deepest pockets on the OMB. It is not just a Toronto issue. I've been around this province and seen the impacts when it comes to urban sprawl, and we need to deal with this. So we can do better.

I'm going to leave some time for my colleagues who want to speak to this issue.

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

Hon. Yasir Naqvi: I'm very happy to speak on this issue. It's a very important issue for my community in Ottawa, and I have been working along with my community for some time on ways we can reform the OMB, because it is very much needed.

I appreciate the bill from the member for Trinity–Spadina. Obviously it does not do anything for my city, but here are some challenges and I want to suggest how we can improve the OMB process.

The challenge, I think, with Mr. Marchese's bill is that abolition of the OMB does not help, because if there is a decision of city council that has to be challenged, then we are going to the courts. Courts are more expensive, take a longer time, and there is no expertise. By the way, judges are unelected and faceless, and they are appointed as well, so the difference is minimal. That's a significant challenge. Clearly, the status quo does not work. We need to reform the OMB.

As to the local appeal body scenario that the member opposite has suggested, that already exists in the Planning Act. So you really don't need this particular bill, because if the city of Toronto wants to opt out of the OMB and resort to a local appeals board, they have that opportunity to do so right now under the Planning Act.

What I think needs to be done and what I have suggested in my community—we actually held a community summit on this where almost 100 people attended—is that we have to level the playing field within the OMB and we need to create a system that allows for more community-inspired development. So here are my very quick four suggestions—I'm sure there are maybe other ways, but this is what my community and I think is a way to do things.

One, what we need to do is encourage more development of community design plans. Communities spend a lot of time with their municipalities to develop community design plans, or CDPs. I know that has been used in Ottawa quite often. What we need to do, then, is incorporate those CDPs into the official plan of the city, once they are approved by the council, so they become enforceable, as opposed to just an aspirational document. That's number one.

Number two, I think we need to change the appeal mechanism or the way the OMB works today, where it's a hearing from the beginning, more to a process where it's a judicial review, that they can only overturn a municipal council decision if there is an egregious error council has made. That will require the planning department and the councillors to work together to make sure that they come up with coherent decisions as opposed to wink-wink, nudge-nudge political decisions, because they can point to the OMB for overturning, and that happens often, not only in Toronto, not only in Ottawa, but in municipal councils across the province.

The number three thing we need to do is require mandatory mediation at the OMB. It's voluntary medi-

ation right now, and every time there's mediation, the chances are very high that the process results in a win-win solution for the community and for the developer and for the city council, so I think what we need to do is have mandatory mediation within the OMB so that we can make the process less litigious, less adversarial and focus on common solutions.

Lastly, in order to have a level playing field, we need to have legislation that will prevent strategic litigation against public participation. In the last session of Parliament, I tabled an anti-SLAPP bill, Bill 132, and I encourage folks who are here to look at it. That will allow that developers are not using tools to suppress communities when they want to talk about issues that are important.

I'll stop right here, but this is an important issue, and I appreciate the member for bringing the matter forward.

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

Mrs. Jane McKenna: I'm pleased today to rise to speak to the legislation brought forward by the member from Trinity-Spadina, Bill 20, the Respect for Municipalities Act (City of Toronto), 2013.

Earlier this week, the media reported that Toronto's population has just surpassed that of Chicago. We are currently standing in the fourth largest city on the continent. Los Angeles is still a ways off, but our California friend shouldn't get too complacent.

That's just one measure of the energy and vitality we have come to expect of Canada's largest city, and it certainly doesn't come as a surprise. This is a city that punches above its weight, even in a province struggling with enormous challenges. But, of course, Toronto is still a work in progress, and we believe that its best days are ahead of it. The city faces a number of hurdles as it evolves, and they are too numerous to list in my allotted time, as the member from Trinity-Spadina may agree.

But in a broad-brush sense, it's safe to say that development is a key concern. The OMB is a mechanism that's part of the planning arsenal. It's mainly an appeals body for municipal planning decisions. It allows communities to challenge developers' proposals, and it allows developers to challenge municipalities' decisions. But it also allows citizens to appeal a council's decision that they can oppose.

The OMB can rule either way, or it can choose a third path of its own design. That is obviously a lot of power, and, no surprise, it has made the OMB a target for a lot of criticism. Currently, local decisions on a planning matter, including zoning bylaws and development approvals within Toronto's boundaries, can be appealed to the Ontario Municipal Board.

Bill 20 would allow the city of Toronto to assume authority for all of those matters. Instead of the OMB, there would be a local appeals board created with the intention of resolving all planning disputes. The theory is that this would level the playing field and allow the appeal of citizens and city planners to be on the same footing as those of developers. But even if you take cash out of the equation, my guess is that developers are often

the most familiar when it comes to the ins and the outs of planning legislation, regulation and zoning. Maybe you would never arrive at a totally neutral playing field. All things being equal, the system would put power primarily in the hands of seasoned city planners, but reality is rarely that tidy.

There is no doubt that the OMB has its flaws. There is no doubt that it regularly creates considerable friction and frustration for municipalities, developers and residents alike. Incidentally, that is just another reason why the Ontario PCs believe all government agencies, boards and commissions should be reviewed to ensure that all are giving taxpayers value for money. The OMB should be part of this process.

Would Bill 20 solve those headaches or just move them to a new venue? I don't know, Speaker. The bill before us today is definitely a valuable springboard to an important discussion, but province-wide discussions have to precede legislation like this, so regrettably I cannot support this bill.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Beaches-East York.

1610

Mr. Michael Prue: I stand here in support of this bill.

It is no surprise that the city of Toronto has voted 34 to 5 for the abolition of the OMB; it is no surprise that the city of Mississauga has voted unanimously to abolish the OMB, and it will be no surprise to me or any of the members in here that every single town and city above a certain size will vote to follow suit. That's exactly what's going to happen if you allow this bill to go forward. Whether it's Barrie, whether it's Orillia, whether it's Burlington, it's going to happen.

I will tell you that it has been my experience, as a councillor, as a mayor and as an MPP, that this is a board that ought not to be there. I've seen what it has done to destroy communities. I have seen what it did to destroy the Leaside property owners when I was mayor of East York. I have seen what it has done to destroy the people who live on Glen Davis Ravine in Beaches-East York, who now have a bill of about \$100,000 that they're struggling to pay. I have seen what the OMB has done to the people in the Beach, who are struggling to try to find the money and the wherewithal to take on big development money.

I recall the chair of the Ontario Municipal Board, before a committee of this Legislature, coming in and brazenly stating that—she was asked, “What is your mandate?” She stated, “My mandate is to facilitate the development industry in this province.” That's what she said her job was; she believed it with all of her heart. Her job was not to look after communities, it was not to stand up for municipalities; it was to facilitate the development industry, and that's, in fact, what is happening.

I recall that the Legislature debated this whole thing about the OMB in 2005 and we did not do the right things. We had a majority government that saw fit to do other things, such as put in weak words like “have regard to,” which the courts have interpreted exactly as they have. They took away the right of appeal of ordinary

citizens who had not participated up until the time of the OMB hearing. They narrowed the focus on what could be argued by applicants. They allowed greater use of SLAPP, so that citizens could be put in fear. They withdrew ministerial accountability to reverse the OMB, so that the minister and that government today have no authority over an unelected body.

Today, the residents are cowering and they're fighting, and they have rearguard actions.

There are visioning studies in my riding, as well—as the member from Ottawa Centre talked about—but they are ignored. There are planning studies; they are ignored. The costs are prohibitive to ordinary people. The expertise of neighbourhoods and what it's like in their neighbourhood is completely ignored. City council is completely ignored.

Think about the cities in which you live. We're all trying to help them. They are having an equally hard time as we are in balancing the budget. The city of Toronto alone spends millions upon millions of dollars defending its decisions before the OMB each and every year. They have legal counsel, they have planners, they have people that they have to bring in to fight these, and they're not listened to at all, because the OMB is now brazen to the point that they argue minimal deference, and the courts have ruled they don't have to listen to what the elected representatives, the neighbours or anyone except the developers has to say.

I ask the Conservatives to think about what you're doing here today. I have listened intently to the leader of the Conservative Party over these last many months, and he's talking about getting rid of useless boards and commissions. If ever there was a useless board and commission, this is it. If you're not willing to get rid of this useless board and commission, then don't start talking about getting rid of some of the others.

The city knows they can go without it. The city of Mississauga and Hazel McCallion know they don't need it, either. The city of Barrie knows you don't need it. And I will tell you that the citizens of this province know you don't need it, either.

Please, allow this to go to committee; allow it to be heard. Allow your own municipalities to tag along if they want. And please give the authority back to ordinary people. That's where it should be, not in an unelected body.

The Deputy Speaker (Mr. Bas Balkissoon): The Minister of Transportation and Infrastructure.

Hon. Glen R. Murray: First of all, I want to thank my neighbour and my friend, the member for Trinity–Spadina, for bringing this forward.

I just want to say two things. One, I will vote for and enthusiastically support his private member's bill. The second thing I'd like to say is, beyond that, I think significant reform of the OMB of this nature and respecting the city of Toronto to give it this option is really critical, and I look forward to working with you in the coming months as we try to do this. Hopefully, before we all face the electorate again, we will actually have something to show for it.

I also want to thank my Premier. Premier Wynne has asked us, on this side of the House, to be less partisan. She has said in this House many times that private members' business is almost when we're a city council. We set aside our partisan differences. We don't bring political rhetoric; at least we're trying not to on this side. We show each other the kind of respect that those of us in municipal government have shown. I want to thank the member because I listened to his speech and it was non-partisan, it was practical, and it addressed the people's business. My hat is off to you, my friend.

So, you know, I have to tell you, I lived in, as some of you have teased me about, and been the mayor of the city that is the capital city of the next province over. Miraculously, we don't have an OMB. We didn't have an MMB. And the world didn't fall apart. Development happened. Developers were happy. It wasn't anti-development, which is a thing I've said.

“You don't have an OMB?” All of a sudden you're going to kill development and, you know, Communists will take over and will nationalize the banks, or Hugo Chavez will come back to life or something. It is so ridiculous that places like Alberta have perfectly fine development and beautiful cities, and Vancouver, which doesn't have a municipal board like this, is rated one of the most beautiful cities in the world.

When I was mayor, we passed our official plan. I would like to say to my friends at Toronto city council, as the Minister of Aboriginal Affairs would say, can you learn how to pass an official plan? I have to tell you, it's very hard to be a downtown resident when my city council and mayor can't figure out how to pass an official plan. I have 47 condo towers going up, at a level of development—my constituency is at 200% of the intensity targets set out in Places to Grow, 20 years ahead of schedule. A big part of that responsibility is on the shoulders of the city government that isn't doing its job. We don't even have a secondary plan, which is what we used to have. So I want them to actually take that responsibility seriously and not blame us or the OMB.

On the same hand, we have to take responsibility for ourselves here. We would do first reading of our official plan in Winnipeg. We would then send it to the Minister of Municipal Affairs, who would then review it. It would go to cabinet. Commentary would be taken. It would be then amended and sent back to the city. There was a time frame and penalties if the province and the city didn't get the official plan done.

The city council would then debate second reading, make amendments, address the proposed amendment by the province at a macro level, pass second reading and send it back.

If there was an unresolvable issue, it was then referred to that municipal board, which only did hearings of the official plan and major consequential amendments. I think that's how it works in eight out of 10 provinces. It is very simple.

Then the municipality creates its own appeals. Calgary, Winnipeg, Halifax, much smaller but important

capital cities and others all have their own appeals process.

I think we, the folks in Toronto, are as intelligent and as capable as any other group of folks to do that. Developers actually are thriving. The rules are predictable. So the process is that.

I have to tell you, having sat through OMB hearings, it is a machine for consultants to make money. You bill \$500 an hour. Lawyers love it. Planners love it. Architects love it. No one makes more money. I mean, we could save everybody in business all that money and could actually have architects who are designing buildings, planners planning cities, and builders and citizens doing that. I'm tired of my constituents having to give up their Sundays to fight local development. I and my city councillors, Kristyn Wong-Tam and Pam McConnell, have a website called torontocentreplan.org, where we are doing our own 11 community plans together. My constituents have already articulated the kind of view that they want.

To realize Places to Grow, we've got to have not a neutral system but a system that works to align with government policies. You have my support. Thank you for your leadership, my friend from Trinity-Spadina.

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

Mr. John O'Toole: Yes, thank you very much, Mr. Speaker. I'd like to thank the member from Trinity-Spadina. He's a good friend of mine. I think this is a reasonable proposal for discussion during private members' time.

I think it's important to put it in context. We're not talking about the 444 municipalities in the province.

Interjection.

1620

The Deputy Speaker (Mr. Bas Balkissoon): Are you sure? Because I had time left when the member from Burlington spoke.

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): Yes, there were three minutes—that's what I was telling them.

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): Just hang on till we correct it.

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): Okay. You can take about 30 seconds off. He spoke for a while.

Okay. The member from Durham, you can resume.

Mr. John O'Toole: Thank you, Speaker. If you'd like to put four up there, that's fine.

The context of this is that the city of Toronto is no ordinary city. Respectfully, Mr. Marchese represents part of that. The city's 179 years old, and it has a population of 2 million-plus, maybe 2.5 million people, and in fact it's just been determined to be the fourth-largest city in North America. I think it's important to recognize that it's larger than many of the provinces in Canada—many of the eastern provinces and some of the western provinces as well.

Now, a further context to this is that the current government under McGuinty—and I'm not sure if it was the previous speaker—but they did, under the City of Toronto Act, have an opportunity to look at creating some tools for the city of Toronto, but I believe they failed to do so. They were afraid to give the city of Toronto—because then it would be another level of government. You've got the federal, provincial—now there'd be the city of Toronto, which would be, some would argue, its own province. They don't want to give any of the taxing tools away from the important city of Toronto—and too much flexibility.

My only concern with this bill is that this bill—and I have read it—amends almost everything in legislation that affects the city. I think, just in the few minutes—I think I have an extra minute left—the City of Toronto Act is amended; the Condominium Act; the Consolidated Hearings Act; the Development Charges Act; the Funeral, Burial and Cremation Services Act; the Ontario Heritage Act; and the Planning Act itself—all of those are basically repealed. Those are instruments of the province to manage growth and where growth should occur.

I believe that if you fail to have the OMB—what happened before the OMB? These went to litigation in the courts. That's why they brought the OMB in years ago. In fact, in my municipality—I did serve as a councillor and a regional councillor for a few years—I see it as a thorn in the side.

I want to refer to the Minister of Municipal Affairs this morning in the article in the paper. Mrs. Jeffrey said that the Liberal government is keeping its mind open. That's kind of like a pass, in my view.

But I did hear Mr. Murray, who's been a minister and a mayor, and he's got some background—I think it's reasonable advice that he gives the House: This should probably go, under this government, to a further review of the Ontario Municipal Board. I agree with that, fully. I have to put it in the context of a larger reform: Mississauga's opposed to it, and who isn't opposed to it? But do they have the resources to properly manage the rights of applicants to make application for changes or amendments to the official plan?

In that context, this is an important discussion. In fact, today I would say that, in fairness, we've had three very strong private members' bills. What's important here, too, is how members are whipped to vote. I see almost every NDP member here; they've been whipped. I can put to you that it'll probably be a recorded vote. I'm very interested in how the Liberals will vote on it, to be honest. I think it's important to take the politics out of it—

The Deputy Speaker (Mr. Bas Balkissoon): Thank you.

Mr. John O'Toole: —and I will say to you, let's go on and get on with business. This needs to be reformed.

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

Ms. Cheri DiNovo: Thank you, Mr. Speaker. It's an absolute pleasure and privilege to speak in favour of the member from Trinity–Spadina's bill—long overdue. I remember when I was first elected about six and a half years ago, I brought in a bill that was very similar on behalf of Active 18—

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): Order, please.

Ms. Cheri DiNovo: —which was from the great riding of Davenport. It wasn't even my own riding. But in those days, Mr. Speaker, Davenport didn't have such enlightened leadership so we in the New Democratic Party had to step in and defend them in front of the OMB and the government, which we did, and we called, then, for reform of the OMB.

So 10 years, we've had our friends across the aisle. Ten years—we need reform of the OMB now. I would suggest to everyone here, your good suggestions—there are some good suggestions—bring them to the committee. Put them forward as amendments. That's how the House is structured.

I appreciate the support, because I've been to the OMB too many times with community groups. You have a community group that took a day off work with absolutely no resources and no lawyer up against developers with lawyers and planners at their beck and call who are paid to be there. This is not a fair fight. Not only that, but to make it worse, then you get SLAPP suits. Then you get the developers going after people who have cost them money to even appear at the OMB. Even if you win, even if you lose, you're not safe as a community group in front of the Ontario Municipal Board.

So, absolutely, whether it's abolished or whether it's reformed, certainly, at the very least, this bill needs to pass. At the very least, we need to get it out of Toronto. Toronto has its own planning board, has its own appeal process. Why should we be spending hard-earned dollars to go up to the OMB when we've already made informed decisions at the city level?

Again, all of us have been in this position of defending our groups in our communities against large forces before a dysfunctional tribunal at the Ontario Municipal Board. It's time. It's been 10 years of Liberal rule, 10 years to get things done. We need it done now. It's been six years of bills like this being brought forward to reform the OMB. We need to come together, vote for it, pass the member from Trinity–Spadina's bill, and let's get on with having a vibrant, better, not ordinary city of Toronto, but an extraordinary city of Toronto.

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): Order, please. I know members are all strolling back into the chamber, but as you do, there are about 20 conversations—

Mr. Mike Colle: Throw them all out.

The Deputy Speaker (Mr. Bas Balkissoon): I would ask you to try and give the Speaker a little bit of respect.

The member for Trinity–Spadina, you have two minutes to respond.

Mr. Rosario Marchese: Two minutes plus, Speaker. The clock was running, remember?

The Deputy Speaker (Mr. Bas Balkissoon): And 12 seconds.

Mr. Rosario Marchese: All right.

I just want to say I appreciate the comments made by the Minister of Transportation, because I thought he was dead-on, and he was speaking to my bill, in fact.

I want to say to the other two ministers: They were arguing in a way that doesn't support my bill. I believe that we can reform the OMB and it should be reformed. My sense is most Liberals don't want to abolish it the way the member from Eglinton–Lawrence wanted to, but reform must happen—

Mr. Mike Colle: That's right; they voted against it when I put it forward.

Mr. Rosario Marchese: Michael, please.

Reform must happen. It is not incompatible with my bill. My bill says Toronto wants to be free of the OMB. They want to be exempt from the oversight of the OMB. These two issues are not incompatible.

The city of Toronto is unique; it has its own act. You gave them fiscal powers to be able to tax whatever the heck they wanted. They are able to do whatever they believe they should be doing, and having planning powers is something that I believe we should give the city of Toronto, if that's what they want. And that's what they want. If Mississauga wants to have the same power, I say, God bless. Let's do it right away. If Ottawa wants to do it, I say, God bless. Let's do it right away. If all of the major cities in Ontario want this, I think that's okay.

At the same time, let's reform the OMB, which is what the Premier wants, which is what she wanted to do when she was a minister, and nothing has happened. Charles Sousa was saying just about six months ago that whatever changes you were expecting to happen at the OMB, they're coming today. They're not coming. They're still not coming.

The city of Toronto is 179 years old. It is an adult. It is mature. The time has come for the city of Toronto to be able to govern itself over planning. They do have an official plan, in spite of what the Minister of Aboriginal Affairs was saying earlier. They want to be able to be in charge of that official plan. Let's do it.

The Deputy Speaker (Mr. Bas Balkissoon): The time for private members' public business has expired.

GASOLINE TAX FAIRNESS FOR ALL ACT, 2013

LOI DE 2013 SUR L'ÉQUITÉ POUR TOUS À L'ÉGARD DE LA TAXE SUR L'ESSENCE

The Deputy Speaker (Mr. Bas Balkissoon): We will deal first with ballot item number 4, standing in the name of Mr. Yakabuski. Is it the pleasure of the House that the motion carry? I heard some nos.

All those in favour of the motion will please say “aye.”

All those opposed to the motion will please say “nay.”

In my opinion, the ayes have it.

We will deal with the vote at the end of regular business.

LEGISLATIVE ASSEMBLY
AMENDMENT ACT, 2013

LOI DE 2013 MODIFIANT LA LOI
SUR L'ASSEMBLÉE LÉGISLATIVE

The Deputy Speaker (Mr. Bas Balkissoon): Ms. Fife has moved second reading of Bill 24. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say “aye.”

All those opposed to the motion will please say “nay.”

I believe the ayes have it.

We'll take the vote at the end of regular business.

RESPECT FOR MUNICIPALITIES ACT
(CITY OF TORONTO), 2013

LOI DE 2013 SUR LE RESPECT
DES MUNICIPALITÉS
(CITÉ DE TORONTO)

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Marchese has moved second reading of Bill 20. Is it the pleasure of the House that the motion carry? I heard some nos.

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

All those opposed to the motion, please say “nay.”

I believe the ayes have it.

Mr. John Yakabuski: On division.

The Deputy Speaker (Mr. Bas Balkissoon): Okay, we'll take the vote. Let's go back to the beginning.

The Deputy Clerk (Mr. Todd Decker): Second reading.

The Deputy Speaker (Mr. Bas Balkissoon): Carried on division. Okay.

Second reading agreed to.

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Marchese?

Mr. Rosario Marchese: The finance committee.

The Deputy Speaker (Mr. Bas Balkissoon): The member has requested that the bill be referred to the finance committee. Agreed? Agreed.

Call in the members. There will be a five-minute bell.

The division bells rang from 1631 to 1636.

The Deputy Speaker (Mr. Bas Balkissoon): Can members please take their seats.

Since we have all of the members in the House—or I should say the majority of the members in the House—I would ask you to indulge with me in thanking the pages, because today is their last day.

Applause.

GASOLINE TAX FAIRNESS
FOR ALL ACT, 2013

LOI DE 2013 SUR L'ÉQUITÉ POUR TOUS
À L'ÉGARD DE LA TAXE SUR L'ESSENCE

The Deputy Speaker (Mr. Bas Balkissoon): We'll take the vote on Mr. Yakabuski's bill. Mr. Yakabuski has moved second reading of Bill 3. All those in favour, please rise and remain standing.

Ayes

Bailey, Robert	Leone, Rob	Ouellette, Jerry J.
Barrett, Toby	MacLaren, Jack	Pettapiece, Randy
Bisson, Gilles	MacLeod, Lisa	Scott, Laurie
Campbell, Sarah	Mantha, Michael	Shurman, Peter
Chudleigh, Ted	McDonell, Jim	Smith, Todd
Clark, Steve	McKenna, Jane	Taylor, Monique
Elliott, Christine	McNaughton, Monte	Thompson, Lisa M.
Fedeli, Victor	Miller, Norm	Vanhof, John
Gélinas, France	Miller, Paul	Walker, Bill
Hardeman, Ernie	Milligan, Rob E.	Wilson, Jim
Harris, Michael	Munro, Julia	Yakabuski, John
Jackson, Rod	Natyshak, Taras	Yurek, Jeff
Jones, Sylvia	Nicholls, Rick	
Klees, Frank	O'Toole, John	

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise and remain standing.

Nays

Albanese, Laura	Duguid, Brad	Moridi, Reza
Berardinetti, Lorenzo	Flynn, Kevin Daniel	Murray, Glen R.
Cansfield, Donna H.	Jaczek, Helena	Naqvi, Yasir
Chan, Michael	Jeffrey, Linda	Piruzza, Teresa
Chiarelli, Bob	MacCharles, Tracy	Qaadri, Shafiq
Colle, Mike	Matthews, Deborah	Wong, Soo
Coteau, Michael	McMeekin, Ted	Zimmer, David
Del Duca, Steven	McNeely, Phil	
Delaney, Bob	Milloy, John	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 40; the nays are 25.

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

Second reading agreed to.

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): Order. Please sit down.

Mr. Yakabuski?

Mr. John Yakabuski: I would ask that the bill be sent—

Mr. Jim Wilson: Government agencies.

Mr. John Yakabuski: I ask that the bill be referred to the committee on government agencies, please.

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Yakabuski has requested that the bill be referred to government agencies. Agreed? Agreed.

Please open the doors for 30 seconds, and we'll take the next vote.

LEGISLATIVE ASSEMBLY
AMENDMENT ACT, 2013

LOI DE 2013 MODIFIANT LA LOI
SUR L'ASSEMBLÉE LÉGISLATIVE

The Deputy Speaker (Mr. Bas Balkissoon): Ms. Fife has moved second reading of Bill 24. All those in favour, please stand and remain standing.

Ayes

Albanese, Laura	Gélinas, France	Murray, Glen R.
Armstrong, Teresa J.	Horwath, Andrea	Naqvi, Yasir
Bailey, Robert	Jaczek, Helena	Natyshak, Taras
Berardinetti, Lorenzo	Jeffrey, Linda	Nicholls, Rick
Bisson, Gilles	Klees, Frank	Pettapiece, Randy
Campbell, Sarah	MacCharles, Tracy	Piruzza, Teresa
Cansfield, Donna H.	Mantha, Michael	Prue, Michael
Chan, Michael	Marchese, Rosario	Qaadri, Shafiq
Chiarelli, Bob	Matthews, Deborah	Schein, Jonah
Colle, Mike	McDonnell, Jim	Singh, Jagmeet
Coteau, Michael	McKenna, Jane	Tabuns, Peter
Del Duca, Steven	McMeekin, Ted	Taylor, Monique
DiNovo, Cheri	McNaughton, Monte	Vanthof, John
Duguid, Brad	McNeely, Phil	Wong, Soo
Fife, Catherine	Miller, Norm	Yurek, Jeff
Flynn, Kevin Daniel	Miller, Paul	Zimmer, David
Forster, Cindy	Milloy, John	

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise and remain standing.

Nays

Barrett, Toby	Jackson, Rod	Ouellette, Jerry J.
Chudleigh, Ted	Jones, Sylvia	Scott, Laurie
Delaney, Bob	Leone, Rob	Shurman, Peter
Dickson, Joe	MacLaren, Jack	Smith, Todd
Elliott, Christine	Milligan, Rob E.	Thompson, Lisa M.
Fedeli, Victor	Moridi, Reza	Walker, Bill
Hardeman, Ernie	Munro, Julia	Wilson, Jim
Harris, Michael	O'Toole, John	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 50; the nays are 23.

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

Second reading agreed to.

The Deputy Speaker (Mr. Bas Balkissoon): Ms. Fife.

Ms. Catherine Fife: Mr. Speaker, I wish to refer Bill 24 to the Standing Committee on Finance.

The Deputy Speaker (Mr. Bas Balkissoon): The member has requested that it be referred to the Standing Committee on Finance. Agreed? Agreed.

The time for private members' public business is finished. Orders of the day.

Hon. John Milloy: Mr. Speaker, I move adjournment of the House.

The Deputy Speaker (Mr. Bas Balkissoon): The government House leader has moved adjournment of the House. Is it the pleasure of the House that it be adjourned? Agreed? Agreed.

This House stands adjourned until Monday at 10:30 a.m.

Interjections: No.

The Deputy Speaker (Mr. Bas Balkissoon): Oh, the following week. What's the date?

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): March 11.

Interjections: March 18.

The Deputy Speaker (Mr. Bas Balkissoon): March 18.

The House adjourned at 1646.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Dave Levac

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Tonia Grannum, Trevor Day, Anne Stokes

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Armstrong, Teresa J. (NDP)	London–Fanshawe	
Arnott, Ted (PC)	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Rick (LIB)	Sudbury	
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough–Sud-Ouest	
Best, Margaret R. (LIB)	Scarborough–Guildwood	
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	House Leader, Recognized Party / Leader parlementaire de parti reconnu
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of the Environment / Ministre de l'Environnement Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Brotten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Campbell, Sarah (NDP)	Kenora–Rainy River	
Cansfield, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Tourism, Culture and Sport / Ministre du Tourisme, de la Culture et du Sport Minister Responsible for the 2015 Pan and Parapan American Games / Ministre responsable des Jeux panaméricains et parapanaméricains de 2015
Chiarelli, Hon. / L'hon. Bob (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Energy / Ministre de l'Énergie
Chudleigh, Ted (PC)	Halton	
Clark, Steve (PC)	Leeds–Grenville	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Colle, Mike (LIB)	Eglinton–Lawrence	
Coteau, Hon. / L'hon. Michael (LIB)	Don Valley East / Don Valley-Est	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Crack, Grant (LIB)	Glengarry–Prescott–Russell	
Craitor, Kim (LIB)	Niagara Falls	
Damerla, Dipika (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	
Del Duca, Steven (LIB)	Vaughan	
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Fedeli, Victor (PC)	Nipissing	
Fife, Catherine (NDP)	Kitchener–Waterloo	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB)	Oakville	
Forster, Cindy (NDP)	Welland	Deputy House Leader, Recognized Party / Leader parlementaire adjointe de parti reconnu
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Attorney General / Procureur général
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Hardeman, Ernie (PC)	Oxford	
Harris, Michael (PC)	Kitchener–Conestoga	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Hon. / L'hon. Eric (LIB)	St. Paul's	Minister of Economic Development, Trade and Employment / Ministre du Développement économique, du Commerce et de l'Emploi
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jackson, Rod (PC)	Barrie	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Hon. / L'hon. Linda (LIB)	Brampton–Springdale	Chair of Cabinet / Présidente du Conseil des ministres Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Leal, Hon. / L'hon. Jeff (LIB)	Peterborough	Minister of Rural Affairs / Ministre des Affaires rurales
Leone, Rob (PC)	Cambridge	
Levac, Hon. / L'hon. Dave (LIB)	Brant	Speaker / Président de l'Assemblée législative
MacCharles, Hon. / L'hon. Tracy (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	Minister of Consumer Services / Ministre des Services aux consommateurs
MacLaren, Jack (PC)	Carleton–Mississippi Mills	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Mantha, Michael (NDP)	Algoma–Manitoulin	
Marchese, Rosario (NDP)	Trinity–Spadina	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London-Centre-Nord	Deputy Premier / Vice-première ministre Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
McDonell, Jim (PC)	Stormont–Dundas–South Glengarry	
McGuinty, Dalton (LIB)	Ottawa South / Ottawa-Sud	
McKenna, Jane (PC)	Burlington	
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough–Westdale	Minister of Community and Social Services / Ministre des Services sociaux et communautaires
McNaughton, Monte (PC)	Lambton–Kent–Middlesex	
McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
Milligan, Rob E. (PC)	Northumberland–Quinte West	
Millroy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister Without Portfolio / Ministre sans portefeuille Government House Leader / Leader parlementaire du gouvernement

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Moridi, Hon. / L'hon. Reza (LIB)	Richmond Hill	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Munro, Julia (PC)	York–Simcoe	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du comité plénier de l'Assemblée législative
Murray, Hon. / L'hon. Glen R. (LIB)	Toronto Centre / Toronto-Centre	Minister of Infrastructure / Ministre de l'Infrastructure Minister of Transportation / Ministre des Transports
Naqvi, Hon. / L'hon. Yasir (LIB)	Ottawa Centre / Ottawa-Centre	Minister of Labour / Ministre du Travail
Natyshak, Taras (NDP)	Essex	
Nicholls, Rick (PC)	Chatham–Kent–Essex	
O'Toole, John (PC)	Durham	
Oraziotti, Hon. / L'hon. David (LIB)	Sault Ste. Marie	Minister of Natural Resources / Ministre des Richesses naturelles
Ouellette, Jerry J. (PC)	Oshawa	
Pettapiece, Randy (PC)	Perth–Wellington	
Piruzza, Hon. / L'hon. Teresa (LIB)	Windsor West / Windsor-Ouest	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse
Prue, Michael (NDP)	Beaches–East York	
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Sandals, Hon. / L'hon. Liz (LIB)	Guelph	Minister of Education / Ministre de l'Éducation
Schein, Jonah (NDP)	Davenport	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Hon. / L'hon. Mario (LIB)	York West / York-Ouest	Minister Responsible for Seniors / Ministre délégué aux Affaires des personnes âgées Minister Without Portfolio / Ministre sans portefeuille
Shurman, Peter (PC)	Thornhill	
Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	
Smith, Todd (PC)	Prince Edward–Hastings	
Sousa, Hon. / L'hon. Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Finance / Ministre des Finances
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Government Services / Ministre des Services gouvernementaux
Taylor, Monique (NDP)	Hamilton Mountain	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Agriculture and Food / Ministre de l'Agriculture et de l'Alimentation Premier / Première ministre Leader, Government / Chef du gouvernement Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Yurek, Jeff (PC)	Elgin–Middlesex–London	
Zimmer, Hon. / L'hon. David (LIB)	Willowdale	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Vacant	London West / London-Ouest	
Vacant	Windsor–Tecumseh	

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

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Michael Prue
Vice-Chair / Vice-président: Taras Natyshak
Grant Crack, Kim Craitor
Vic Dhillon, Michael Harris
Rob Leone, Bill Mauro
Taras Natyshak, Taras Natyshak
Rick Nicholls, Michael Prue
Committee Clerk / Greffier: Katch Koch

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

Chair / Président: Vacant
Dipika Damerla, Steven Del Duca
Victor Fedeli, Catherine Fife
Kevin Daniel Flynn, Monte McNaughton
Michael Prue, Peter Shurman
Soo Wong
Committee Clerk / Greffier: Katch Koch

Standing Committee on General Government / Comité permanent des affaires gouvernementales

Chair / Président: Bas Balkissoon
Vice-Chair / Vice-présidente: Donna H. Cansfield
Bas Balkissoon, Rick Bartolucci
Sarah Campbell, Donna H. Cansfield
Mike Colle, Rosario Marchese
Laurie Scott, Todd Smith
Jeff Yurek
Committee Clerk / Greffier: Trevor Day (pro tem.)

Standing Committee on Government Agencies / Comité permanent des organismes gouvernementaux

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Joe Dickson
Laura Albanese, Lorenzo Berardinetti
Joe Dickson, Jim McDonell
Phil McNeely, Paul Miller
Randy Pettapiece, Monique Taylor
Lisa M. Thompson
Committee Clerk / Greffière: Anne Stokes

Standing Committee on Justice Policy / Comité permanent de la justice

Chair / Président: Shafiq Qaadri
Vice-Chair / Vice-présidente: Laura Albanese
Laura Albanese, Teresa J. Armstrong
Steven Del Duca, Bob Delaney
Frank Klees, Jack MacLaren
Rob E. Milligan, Shafiq Qaadri
Jonah Schein
Committee Clerk / Greffière: Tamara Pomanski

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

Chair / Président: Garfield Dunlop
Vice-Chair / Vice-présidente: Lisa MacLeod
Bas Balkissoon, Gilles Bisson
Steve Clark, Mike Colle
Garfield Dunlop, Kevin Daniel Flynn
Cindy Forster, Lisa MacLeod
Bill Mauro
Committee Clerk / Greffier: Trevor Day

Standing Committee on Public Accounts / Comité permanent des comptes publics

Chair / Président: Norm Miller
Vice-Chair / Vice-président: Toby Barrett
Toby Barrett, Dipika Damerla
France Gélinas, Helena Jaczek
Phil McNeely, Norm Miller
Jerry J. Ouellette, Shafiq Qaadri
Jagmeet Singh
Committee Clerk / Greffier: William Short

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

Chair / Président: Peter Tabuns
Vice-Chair / Vice-président: John Vanthof
Margaret R. Best, Vic Dhillon
Joe Dickson, Randy Hillier
Rod Jackson, Monte Kwinter
Peter Tabuns, John Vanthof
Bill Walker
Committee Clerk / Greffière: Tamara Pomanski

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

Chair / Président: Ernie Hardeman
Vice-Chair / Vice-président: Ted Chudleigh
Lorenzo Berardinetti, Margaret R. Best
Ted Chudleigh, Cheri DiNovo
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Second reading agreed to502

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Second reading agreed to502

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