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**Official Report  
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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 6 June 2013**

**Jeudi 6 juin 2013**

Speaker  
Honourable Dave Levac

Président  
L'honorable Dave Levac

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

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ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 6 juin 2013

*The House met at 0900.*

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

*Prayers.*

ORDERS OF THE DAY

STRONGER PROTECTION  
FOR ONTARIO CONSUMERS ACT, 2013  
LOI DE 2013 RENFORÇANT  
LA PROTECTION  
DU CONSOMMATEUR ONTARIEN

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

Bill 55, An Act to amend the Collection Agencies Act, the Consumer Protection Act, 2002 and the Real Estate and Business Brokers Act, 2002 and to make consequential amendments to other Acts / Projet de loi 55, Loi modifiant la Loi sur les agences de recouvrement, la Loi de 2002 sur la protection du consommateur et la Loi de 2002 sur le courtage commercial et immobilier et apportant des modifications corrélatives à d'autres lois.

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

**Mr. Michael Mantha:** Good morning, Mr. Speaker, and thank you, Eric, for always serving us so well with this wonderful Toronto water. Speaking about water—

**Mr. Rick Bartolucci:** Are you sure it's Toronto water?

**Mr. Michael Mantha:** Well, I hope so. We're down in Toronto.

Speaking about water, Mr. Speaker, I want to share this nice little story with you. Over the course of the weekend, as many of us in this House did, we went out to some of our Legion events for Decoration Day. I've had some misfortunes lately when it comes to certain personal incidents that have happened with my vehicle—anyway, I'll get into that.

I was on my way—I was leaving home after a Sunday morning with my family at home—and I go driving in to Mindemoya for a Legion event. On my way there, the water pump blew on my car. That wasn't the greatest thing. When I got to the event, I had a nice little chat with the people who were there, and as I was talking to them, I told them how I've made a great relationship lately with this fantastic woman. She is so great. She's been listening to every one of my prayers and listening to a lot of my comments.

As it turned out, this wonderful woman is Mother Nature. Mother Nature has helped me out, indeed, with a

couple of problems that I've had in Algoma–Manitoulin recently, and one of them is the high water levels in the northern part of my riding. I've asked her to lower those water levels in order to let traffic go through, in order for kids to go to school and in order for people to get to work. At the same time, I've asked her to indulge me by raising the water levels in the southern part of my riding of Algoma–Manitoulin, so that the Chi-Cheemaun can sail.

I have to say, she has been very receptive, so I'm very happy to have this nice Toronto water. But the one thing I didn't cover with her is the fact that we didn't deal with the water pump on my car. I'll have to talk to her a little more closely next time.

**Interjection:** Mother Nature doesn't cover Chevs.

**Mr. Michael Mantha:** Yes, Mother Nature doesn't cover Chevs.

Anyway, I stand here in my place and speak on behalf of people in Algoma–Manitoulin, and it is my pleasure to add my words to Bill 55. I'm going to try to cover all of it in the very limited time I have this morning.

I want to put a lot of emphasis, in my presentation this morning, in regard to schedule 2, along with schedule 1. They are the most predominant ones that really affect people in Algoma–Manitoulin—not to say that schedule 3 doesn't; it does as well. However, with the work my constituency staff and my Queen's Park staff deal with, those are the issues they hear the most throughout the riding and through the calls that we receive from individuals.

I have to say that I'm very fortunate to have some very good staff, as much as everybody else here at Queen's Park; I mentioned it yesterday. Something that we should all do once in a while is really speak to how we appreciate the work they do for us back home, because they are the faces of ourselves, and they do represent us very well and the work that they do is amazing work.

You know, this bill is good in many ways; however, it lacks in many others. It's a step in the right direction. However, that step can be much greater, and there's a lot more that we can do in order to assist with consumer protection. When you're looking at an individual who is struggling at times, and I have to say, some of these individuals—and I don't want to paint everybody with the same paintbrush. Some of these salespersons, when they come into our communities, they come in—it's their first job, and a new job for them. The problem is how they've been trained; it's how they've been instructed; it's how they've been told to target particular individuals, and when they do get to those doors, they have that uncanny

ability to pick up on certain signs: one of them, desperation; another one is seclusion. Another one is regarding—a lot of our seniors are being affected this way as well. That's where I have a lot of problems, in particular, with the lack of some of the efforts that have been put into this bill. Hopefully, once we get it to committee, we'll be able to strengthen it that much more so we can bring a lot of, as I would say, the meat and potatoes to this particular bill.

There are so many organizations out there, and I just want to try to focus a little bit, for this couple of minutes, on seniors. Seniors are very much excited about the access that we have to the Internet, and I'll tell you why: because it gives them the opportunity to communicate in a different way in talking to their kids. But in talking to their kids, it also gives them a different way of accessing information. It is through accessing that information that these individuals are being taken advantage of as well, and it doesn't speak to this in this bill.

There are many seniors out there that are frail, that are disabled, and there are programs out there that they can apply to in order to get the disability tax credit. It's a federal tax credit that you can apply for at the end of the year. However, there are organizations out there that actually prey on those seniors, and they prey on them to apply for their particular disability tax credit so they can fill out the forms for them. Well, if those seniors don't know that—that this is a very standardized form, that you just basically fill out your address, bring it in to your doctor and get it filled out and if you're eligible for that disability tax credit, you get it and then you can actually antedate it for the prior 10 years, depending on where you had your disability. You can stand to get a great amount of money in credit. But there are companies out there that are actually taking advantage of those seniors by getting them to sign on with them and saying, "Listen, we're going to promise to get you everything that you're rightfully entitled to. However, it's going to cost you" A, B and C. If seniors don't know about those programs, if there are communities that don't have the senior advocacy individuals to represent them in their communities, they're being taken advantage of.

There's also a situation—I'm a statistic of the forest industry and how it has been affected. There are a lot of individuals, personal friends of mine, who were very much taken advantage of by credit collectors and people who had promised them, "Listen, give us this large amount of money or give us two easy payments of \$200 or \$300, and at the end of your debt, we'll identify your debt and we'll be able to reduce it quite significantly." Well, when it sounds good, and if it is too good to be true, most times it is. That's what happened with these individuals: They have now been put into a position where they're in greater debt, have greater problems. That is totally unfair. These individuals, with all their hearts, are trying to provide for their families, but because of tough economic times, they have been taken advantage of. It is unfortunate that that is what's happening.

I don't want to paint the entire industry with the same paintbrush, but those are the facts. That's what's happening: These businesses or organizations are targeting particular areas that are struggling. Whether it's targeting communities that have high senior populations or targeting communities that are a one-industry town where they can come in and make promises of eliminating debt, it is happening, and we need to deal with that. I would like to see much stronger language in here with regard to dealing with that.

**0910**

Also, I had a personal situation with one of the hydro sellers. They came to the front door. My wife dealt with it. We were successful in getting out of our contract, but others aren't as fortunate. When you set your mind to getting something done, you do it.

I can't believe my time's already gone, Mr. Speaker. You just get so frustrated when you see individuals who are suffering and are being affected by others who are trying to take advantage of a particular situation. It is extremely frustrating for individuals.

Also, something that I touched on yesterday is that those individuals—once you are taken advantage of, once you sign on that dotted line, once you actually commit to these contracts, it's very difficult for people to get out of it. It's one thing dealing with the company that you're trying to get out of, but it's the embarrassment that you have to face your family or your kids, and you have to tell them that mom or dad—"I got caught up in this." Then you have the fights: "Why did you do that, Mom?" or "Why did you do that, Dad? You should have known better."

Well, you didn't, because these individuals are trained with the equipment. They come to your door, and they have stacks of papers and binders and statistics. They also come in: "Well, there's been a building code change your municipality is endorsing, and here's a letter from your community." It is very difficult for these seniors to say, "Oh, this is a bad idea," or, "Who do I call?" because by the time they walk to your door, they will not leave until you commit to signing that contract.

Those are the things that are actually happening day to day. We really need to deal with those situations, Mr. Speaker.

I firmly look forward to having the discussions that we're going to have on this over at committee. I hope that we can develop some type of—particularly toward our seniors—advocacy group and identify these groups within our communities to help them.

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

**Hon. Mario Sergio:** I've been listening to the member from Algoma-Manitoulin and his presentation on this particular piece of legislation. I have to say that I was very pleased to hear the comments, especially on two particular areas, two aspects, of the bill. He has mentioned that he needs to make it even stronger than what the bill represents at the moment, and also he talks very well with respect to seniors, which is a weak spot for me out there.

I have to compliment the Minister of Consumer Services for having the foresight and for bringing this bill quickly to the Legislature. I do hope that this bill can travel quickly to committee, where indeed we'll be receiving due consultation, and come back to this House as quickly as possible—I hope, stronger. I think our people need all the protection they can get, especially from abuse and schemes that, unfortunately, are out there.

If the bill will come back and go through, some of the major points include that the bill requires plain language and disclosure for consumer rights; prohibits delivery during the first 20 days, which is a cooling-off period; provides stronger consumer remedies when these rules are breached; and requires mandatory recorded verification of key terms of the contract.

They are all good recommendations, and I hope indeed that the bill will be receiving a good amount of consultation from the various individual organizations, agencies and stakeholders, and indeed come back to this House a better bill so we can offer better protection and more protection for our people.

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

**Mr. John O'Toole:** I enjoy listening to the member from Algoma-Manitoulin because he does put things in real terms and real life.

I'd recommend you get a General Motors car. They're actually very reliable, with great warranty programs. Don't bother spending any more money on the water pump. The car must be old enough as it is.

I think you also make a very good point on the bill. When I looked at the bill—and I did speak yesterday for a few moments—specifically under the debt settlement, some of it, quite honestly, has to go to committee. If you look at the bill itself, it actually provides that you can go to a payday house, and it gives you a 10-day cooling-off period. Well, you've already spent the money, and the reason you're there is that you have no money, so it's like trying to get blood from a stone.

I think there are some disclosure requirements there. Plain-language contracts are important for people who are under stress or pressure, so I commend you for giving voice to the people who aren't very, very able to take care of things like that.

Also, it says in that particular section—there are three sections, but that one there probably gets the most media attention generally, because they are preying, to some extent, on vulnerable people. To see one of these gaming casino places is absolutely criminal in terms of taking advantage of vulnerable people.

I think that the other part, too—it says in the bill that they have up to one year to cancel the contract; up to one year if they haven't received a copy of the contract. A lot of these people just run in, grab the money and right back to the casino or something. I don't know.

It's a feel-good bill. We would be supportive of it going to further hearings, to get to the root cause of some of these issues on these retailers, on home heaters and stuff like that. But I appreciate your comments this morning.

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

**Mr. Jonah Schein:** I'm pleased to join the debate on Bill 55. Welcome, guests, to the gallery; I'll explain to you, because you just got here, what we're talking about. This is a government-introduced bill; it's called Bill 55. It's the Stronger Protection for Ontario Consumers Act. The idea of the bill is to try to strengthen our rights as people who buy things, understanding that a lot of companies out there have a lot of resources to make a lot of fine print that's hard for most of us, when we're buying something, to understand that fine print. In that process, people are being ripped off.

So this is a good—the intention of this bill is good. I think we should send it to committee to debate more. I think it's a very limited bill in scope. I really appreciate the comments of my colleague from Algoma-Manitoulin. I know that the member formerly was a constituent worker and that he knows this stuff inside and out. In fact, his office, my office, all of our offices do a lot of this consumer advocacy from our office spaces, but there are only 107 of us across the province, and the fact is that there's far greater need for consumer advocacy. So one of the things we've proposed is actually having a designated consumer advocate, somebody who can stand up and help people.

I know that in my riding—my riding is called Davenport; it's a Toronto riding—we have a lot of people who have language barriers; a lot of people who are new to the country, people who are Spanish-speaking, Portuguese-speaking, Italian-speaking, Vietnamese-speaking. For those folks, the small print is even that much more difficult, and a consumer advocate that could help people in a language specific to their own language would be very, very helpful. That's something that I would suggest when we bring this bill forward into committee. Again, a small step; there's far more that we need to do but I'm glad that we're actually talking about this here today.

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

**Hon. Jeff Leal:** I'm glad I was here this morning to listen to the remarks from my colleague the member from Algoma-Manitoulin. About a week ago, I dropped by the Kawartha Dairy depot in Peterborough; it's on Lansdowne Street. It was very interesting; I looked at one of their shelves and it was full of agricultural products from Manitoulin Island, particularly great jams and marmalade. It was great to see that product and buy it that evening because I wanted to get an ice cream cone at Kawartha Dairy. But I just want to tell the member that great products from his riding are arriving in Peterborough. I certainly encourage my fellow citizens in Peterborough to acquire those great agricultural products from Manitoulin Island. They're very good.

I want to get back to Bill 55 here this morning. It's interesting, of course. Elliot Lake, in the member's riding, has become a seniors' community. It was once the hub of uranium mining in Ontario in the 1950s, 1960s, 1970s and 1980s, and then that came to pass. They recon-

figured Elliot Lake to become a retirement community where many people from around Canada, of course, arrive in Elliot Lake and take advantage of what is a very nice place to be.

So in that context of Bill 55, particularly seniors—and I previously talked about seniors, of course. These fast-talking people come to their doors. They've got a contract that's the greatest thing since sliced bread. "Sign on the dotted line; you get this water heater for next to nothing. It costs you nothing over 10, 15 years," and you know that's not the case. Of course, on those contracts, they have a 1-800 number; it says 1-800 number, call Timbuktu. You try to reach 1-800 Timbuktu; you never find anybody there, so you can't cancel this contract.

**0920**

The member is right. We've got to get this bill to committee. Obviously, there will be some amendments to it to make it a stronger bill, particularly for our seniors in Ontario who deserve this kind of protection.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Algoma–Manitoulin, you have two minutes for your response.

**Mr. Michael Mantha:** Mr. Speaker, it is going to be nice leaving here this morning, because everybody in this room is in agreement—something that doesn't happen enough. It's going to be so nice to bring that back home and say, "We accomplished something today. We're going to get some work done on this."

Anyway, I want to thank the minister responsible for seniors. Your comments are greatly appreciated. I know that you're a great advocate for seniors, and that you're very knowledgeable, as well, in regard to the situation with seniors and their needs in my particular riding.

Member from Durham: I'm a Chevy man. I love to drive those Chevys. I have my truck and I have my couple of Impalas. Unfortunately, the hose was made outside of this country, and that's why it broke and affected my water pump.

And you're absolutely right. Those payday operations—when people go there, it's out of desperation. It's not because of a must; it's a desperation move that they actually have to get those funds in order to provide for their own families. We've got to find a way to eliminate that.

The member from Davenport was a nice guy to acknowledge you. It's always nice to have visitors listening to our debate. We sometimes forget why we're here, and you're one of the biggest reasons why we're here. So welcome to you this morning.

He's absolutely right: 107 offices is what we have across this province; however, those are the ones who actually utilize our service. Once they come into our office, they don't care if it's a federal or provincial office; they need help. And until we advertise or until we find a way to connect with individuals to find out where those services are available, they're left at home and without assistance.

To the Minister of Rural Affairs: If you're going to thank somebody, thank Mother Nature for the water

levels and the Chi-Cheemaun. That's why you have the jams. The Chi-Cheemaun is able to float and it will bring the nice jams to your area. It will also bring people from southern Ontario onto Manitoulin Island—it is a magical place—and the entire riding. I've met many individuals across the province at Queen's Park, and I do have God's country.

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

**Ms. Lisa M. Thompson:** I'm pleased to join this debate today on Bill 55 as well. I want to share the complete title, because at the end of the title of this bill is what I'm going to speak to, mostly. The title reads, "An Act to amend the Collection Agencies Act, the Consumer Protection Act, 2002 and the Real Estate and Business Brokers Act, 2002 and to make consequential amendments to other Acts." That's the phrase I want to come back to and revisit.

Before I do, I want to talk about the relevance of what we're doing here and why our PC caucus is supporting Bill 55 to get it into committee, because it does indeed need further review.

Let's talk about real estate transactions for a while—improvements, as my colleague said. Absolutely. First things first: With regard to real estate transactions, buying a house may be the biggest purchase an individual will ever make in their life. You put trust in real estate agents, and unfortunately there could be a bad seed that just turns everything upside down. As we've come to know in Parliament, as we have come to know in this Ontario government, it only takes one or two bad seeds to turn a governing party upside down, like we saw yesterday with the intent to permanently delete emails. It's absolutely abysmal.

Coming back to the real estate industry, I have to say that we do need to take a look at how we can strengthen the rules around this market. While we're doing that, I might even suggest that we take a look at my colleague from Prince Edward–Hastings, because he has a bill, and has talked about it for some time, about the need for electronic signatures on real estate transactions. It will cut down the transaction time—the phantom offers that do tend to be part of the problem in the current industry as we know it today—and we can do transactions in real time.

So when Bill 55 gets to committee and we have an opportunity to improve it, I really hope sincerely that political colours do not taint the manner in which we address this, and that my colleague from Prince Edward–Hastings will actually have his bill considered in terms of how to improve the real estate industry in terms of facilitating transactions, and actually moving it into the 21st century. But there's more to talk about.

The next example would be the debt settlement agencies. Unfortunately, we've come to realize that it's not only the Ontario Liberal government that is forcing Ontario taxpayers to live on credit cards, but individuals throughout this province, for whatever reason, are indeed accruing more and more debt. It's a pretty serious and

daunting effort to manage that debt. Just like in the real estate industry, it only takes a couple of bad seeds to turn all of that upside down. So I'm glad to see that Bill 55 potentially will help strengthen consumer protection with regard to debt settlement.

I'd be remiss if I didn't point out that part and parcel of managing debt comes awareness and comes education. That's why I'm proud that the PC caucus had the foresight to talk about financial literacy in our PC Paths to Prosperity. You know what? This education system of ours today has just gotten way out of hand. We've gotten away from the basics: food literacy, electricity literacy, financial literacy. People in high school and people in grade 7 and grade 8 should be thinking about living within their means. My goodness. I know this Ontario Liberal government isn't setting an example, but we could start at a young age and help people realize that they do indeed have to manage their financials very, very carefully. So while we do have to rein in the issues around debt settlement agencies, there is so much more we can do. I feel strongly that the PC caucus has set an example to be followed when we talk about financial literacy, and I hope that will be taken seriously as well.

In this Consumer Protection Act, we talk about the need for consumer protection against those greasy salespeople out there. I found it interesting, because I totally agreed, when the member from Algoma-Manitoulin was talking about the various scenarios that are out there with regard to the type of door-to-door salesmen that come and knock on your door. It made me think of my own personal example of wind turbine salespeople.

That's where I come back to the title of this Bill 55. This bill, in the title, specifically says it has the opportunity to make consequential amendments to other acts. I would invite this government and the committee that reviews Bill 55 to seriously take a look at how industrial wind turbines have been absolutely mismanaged and thrust upon jurisdictions throughout rural Ontario. It is a travesty how people have been approached and mishandled and pressured into signing contracts that they, quite frankly, don't understand because they're so convoluted. It's just abysmal.

My husband and I were on the receiving end of it. We got the phone calls. We had the salesmen travelling around our concessions in south Bruce. We even were told that our neighbours had signed, and we'd be missing out if we didn't sign. Well, little did that greasy salesperson know that the farm to the east of us was owned by my brother and sister-in-law, and there was no way they were signing.

I'm just so glad that, on record, the member from Algoma-Manitoulin cited so many different scenarios of door-to-door salespeople who take advantage of consumers, because I can say "ditto" when it comes to how green energy and the development of industrial wind turbines have been thrust upon rural Ontario. It's totally unacceptable, and it needs to be brought to an end.

The aggressive tactics that are used are just not right. We talk about our vulnerable people. The good member

from Durham talked about how greasy salespeople tend to prey on vulnerable people, and that has happened. Across the countryside, in rural Ontario, again—I'm focusing on this because it's a real-life, recent example of how people can be abused, pressured and intimidated into signing contracts. That's why we need to really examine how consumers can be protected.

In particular, there are amendments specifically to two items that will give some teeth to this bill, if you will, and really get to the root of the problem of protecting consumer rights. One issue is that it's very, very difficult to cancel long-term contracts. We have to take a look at that.

Also, within that cooling-off period that is prescribed right now, customers, when they talk to their neighbours or have a sober second thought, find it very, very difficult to cancel the service that they were pressured into signing for. You know, that consumer's either put on hold or he's just passed around from department to department until he gives up. There are also scare tactics that sometimes seem to be used.

#### 0930

You know what? These companies have been charged in the past, and we have to get back to holding people accountable for their actions—much like the Privacy and Integrity Commissioner did yesterday. She outed the Ontario Liberal government for purposely deleting emails pertaining to the gas plant scandal. It was not legal to do. So Ontario taxpayers need to be protected as well, just like consumers through Bill 55.

Again, I have to come back and revisit the fact that, when it comes to an example of the worst type of salespeople who go door to door, in rural Ontario, in my riding, it's the people who try to lock in electricity rates and people who have gone through the communities, ripping them apart, trying to sell contracts for industrial wind turbines. Honestly, the tactics that have been used: autographed hockey player pictures, offers of tickets to sporting events, pressuring people by saying, "You're the only one who's not signing." The examples could go on and on and on.

That's why the PC caucus is okay to support Bill 55 and to get it into committee, because there are so many ways that this bill could be improved upon. Again, I invite people to go back and take a look at the last part of the title: "and to make consequential amendments to other Acts." Specifically, I would like to take this opportunity to suggest to the committee reviewing that, in terms of making consequential amendments to other acts, they need to revisit the Green Energy Act because the realities are that contracts and the manner that they've been facilitated have to stop.

I would also suggest to the committee reviewing Bill 55 that when it comes to industrial wind turbine salespeople, this act could also support municipalities that have chosen to be unwilling. For instance, Bill 55 could say, "Industrial wind turbine salespeople, you cannot go in and knock door to door or travel concession to concession in municipalities that have chosen to be unwilling

hosts for the industrial wind turbine scenario”—that is being imposed throughout this province at a time when we’re selling electricity and paying other jurisdictions to take the surplus off our hands. I look forward to seeing this improved.

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

**Mr. John Vanthof:** It’s once again an honour to be able to stand here and talk for the residents of Timiskaming–Cochrane on Bill 55 and make some comments on the member from Huron–Bruce. Basically, this is a bill that’s—I call it stronger protection for consumers. I think we can all agree; I think we all want to see this bill go forward to committee and make some improvements.

I think we’re chasing a running target, because I can remember, when I was first married—it was a long time ago—it was vacuum cleaners, big-time vacuum cleaners. We got the call that we had won a trip to Florida, if we’d just check out this vacuum cleaner. The person came; it was kind of interesting, because we didn’t have any furniture and he was showing us how this vacuum cleaner was going to work. My first question was, “Well, can we sit on it?” I’m making light of it, but this guy was trained and he was incredibly good at his job. Even though we didn’t have any furniture, we almost bought a vacuum cleaner which we didn’t need. And it hasn’t changed yet.

The one improvement I think we could make to this—right now it’s water heaters; it was Direct Energy. Right now in my riding it’s water filtration. So they call up, “Can we test your water and see? It’s town water, but you probably need a water filtration system”—for thousands of dollars. We need to make sure that we can open this up so that it goes more after the problem and not just after the flavour of the day—which might be water heaters—because this is an ongoing problem. We can’t stop people from going door to door, but we can give the people who are behind the doors more rights to defend their decisions.

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

**Mr. Joe Dickson:** It’s a pleasure to speak on Bill 55.

Stronger protection: We all need stronger protection at the door. Some of the salespeople are just so misleading, you really don’t know if you’re coming or going by the time they’re finished. It’s an easy sale for them; they’re professionals. They know what they’re doing and they know how to do it, and they know how to take advantage of clientele.

The fact that it’s going to protect consumers from high-pressure, door-to-door sales is a major one for me. I see it on an ongoing basis and my very busy staff deals with it on an ongoing basis. We do our very best to help and protect them in the future. This will protect the vulnerable, indebted consumers as well from predatory debt settlement services, and that’s a major concern out there. I, personally, have dealt with them on behalf of residents; it’s an ongoing saga. The fact that in 2012 there were over 3,000 complaints certainly speaks for itself. It’s something that has to be addressed, and I like what I see in the bill.

I can tell you that it’s going to prohibit upfront services fees. It’s going to prohibit misleading sales practices and advertising.

I did have a staff member who worked with that and helped people virtually daily, who ended up going to a contractor for a deck and advanced the contractor \$1,500. The contractor never came back. The staffer had to go through a process of going to court. The perpetrator actually was convicted and our staffer did get the money back, but it’s a long process.

I really like Bill 55 and I’m certainly prepared to support it.

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

**Mr. John O’Toole:** I came this morning primarily to listen to the member from Huron–Bruce. I liked her style of not avoiding the real issue of the three parts of the bill—debt settlement and door-to-door sales and real estate—but she wove in a web of related issues which I felt are relevant to the discussion, specifically for her passion on the Green Energy Act. She’s probably the lead voice in trying to bring a voice for those who are opposed to wind turbines. She’s done a marvellous job on that file, and I think weaving it back in to protect the consumers—it makes good sense to raise these issues.

I think her remark with respect to the privacy commissioner, Ms. Cavoukian, on the accountability or the potential that they broke the law—I think Ann Cavoukian said that they did break the law. I think it was criminal, basically. But I think that’s protecting consumers. She was protecting, she was giving voice to the consumers of Ontario as taxpayers. So I commend her for her remarks and her way of intricately weaving a web of distrust, technically.

I find it difficult now to trust the government, and I think many of the consumers—this bill itself. Actually the bill, particularly on the debt settlement, if you look at it, it doesn’t do what it’s supposed to do. The legislation must ensure that debt settlement contracts make your chosen settler the recipient of collection calls. This bill does not do that. So if you look at it, it’s been poorly crafted, hastily crafted, and it has to go to committee.

I know the minister’s here this morning. Welcome; have a wonderful day. That’s a beautiful colour you have on this morning. But that’s not what it’s about; none of this is personal. Doing the right thing is what I’m really talking about, and the member from Huron–Bruce, I thought, did a wonderful job.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Algoma–Manitoulin.

**Mr. Michael Mantha:** I always love being in this House when my colleague from Timiskaming–Cochrane is in here because he lit a little spark in me. He talked about a vacuum incident that he had. Well, let me tell you about an incident that I had, with my wife, where a door knocker came to my door trying to sell us an encyclopedia. We needed this series of encyclopedia because our kids could not make it through school in order to get the education that they need. They would not be able to



survive. Hell, they made it sound like it was oxygen. Guess what? We didn't have any kids. It's just amazing how they can come to your door and sell you anything that they want.

**0940**

Anyway, also I just wanted to comment on a wise comment that the member from Timiskaming–Cochrane's father made to him as a young man, and I think it's important for us: "If you need it, go to the store and get it. If it comes to your door, you don't need it." That's a wise saying that he was beneficial in receiving from his father and I thought it was important to mention.

What I did want to say in the very limited time that I have: I don't know if you've heard the expression of "bait and switch." The bait and switch is where you get a call or you get a piece of literature in your mail telling you that there are all types of savings for your cellphone, for your cable, for your hydro, for your water heater, and so on and so forth. That's the bait. You bite on the bait, you do the call and you do the interaction with them. They either come to your door or you do the interaction over the phone. Lo and behold, by the time the call is done or the service is delivered and the explanations are done, you're paying more for what you didn't need in the first place or you're getting a lot more headaches for something you didn't need at all.

Getting this to committee is going to be really good, because we need to really look at the clause-by-clause and we really need to look at eliminating the reduction and the elimination of the benefits that we don't actually need but the services we essentially need as well.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Huron–Bruce, you've got two minutes for a response.

**Ms. Lisa M. Thompson:** Thank you very much, Mr. Speaker. I wish I had more time, because the comments from my colleagues in the House today have just generated so many thoughts that I would like to touch on. I really appreciate everyone's perspective.

The member from Algoma–Manitoulin: It's interesting. You made a really good point with the encyclopedias. If you don't need it, you need protection, instead of being threatened and pressured into buying something, much like the vacuum that we heard about earlier. In particular to that member, thank you for sharing that comment from the member from Timiskaming–Cochrane: "If it comes to your door, you don't need it." How rich is that? When you think about all the surplus energy we have and how our industrial wind turbines are going up from community to community—it's the door-to-door salesperson. Full circle right there: We're taking time and taking Ontario taxpayers' dollars to pay jurisdictions to take surplus energy off our hands, and the salespeople keep coming to our door.

If it comes to your door, you don't need it. And that's why I really like the title of Bill 55. I really hope that this committee, when it gets into review, that the Green Energy Act will also, in the spirit of the title of the Consumer Protection Act—that "consequential amendments to

other Acts" will seriously take a look at how green energy is thrust upon people from door to door in rural Ontario.

*Interjection.*

**Ms. Lisa M. Thompson:** It's about door-to-door salespeople, and that's exactly how the industrial—

**The Deputy Speaker (Mr. Bas Balkissoon):** Minister, come to order.

**Ms. Lisa M. Thompson:**—wind turbine has just spiralled out of control.

It's interesting. The member from Durham was so right. He finds it hard to trust this government. Who does, this day? Look what they've done to us: from scandal to scandal; now to illegal activity by permanently deleting emails.

You know what? The member from Ajax–Pickering: I totally agree with you, member from Ajax–Pickering. It's about protecting people.

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

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Can I ask the members on the government side to come to order? You're entitled to an opinion but I think you're entitled to listen also.

Further debate.

**Mr. Michael Prue:** I'll try to get this debate back on to the bill itself. But I do have to admit: I find door-to-door salespeople, no matter what they're selling, mostly to be reprehensible. Maybe one day in this Legislature, we will ban the practice altogether, because selling door-to-door is, in my view, one of the sleaziest jobs a person could possibly have. Anyway—

*Interjection.*

**Mr. Michael Prue:** But we don't make anybody sign on the line, nor do we ask for money.

Mr. Speaker, as a politician for many years, both municipally and provincially, I have had complaints come to my office about door-to-door salespeople. I have had them come particularly in the last little while about water heater salespeople. I do know that they have affected even my own family.

The last time, when this bill was first introduced, and I had an opportunity to speak for a couple of minutes on the bill, I told the story about my parents living in Bancroft. They were retired. They were, at that point, in their late 70s, and a door-to-door water heater salesman came and convinced my father that he was not in compliance with the local code of the town in which they lived, which was right near Bancroft.

My father, I think, listened to him and signed on the line. When he came back into the house, my mother was extremely upset. She, first of all, berated my father, and justifiably so, for having been so gullible to buy this water heater salesman's malarkey and sign on the line.

She chased the guy down the street, but he ran away. She came back to the house. She called the police because she didn't know what else to do. The OPP arrived in the little town of Cardiff, went up and down the streets,

found the water heater salesperson and made him go back to each and every house that he had a signed contract with and made him ask the people if they really wanted it. By that time—this was a cooling-off period of under an hour—I believe everyone in the town said no. They were elderly people.

The town of Cardiff was a former mining town, much like Elliot Lake. When the mines went out, there was no work, but people found cheap housing and many people retired there. It was in cottage country. It may not have been on a lake, but it was convenient to all the local facilities in Bancroft and around there. That's the kind of town that these people seek out. It's the kinds of neighbourhoods that they seek out.

But I want to fast-forward to last week. I was out doing a little bit of gardening on the weekend, and a guy walked up to me. He had a badge, and he had all kinds of paraphernalia on his person. He told me that he was in the neighbourhood because the water heaters in our neighbourhood weren't very good.

I looked him straight in the eye, and I said, "I'm not interested, sir." He said, "But you have to be interested, because your water heater's probably not up to code, and we have an opportunity here to bring your water heater up to code, to do some ventilation that you require," and all those ridiculous things. He looked me straight in the eye, and he was really quite convincing. Not to me, of course, but I'm sure he would have been convincing to many.

I told him I was not interested and, in fact, I found what he was doing to be reprehensible, that his job and what he was doing was preying on elderly people and those who were not too clear in their heads and could be easily influenced by his lies. I told him that. He took some umbrage at that. He told me he was a legitimate salesperson and that he was selling a legitimate product. I told him, at the end, I said, "No. Please, sir. I'm not interested. In fact, what I would like to do is completely make sure that you never have an opportunity to sell another thing again." I would say to anybody who's watching on this television that you should tell them the same thing: You are not interested, nor should they be allowed to sell.

This bill was a little bit timid on that. This bill says they're going to increase the cooling-off period to 20 days. But what should really be happening, because there have been so many complaints registered against these salespeople selling water heaters, is that this government should be taking, in my view, stronger action. They should be outlawing them. It should be against the law for them to come there, door to door, selling a product that people don't need, under false pretenses about ventilation that's not necessary, about changes to the building code or the municipal standards which are absolutely not true.

I told him I wanted to do him out of a job, and he was very angry. But, you know, these guys have so much chutzpah. I ordered him off my property because he didn't want to go, and then he asked me if he could use

my washroom in the house. I told him no; I think he had to suffer just a little bit until he could find someone else at another house that would even let him near.

**Mr. John Vanthof:** Someone with an approved toilet.  
**0950**

**Mr. Michael Prue:** Yes, someone with an approved toilet.

This is the reality of what's out there. I am looking forward to this bill being passed, not because I think it does enough—I don't think it does enough, because having a 20-day cooling-off period and some of the other things contained within the bill is a very, very minor step, and what we really need is to get rid of this.

I did hear the former speaker who was up, the member from Huron-Bruce, and I did like the stories of my colleagues from Algoma-Manitoulin and—

**Mr. John Vanthof:** Timiskaming-Cochrane.

**Mr. Michael Prue:** —Timiskaming-Cochrane. I can only get Cochrane there.

It's true. Door-to-door salespeople who are asking for a signature are the worst. I don't find it all that bad when an encyclopedia salesman comes by. They don't come by anymore because they don't even print encyclopedias anymore. Everything's online.

I don't mind so much when a kid comes by selling chocolate bars to raise funds for his house. I don't mind when anybody has a product that you can buy and leave it in your house—

**Interjection:** It doesn't change your life.

**Mr. Michael Prue:** It doesn't change your life. But I do find it reprehensible when all they're looking for is a signature that binds you to a contract for something you don't need, and when there is not an actual product changing hands on the spot. I don't believe this province should be allowing people like that to prey upon the weak, the elderly and those who are not of a mind to be able to recognize a con when one is in front of them.

A couple of other things here that are in the bill—the debt settlement. I think the ideas here are right in terms of debt settlement and how people have to understand the contract they're signing. They may not get door-to-door salespeople coming, but they see an ad, they watch television. They see somebody standing up saying, "I used to be hopelessly in debt. Now I'm debt-free. This wonderful company helped me." They're finding the creditors closing in on them because of credit card purchases or bad investments or everything else, and they reach out and they often pay money which is not justifiable in the long term. They find out that their debts do not go down significantly, and in fact they've found themselves in another form of debt and a contract they can't get out of.

It is important that this be regulated and it is important that we also advise people: Don't buy a pig in a poke. Don't buy something you don't need, and don't buy something just because you saw a flashy ad on television, when the reality is, if you're in debt, the only way you're ever going to get out of it is by being disciplined yourself—being disciplined and forthright and honest, and make the necessary phone calls and come to some

kind of agreement. Go to a bank, if you can; get a loan from a bank at 4% or 5%. It's better than being in debt at 27% and 28% from the credit card companies, because those kinds of debts are literally almost impossible to ever pay off.

In terms of multiple offers—just a couple of words on those. I have the greatest of respect for the Toronto Real Estate Board, with whom I deal a lot. They are around this place. I think most real estate agents do a very good job in selling houses. In fact, I've bought a couple of houses in my life, and I've looked at many others through real estate agents. I find them to be professional people. But there are, as always, a few of them out there who will try to increase monies for the seller and increase the money and the cost for the buyer by coming up with a scheme like multiple offers.

I had a complaint only a couple of weeks ago from a gentleman—not complaining on his own behalf but because his children were caught up in this web of multiple offer after multiple offer on a house that they really liked, and he felt that it was horrible. I told him about this bill, and he was glad that it was coming along.

I would commend the minister for what is contained within the body of the bill. It is a timid bill, but it is a bill nonetheless that will help some people in the long term. Please, all of us, start thinking about doing away with this dishonesty, this reprehensible practice of people coming door to door. Make sure that this is a province where the consumer is king.

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

**Hon. Tracy MacCharles:** I'm really, really happy to be here this morning to speak again to this bill. I've been listening carefully to this debate and the other ones before. I just want to emphasize that this is a bill that is about standing up for consumers, and it's a well-thought-out bill, Speaker. We've consulted with stakeholders in the industry. We've looked at other jurisdictions. Where are we leading? Where are we lagging? This is about protecting consumers, the vulnerable consumers; it's making sure that people know their rights and responsibilities when they sign contracts and have sufficient time to re-think that if need be.

I worry when I hear some of the debate going beyond what's really in this bill. This bill is about door-to-door sales of water heaters because—guess what, Speaker?—there were 3,200 complaints alone to my ministry last year just on this file. That is why we're focusing on those kinds of sales.

I hear what other members are saying, and for sure we can look at other door-to-door sales practices, but we have to be careful. There are things called constitutional rights here. I think the member from Beaches–East York identified some very legitimate situations of people coming to the door: children selling things for schools, newspaper carriers collecting fees and so on.

We have to be careful about this. I think when we do consumer protection legislation, we have to be clear what problem we're trying to solve. So this bill is indeed very

much focused on that in terms of door-to-door sales of water heaters; in terms of debt settlement companies and what they're allowed to do, again, trying to support our most vulnerable consumers; and modernizing real estate transactions and protecting consumers in terms of phantom bids, allowing them just simply to be able to have verification about how many bids did occur on a transaction. This is what it's all about.

I encourage all the parties to work together and move this bill forward.

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

**Mr. Jeff Yurek:** I'm proud to add a little bit to this conversation here, and I do have to say I think it's great that we're looking out for the water heater salespeople who are out there. I could say in my riding, we get numerous calls at my constituency office where some senior has been taken advantage of at the door, and now their children have come and found out they've signed a contract, and they can't get out of it. Of course, we go into action and work for our constituent and find a solution one way or the other, but I don't think we should have that step in that process. I think it's necessary to help give this cool-off period.

My concerns with this bill would be the enforcement of this cool-off period. I've known many organizations from which you want to cancel out of that put you through the hoops with the phone calling in order that you get frustrated, just give up and go on with the contract. I'll take this moment to pick on Bell, because I've had a personal experience with them when I wanted to cancel my TV and Internet and phone because I'd had enough of the service I was getting. It must have been three or four hours before I finally got on the phone with someone who wanted to promise me the world just to keep my contract.

Anyway, I'd like to talk to the minister further about how we're going to work to see that when someone really wants to cancel this policy, they're not given the hoops in order to get frustrated and, therefore, come to my office so that I can have my office staff call and stay on the phone for hours trying to get this rectified.

I think protecting the seniors on this matter is a great idea. My people listening at home have talked about vacuum salesmen and encyclopaedias. The younger side of us probably have never seen that at the doors. The new scam today is, last week I had someone at my door wanting me to give money to their charity that I'd never heard of. But they had this form they printed on the Internet, "Please give me cash," and you'll get by. So there are lots of scams going on out there. As the member from Algoma–Manitoulin said, "If they come to your door and you don't need it, just shut the door and walk away." I think that's your best advice.

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

**Mr. John Vanthof:** It's always a pleasure to follow the member from Beaches–East York, my colleague. He always brings issues down to their base, down to the

people he represents. I think, especially in a bill like this, it's very important, because this bill needs to be strengthened, but it can help people, and that's really important.

The member from Elgin–Middlesex–London brings up a very good point—

**Mr. Jeff Yurek:** Always.

**Mr. John Vanthof:** Sometimes. The cooling-off period is a good thing, but how do we stop the runaround? How can the government help to make sure that, when someone decides to change their mind, they don't get the ultimate runaround?

I can give you an example. In a plug for real estate agents, I just sold the farm, and it went very well—very well. But when I tried to change my satellite dish contract to my new house, it took longer than selling my farm. Don't you hate it? Because I had to call and call and call; it was ridiculous.

1000

**Mr. Jeff Yurek:** Use your staff.

**Mr. John Vanthof:** I did that personally, actually, because it's my personal business.

But that's part of the problem. We have to get through to companies. Hopefully we can legislate that somehow consumers have that period, but they also have the right to expect fair service and reasonable answers. I think that's really important. One thing—the member from Beaches–East York had a very good definition: This should be bigger than water heaters. Something that you have to sign a long-term contract for shouldn't be forced on you door-to-door.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments. The Minister of Transportation and Infrastructure.

*Interjections.*

**Hon. Glen R. Murray:** Sorry for missing my cue there, Mr. Speaker; it's been a long session.

I want to thank my friend from Beaches–East York for his normal and usual thoughtful interventions, and the member for Elgin–Middlesex. You've heard me say—

*Interjection.*

**Hon. Glen R. Murray:** No, I've got that; don't worry.

As I've said, we have private members' bills this afternoon. I always like this place when it's at its least partisan. I'm always amazed when we get into things that actually matter to our families—the member from Timiskaming–Cochrane talked about family experiences—when we do these things that Bill 55 does, which is just making people's lives better. It allows people to live more safely in their homes and not to be exploited. We so often get up in such ridiculous partisan furies over things, but when we actually get down to sharing our ideas about a piece of legislation like this one—which I think every party here and every member here sees as a practical solution—all of us, with our constituency offices, get that done. It's always a better place. For many of us who have served as mayors and local councillors, which is many of the people in this House, we sometimes miss the days when we could just be people, have friendships and work on ideas.

One of the things I like—and I'm very proud of our Premier and members opposite, the leaders of the opposition parties—is, I think that we're doing more collaborative work than I've seen in the three or four years that I've been in this House. I've said that many of the newer members are bringing fresher eyes on this. I think that if we continue to show that kind of respect for the people we represent, put the people's business ahead of politics and have more debates around the substance of making people's lives better, not only will this House get more done, I think the esteem in which the people we represent hold us will be much higher, and we will be much happier—all-around good things.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Beaches–East York, you have two minutes for a reply.

**Mr. Michael Prue:** Thank you to those who commented: the Minister of Consumer Services, the member for Elgin–Middlesex–London, the member from Timiskaming–Cochrane and the Minister of Infrastructure and Transportation. This is a fairly simple bill. I don't know what day we're on, but we must have been going for a while, because we're down to 10-minute speeches. I have not heard every member speak to this bill, but I would be surprised if anyone has spoken against it.

The minister, in her comments, said that her ministry alone received 3,200 complaints last year about door-to-door salespeople selling water heaters. That's just one thing. It's not people selling candy; it's not people selling any myriad number of services. It's people, door-to-door, selling water heaters. When the consumers of this province find one group that is behaving so badly, then it behooves anyone to take the necessary action.

I am not sure that the remedy outlined is a remedy that is going to stop some of this reprehensible practice. It will help consumers in the short run, but it will only help them if they realize that they've been scammed—if they can get to their local MPP, if they can get on the phone and actually get someone at the other end who will answer it to reply within the 20 days. If they've scammed you at the door and then they phone up to re-scam you on the phone, not much has been saved.

These kinds of people should be put out of business. The only ones at this stage who can do it are the consumers. So anybody watching here today, if one of these guys comes to your door—I don't even care if you need a new water heater—you should shut the door. There are other places to buy that water heater where you're not going to be robbed.

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

**Mr. Frank Klees:** I'm joining this debate and I'm going to be putting forward perhaps a very different perspective but one that I believe we, as legislators, need to consider.

I too look forward to having this bill advance to committee, where we hopefully will be able to consider all of the facts that are affecting this consumer market. Because of the time constraint that I have, I'm going to

be focusing on the water heater issue, which is much more complex than I think we—certainly it's more complex than the discussion that I've heard so far today.

I will say at the outset, my colleague the member for Beaches—East York made some very strong statements this morning, and I'm going to disagree with him, and the reason is—to make the comment that door-to-door sales is—and I'm going to quote the honourable member—“the sleaziest job that one could ever have.”

Mr. Speaker, there are many people in our communities today who are desperate for jobs. To paint everybody who is a door-to-door salesperson as sleazy, I find highly offensive. I watch people who are going door-to-door, and they do so in all weather. I guess perhaps one of the reasons—and I look at the minister. She's here, and she's shaking her head.

**Hon. Tracy MacCharles:** There are scammers.

**Mr. Frank Klees:** They're all scammers, she said.

**Hon. Tracy MacCharles:** No, I didn't say “all.” I didn't say that.

**Mr. Frank Klees:** Yes, and that is it.

**Hon. Tracy MacCharles:** I didn't say that.

**Mr. Frank Klees:** And that is my point: not all of them. What we're doing here is, we are putting everyone into exactly that same bushel. Speaker, there are honourable men and women whose only opportunity for a job is to be a door-to-door salesperson. Rather than painting everyone as sleazy or as scammers, as the minister now is saying, I can tell you what we should be doing—

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** I'd ask the minister to calm down and please keep order.

Would you speak through the Chair?

**Mr. Frank Klees:** I'm glad to speak to the Chair, but when I hear the minister, of all people, interjecting as she is, I find it offensive. On behalf of the many people in this province who have no other choice but to be working in door-to-door sales—and God bless them that they're willing to do it; it's not an easy job. I have done it. I have done it, and it's not easy. It's not easy to get up in the morning and it's not easy to be rejected at the door when what you're trying to do is bring home an honest living.

Yes, there are those who are not going about their job in a very ethical way, but Speaker, we have those people here as well. There are politicians and there are senators and there are police officers who, on occasion, do the wrong thing; there are doctors and nurses and people in every profession who get off the rails and who aren't doing things according to the book. But that doesn't mean, especially as legislators here, that we demean those people and call them sleazy or scammers. Yes, there are those, and that's why we need legislation and that's why we need the appropriate enforcement mechanisms. That's why there should be consequences for those people who are not doing or conducting business ethically.

1010

What I want to do is point something else out, and it's very strange that there's nothing here—and I haven't

heard the minister talk about this at all. Supposedly, the people who are doing things right are the companies that don't have people selling water heaters door to door. They are the two major companies in the province of Ontario, the utilities, or at least the child of those utilities.

I want to, for the record, read into the record this announcement from the Competition Bureau, dated December 20, 2012. For the record, Speaker: “The Competition Bureau announced today that it is taking action against Direct Energy Marketing Limited and Reliance Comfort Limited Partnership, two companies that rent water heaters to residential customers in Ontario.

“Following an extensive investigation, the bureau determined that Direct Energy and Reliance each engaged in practices that intentionally suppress competition and restrict consumer choice. Specifically, each company implemented water heater return policies and procedures aimed at preventing consumers from switching to competitors. This anti-competitive conduct affects consumers, other rental water heater companies, and businesses that sell water heaters, such as home improvement centres.

“Currently, when Direct Energy or Reliance customers wish to switch to another provider, they must contend with a number of practices and procedures intended to frustrate the return process for their rented water heaters, including,

—a requirement to call to obtain authorization to return a rented water heater;

—aggressive retention tactics during these calls;

—restrictions on when and where water heaters can be returned; and

—unwarranted fees and charges.”

Speaker, the Competition Bureau, for the first time ever, is actually recommending penalties of \$15 million and \$10 million to Direct Energy and Reliance, for doing what? Here's what they do. And so, these so-called sleazy people, who have made sales at the door to people who willingly want that new water heater—here's what happens. These so-called honourable companies get on the phone. They call those people and they spend all kinds of time on the phone with them building fear into them, suggesting that they have been swindled, suggesting that they have been scammed. And those same people who don't know any better now—yes, seniors, and people for whom perhaps English is not their first language—the first thing they now think is, “My God, what have I done wrong?” And of course they're now going to be concerned, and the first thing they do is they call the minister of consumer protection. Now what you've got are people who thought that they had entered into an agreement to purchase a water heater, and the first thing they get is this kind of response.

Mr. Speaker, the Competition Bureau does not investigate issues lightly. This was an extensive investigation, and at the end of the day, orders were issued against two major utility companies. For what? Anti-competitive behaviour: fines of \$15 million and \$10 million. Why? Because, in their nice little offices, in their high-rise offices,

the people—no one would call those people who go to work behind those telephones at their desks sleazy or scammers; no. That's okay for them to do. Well, Minister, I'd like to know, then, where is there anything in your bill that deals with that anti-competitive behaviour, that kind of sleazy conduct, that kind of telephone call that then suppresses people, intimidates people and infuses fear?

We do need this to go to committee, Speaker, because it's a much bigger issue than the simplistic attitude of calling hard-working people sleazy and scammers.

*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 1015 to 1030.*

### INTRODUCTION OF VISITORS

**Ms. Lisa MacLeod:** It's my pleasure to introduce my long-standing assistant and a long-standing friend of the Ontario PC caucus, Filomena da Silva, who is here in the members' west gallery today.

**Mr. Jonah Schein:** Today I'd like to welcome to the Legislature the family of Davenport page Simon LiVolsi. Welcome to Lee Mendelsohn-LiVolsi, Simon's mother; David and Jenny Mendelsohn, Simon's grandparents; and Ami and Steve Mendelsohn, Simon's great-aunt and great-uncle, visiting all the way from South Africa. Welcome to Queen's Park.

**Hon. Tracy MacCharles:** I don't think they're here yet, Speaker, but I want to welcome the grade 7 class from Holy Redeemer school in Pickering. They're here for a tour of the Legislature, and I was thrilled to meet with them this morning.

**Mr. Robert Bailey:** It's my pleasure today to introduce the family of page Hannah Lacey, up in the gallery: her father, Tom, and her grandparents John and Diane, who are no strangers here. They've been here a number of times. Welcome.

**Ms. Helena Jaczek:** I'd like to welcome the parents of my page, Alex Hu. They are Feng Shao and Yimin Hu, in the east members' gallery. Welcome to Queen's Park.

**Mrs. Jane McKenna:** Today I'd again like to welcome page Eric's mother, Heather Weaver-Orosz, and his sister, Abigail.

**Hon. Jeff Leal:** They haven't arrived yet, but I anticipate that Ross Davies and his mother, Pam Norguard, will be with us today in the members' east gallery. They won a lunch in Peterborough with their MPP, so they're looking forward to viewing question period and enjoying lunch. We welcome them to Queen's Park.

**Mr. Randy Pettapiece:** I'd like to introduce the father of Vanessa Orтели, who is the page captain today: Scott Orтели; also, her grandmothers, Beryl Orтели and Lorraine Babb. Welcome to the Legislature.

**Ms. Soo Wong:** The students from Holy Spirit Catholic school have not arrived, but I wanted to welcome

them to Queen's Park. There are two classes from grades 5 and 6.

**Ms. Catherine Fife:** It's my pleasure to welcome my nephew, Leo Shrimpton, here this morning. He's a student from Ossington/Old Orchard, and he's job-shadowing me because he wants to end up here one day. Imagine.

**Hon. Kathleen O. Wynne:** I want to welcome to Queen's Park Carole Matthews, who is the mom of our page Michael Sambasivam, and a constituent of mine and sister of our Deputy Premier and health minister.

**Mr. Norm Miller:** I have the grades 7 and 8 class from Otter Lake Christian School, with their teacher, Steve Weber, from Seguin township. I think they're just starting to arrive in the Legislature, in the east visitors' gallery. I'd like to welcome them here to Queen's Park today.

**Mr. Joe Dickson:** I'd like to take the opportunity to introduce the entire family of Carlo Padilla, seated in the west gallery, in the front row. I can count two, four, six, seven, eight. They're all here to enjoy his good work.

**The Speaker (Hon. Dave Levac):** Allow me, on behalf of the member from Richmond Hill, the Minister of Research and Innovation—for page Jimmy Yan: the parents, Chester Yan and Yanlan Zhou. Welcome to Queen's Park, and thank you for being here.

We have with us today in the Speaker's gallery a delegation from the Parliament of the Kingdom of Lesotho, led by the Speaker of the National Assembly, the Honourable Sephiri Enoch Motanyane. The delegation is accompanied by the High Commissioner to Canada, Dr. 'Mathabo Tsepa. Welcome to the delegation from Lesotho. They're here to find out how the Parliament works.

*Interjections.*

**The Speaker (Hon. Dave Levac):** That was an inside joke for the members.

### ORAL QUESTIONS

#### ACCESS TO INFORMATION

**Mr. Victor Fedeli:** My question is for the Premier. The privacy commissioner said yesterday that the destruction of emails by senior officials within the Premier's office and Ministry of Energy was the most serious case she'd investigated in her 15-year career.

In her conclusion, she notes, "Ignorance is no excuse. Transparency of government activities, reflected in their records, is essential to freedom and liberty." She also noted that government information has been removed and put on external USB drives. Speaker, it has been stolen from the Legislature.

Premier, the law has been broken, and we've requested today that the OPP launch an investigation. Will you agree with us and instruct your Attorney General to launch a police investigation into the deletion of emails by senior Liberal staffers?

*Interjections.*

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

**Hon. Kathleen O. Wynne:** It is the member opposite's prerogative to ask whatever he chooses. I have said that I am very grateful that Dr. Cavoukian has written her report. We're examining her findings.

I agree with her conclusions that this should not have happened. I have committed to making changes to ensure that all staff are following the rules—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Halton, come to order. The member from Leeds–Grenville, come to order. The member from Prince Edward–Hastings, come to order.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Durham, come to order. Who's next?

Finish, please.

**Hon. Kathleen O. Wynne:** It's not my wont to respond to heckling, but the reality is that the heckling from across the floor—"You know what, this is no big deal"—it is a big deal. It's a very serious deal, and that is why we have taken action. I agree with the conclusions of the privacy commissioner.

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

**Mr. Victor Fedeli:** Premier, the privacy commissioner relayed shocking details on the activities of Craig McLennan, the former chief of staff at the energy ministry, and David Livingston, the former chief of staff to former Premier McGuinty. Livingston asked the secretary of cabinet in January how to "wipe clean the hard drives in the Premier's office."

She said, "During our meeting with Livingston, we learned that his information ... practices were very similar to those of MacLennan.... He also deleted his emails daily."

There was a systematic Liberal attempt to thwart the democratic and legal rights of members of this Legislature and to make sure that those documents never saw the light of day.

Premier, there are grounds for a police investigation here. Will you join us and have your Attorney General request a formal police investigation into this crime?

*Interjections.*

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

**Hon. Kathleen O. Wynne:** Since I have been in this role, there has been a systematic and intentional attempt to provide every piece of information that is available and asked for, and that is what we've been doing. We have trained staff. We have put in place a clear directive that all of the rules will be followed and that all of the information will be made available.

I agree with Dr. Cavoukian's conclusions: This should not have happened. We are going to make changes to make sure that it can't happen again.

1040

In the interim, we have already taken actions to make sure that everyone is retaining the information that they

need to and, beyond that, making sure that information that has been asked for, that is relevant to the discussion at the justice committee, has been provided, to the tune of 130,000 documents.

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

**Mr. Victor Fedeli:** You say you've put a systematic and intentional system in place, but you are personally responsible for leading and continuing a culture of secrecy that puts Liberal Party interests ahead of those of Ontarians.

You talk about training your staff in retention, but let's talk about using non-FOIable Gmails. We've provided evidence, in this House, that you and your transition team leader have used private Gmail accounts to conduct government business in a deliberate attempt to subvert freedom-of-information laws.

The privacy commissioner says the law has been broken here. She said that "there was a culture of avoiding the creation of written documentation on the gas plants issue," and you're still carrying that on by using secret Gmail accounts.

Premier, will you stand here today and join our party in asking for a police investigation into this cover-up?

*Interjections.*

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

Premier.

**Hon. Kathleen O. Wynne:** The OPP are independent, and they will do what they deem best.

The member opposite has those emails. They are not secret, because the member opposite has them. He has access to them; we have provided access to them. At every turn, at every question, we have provided the information that the members opposite have asked for.

That's why we've broadened the mandate—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order. Stop the clock. The member for Simcoe–Grey, stop. The member from Wellington–Halton Hills, the member from Thornhill, the member from Oxford—thank you.

Finish, please.

**Hon. Kathleen O. Wynne:** That's why we've broadened the mandate. We wanted the mandate of the justice committee to be broadened so that all of the questions could be asked, so that people could be brought before the committee and all of that investigation that the committee wanted to do could take place.

We have provided 130,000 documents—30,000 from my office. We have put training in place. We are doing everything in our power to make sure that all the rules are followed and all the information is available, including the information that the member opposite is referring to.

#### ACCESS TO INFORMATION

**Ms. Lisa MacLeod:** My question is also to the Premier. Yesterday, we learned that the most senior officials in the Premier's office copied government emails and

documents related to the gas plants scandal on to personal drives and then ordered that that information and those documents and that evidence be destroyed.

I'm going to read section 122 of the Criminal Code of Canada, breach of trust: "Every official who, in connection with the duties of his office, commits fraud or a breach of trust is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years, whether or not the fraud or breach of trust would be an offence if it were committed in relation to a private person."

Premier, you have no choice other than to call in the OPP to investigate Dalton McGuinty's former office and your office for this crime. Will you do it?

*Interjections.*

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

I would like to ask the member from Oxford: How's your hand? Is it okay?

**Mr. Ernie Hardeman:** Yes, it's fine.

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

**Hon. Kathleen O. Wynne:** As I've said, the OPP is an independent body and they will do what they deem is in the best interests of the people of Ontario to do.

I'm very pleased that Dr. Cavoukian has issued this report. I agree with her conclusions. I agree that there need to be changes made and I agree that there needs to be action taken, some of which we have already begun. But we will continue to work with the privacy commissioner to make sure that the changes that are necessary are made so that this won't happen again.

I agree it shouldn't have happened, which is why, from the day that I've been in this office, I have worked to open up this process to make sure that all of the information that was asked for would be available.

The reason that the members opposite are asking these questions—one of the reasons—is that they have the information that we have provided, because that is the right thing to do.

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

**Ms. Lisa MacLeod:** I find this troubling. The Premier says, "We are going to do better. We need to do better in the future." They keep saying that. They said that about eHealth. They said that about Ornge.

Let's talk about Ornge for a moment. You say that the OPP should do what's in the best interests of the province—

*Interjection.*

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

**Ms. Lisa MacLeod:** —it was the Minister of Health who actually called the OPP in to investigate Ornge. Why don't you speak to your Deputy Premier, Minister? Why don't you talk about the officials in your government who copied data on to personal drives and then destroyed the evidence? That's why the OPP needs to be called in right now. That is why section 341 of the Criminal Code applies here, fraudulent concealment: "Every one who, for a fraudulent purpose, takes, obtains, removes or conceals anything is guilty of an indictable

offence and liable to imprisonment for a term not exceeding two years."

Speaker, would they do it in Ornge because it didn't affect them directly? Why won't they do it here? This minister, this Premier and the former Premier are guilty of a crime.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order. Stop the clock.

I am going to make a comment about the last statement. I believe that kind of language is—I'm bothered by it, and I would ask the member to guard her questions very carefully. I will be listening carefully to see that it's not done again.

Premier.

**Hon. Kathleen O. Wynne:** I will just say again that we have done absolutely everything possible to make sure that every piece of information, every question that has been asked, every person who has been asked to come—that all of that has been made available to the members opposite, Mr. Speaker, and to the public, because I have said repeatedly that what happened in terms of the relocation of the gas plants should not have happened. There should have been a better process up front.

To the issue of making changes so that none of this would happen again: We have already begun that process. The privacy commissioner acknowledges that we have done training. We have made it clear to staff what the rules are. We will continue to do that. As more questions are asked, we will continue as we began, and that is to provide the information that is asked for by the committee and by the members opposite.

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

**Ms. Lisa MacLeod:** Speaker, they have breached the public archives law that they put in place. They have breached section 122 of the Criminal Code. They have breached section 341 of the Criminal Code.

They called in the OPP when it was convenient on Ornge. Why won't they call in the white-collar crime unit of the OPP here today? Is it because the kathleenowynne@gmail.com account is suspect? Is it because they've been trading information that they don't want the public to see so that they can continue to skirt FOI requests?

Mr. Speaker, this is very serious. If the Premier cannot stand in her place today and look at the public in Ontario and tell them that she will do what's right for them, then we are in trouble as a democracy in this province. They have probably broken the law more than once. The Information and Privacy Commissioner said as much yesterday.

I ask her once again, on behalf of the residents of this province, the people of this province: Will she stand in her place and call in the white-collar crime unit of the OPP?

*Interjections.*

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

Premier.



**Hon. Kathleen O. Wynne:** It is a first principle of mine that I will follow the law, I will follow the rules, and I will make sure that everyone who works for me and works with me follows the law and follows the rules, and I take objection at being accused otherwise.

*Interjections.*

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

*Interjections.*

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

Complete, please.

**Hon. Kathleen O. Wynne:** And, Mr. Speaker, since I have been in elected office, before I was in this House, when I was a school trustee, I have followed the rules. I have taken advice at every turn.

When I came into this office, I opened up this process around the discussion of the relocation of the gas plants so that all of the questions could be answered. We have rules in place in our office. We have turned over documents. We will continue to answer the questions that are asked of us.

1050

#### ACCESS TO INFORMATION

**Mr. Peter Tabuns:** To the Premier: It was last November when New Democrats raised the fact that documents related to so-called Project Vapour had gone missing from the Premier's office. When this new Premier was sworn in, did she ask why these emails were missing?

**Hon. Kathleen O. Wynne:** What I did when I came into this office is I made sure that we knew what the rules were, that we put training in place, that we made it clear to everyone who worked in the Premier's office and across government and understood about the retention of information and that the rules were followed. That's what I did when I came into this office.

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

**Mr. Peter Tabuns:** In her first week on the job here in the Legislature, I asked the Premier where these missing emails were and what was being done to find them. The Premier could've stood in her place and said, "I have serious concerns." She could have taken action. Instead, she bounced the question to the House leader.

If the Premier was genuinely concerned about Liberal staffers deleting emails and breaking the law, why didn't she do anything to help find them?

**Hon. Kathleen O. Wynne:** I think the member opposite knows that at that point we were very much engaged in what the procedures were going to be, how the committees were going to be structured, exactly what the process was going to be, because we were committed to opening up the process and making sure that all of the questions got answered and that there was a process in place for that kind of openness to take place. I was taking action in our office.

We made sure that all of the rules were followed from the day that I came in, and we have provided information as it has been asked for: 130,000 documents; 30,000 documents from our office. We will continue to behave in that manner.

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

**Mr. Peter Tabuns:** The fact is, the Premier had a chance to offer some change. She could have said, "This deletion of emails is wrong. This wiping out of records is wrong. This is possibly illegal and I'm not going to stand for it." She could have asked the tough questions of the staff, of the bureaucrats; instead, she offered more of the same.

If the Premier thought the Liberal government shouldn't have deleted those emails, why didn't she come clean at the time and simply say that this is wrong?

**Hon. Kathleen O. Wynne:** I think my actions speak very clearly by making it clear that we were going to retain information as required, that all the rules were going to be followed—that's exactly, I think, in response to the member's question. That's what we did. We made it clear to staff. We put training in place. We made it very clear that we were going to be following every rule and making sure that all information that needed to be retained was retained.

I agree with the conclusions of the privacy commissioner. We will continue to work with her to make sure that further changes that are necessary are made so that this cannot happen again.

#### ACCESS TO INFORMATION

**Mr. Peter Tabuns:** To the Premier, again: Yesterday, Ontario's Information and Privacy Commissioner confirmed what New Democrats had been saying for a long time: that the Liberals were destroying information about the gas plants. It's clear that we need to do more to get answers that people deserve. Will the Premier agree to a full public inquiry to get to the bottom of this?

**Hon. Kathleen O. Wynne:** Mr. Speaker, I know that the House leader will want to speak to the supplementary.

I just want to be clear: As I have said, I agree with the conclusions of the privacy commissioner. I agree that this shouldn't have happened. I agree that there may be further changes that need to be made.

But just to be, again, crystal clear, we have already begun making changes. We began the day that I came into office. We have put training in place. We've made it clear to staff in the Premier's office and across government that information that is to be retained is retained and that any questions that need to be answered in terms of the relocation of the gas plants—that we provide that relevant information.

That's what we've been doing. That's how we began. That's how we will continue.

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

**Mr. Peter Tabuns:** Premier, the justice committee is doing important work, but Liberal members continue to

call witnesses who were not involved with the cancellation of the gas plants and can't tell us how much of the people's money the Liberal government wasted for its own political gain. Will the Premier do the right thing and call an independent public inquiry?

**Hon. Kathleen O. Wynne:** Government House leader.

**Hon. John Milloy:** The justice committee mandate was broadened at the request of the Premier. They can undertake an examination into any aspect of this situation, including the documents. The honourable member mentions Liberal witnesses. Well, most of the Liberal witnesses have been Conservative Party candidates who were out with robocalls and pamphlets, knocking on doors and saying, "Vote for us and the gas plant will be done, done, done."

To my friend in the New Democratic Party, I cannot help it that Progressive Conservative candidates are being told not to show up at the committee. But we're going to continue to call them because they are part of a very, very relevant piece of this puzzle.

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

**Mr. Peter Tabuns:** Nothing says evasion like bouncing a question to the House leader. The Premier has said she wants to be transparent. If the Premier is so committed to openness and transparency, will she call a public inquiry into the gas plant scandal, the waste of public money and the fact that senior Liberals were destroying information that belongs to the public?

**Hon. John Milloy:** Let me talk about transparency. I mentioned some of the actions of the Premier in broadening the mandate of the committee. If the member wants to talk about the Information and Privacy Commissioner's report, let me quote from what she said, what was said on the news last night. CFTO: "The commissioner has praise for the new Premier, saying, 'Kathleen Wynne has been proactive.'"

Let me quote from the IPC report: "Throughout this entire investigation, my office received the full cooperation of all parties involved, including the Premier's office—that's the current Premier—"Cabinet Office, the MGS, current and former staff in the Minister of Energy's office, and the Archives of Ontario staff. I appreciate the time taken and the information provided by these offices and by individual staff, as part of this investigation."

The Premier has taken concrete steps to address this issue, and she has asked me, as Minister of Government Services, to continue to see how we can strengthen the act. I will be meeting with the Information and Privacy Commissioner shortly.

#### ACCESS TO INFORMATION

**Mr. Rob Leone:** I think the transparency that Ontarians want is an election.

My question is to the Premier. The member from Nipissing and I have drafted a letter asking the OPP to investigate your government's actions in relation to the

deletion of emails surrounding the Oakville and Mississauga power plant scandal.

I'll lay your options out for you, Premier: You can show some contrition and leadership by talking to us today, or you can speak with the police regarding your government's illegal tactics.

Your agenda of openness and transparency has been a farce from the start, and the mere fact that you choose those words to describe your government shows how little respect you have for the people of this province. So, Premier, since you won't acknowledge any wrongdoing on that side of the aisle, will you at least get out of the way when the OPP comes to your office to get to the bottom of this scandal on behalf of the people of Ontario?

**Hon. Kathleen O. Wynne:** Well, as I've said, the OPP is an independent body. The OPP will do what they choose to do. But if the member opposite is suggesting that—if there were a question asked of me by the OPP, would I respond? I take offence at the suggestion that I would not. I absolutely would. I would absolutely comply with anything that I was asked to do by the police. I think the member opposite actually knows that.

As I say, we have worked very hard to provide the information that he and the other members have asked for. We opened up the process. We will continue as we began, providing the information that is relevant to the questioning of the justice committee. We will continue to do that.

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

**Mr. Rob Leone:** I take great offence that this government continues to hide the truth from the people of Ontario.

You said—

**The Speaker (Hon. Dave Levac):** I'm going to ask the member to withdraw, because that is saying something in the back door you can't say in the front door. So will you please withdraw?

**Mr. Rob Leone:** I withdraw, Mr. Speaker.

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

**Mr. Rob Leone:** You sit here in this House talking about instilling accountability and a week later, a report comes out saying how your government deleted accountability from the people of Ontario. Premier, the irony would be laughable if it weren't so shockingly expensive.

I quote from the report: "Without a written record of how key government decisions are made, the government can avoid disclosure and public scrutiny as to the basis and reasons for its actions."

1100

You've been in that chair for almost four months and have yet to show any shred of accountability. This is the best place to start. Will you right now, Premier, order your staff to get us the USB sticks and make the information public before they disappear quicker than the hard drives they came from?

*Interjections.*

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

Premier?

**Hon. Kathleen O. Wynne:** Government House leader.

**Hon. John Milloy:** The member talks about documents. Let's talk about documents: 130,000 documents have been provided to the committee, 30,000 of them from the Premier's office.

Let's talk about the Premier's commitment to transparency. When she was made Premier, one of her first actions was asking the Auditor General to look into the Oakville situation. After that, she offered the opposition a select committee to look into the gas plant situation, and they said no, because they wanted to have a witch hunt against a former member. But she wasn't held back by that. She asked me to work with the opposition so that we could broaden the mandate of the committee. She has appeared in front of the committee. She has encouraged staff and ministers to appear in front of the committee. Mr. Speaker, she has been forthcoming. As I said in the previous question, she's been forthcoming with the Information and Privacy Commissioner. She has taken every step to make sure rules are being followed and has asked me to look at how we can strengthen those rules.

#### COMMITTEE SITTINGS

**Mr. Taras Natyshak:** My question is to the Premier. Ontarians want to know why the government wasted over a billion dollars of their money to cancel gas plants. They want to know why the government thought they could get away with destroying key information.

*Interjections.*

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

**Mr. Taras Natyshak:** Today—

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

*Interjections.*

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

Carry on.

**Mr. Taras Natyshak:** Today, New Democrats moved that the justice committee keep sitting through the entire summer. Can the Premier explain why the Liberal members voted with the PCs to put their summer vacation plans ahead of getting answers for Ontarians?

**Hon. Kathleen O. Wynne:** Government House leader.

**Hon. John Milloy:** Mr. Speaker, there's a certain irony in that question. The fact that the committee has full control of its own agenda is because the Premier of this province offered to have a broadened mandate of the committee; that it would, in parliamentary parlance, sit at the call of the Chair.

The Premier has in no way tried to hamper the committee's investigations. She has appeared in front of the committee. Under her watch, we have given 130,000 pages of documents to the committee, including 30,000 from the Premier's office.

The control of the justice committee is in the hands of the members, Mr. Speaker, which I think is a tribute to the transparency of this Premier.

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

**Mr. Taras Natyshak:** Ontarians deserve answers about the gas plant scandal. New Democrats have called

for an independent public inquiry, but the government has dug in its heels. Then we called for the justice committee to keep sitting through the entire summer, to get down to the answers, but this government joined with the PCs and dug in their heels again. They're more concerned with working on their golf handicap than working to find the truth.

Why did the Liberal members vote against more transparency and against getting Ontarians the answers that they deserve?

**Hon. John Milloy:** Mr. Speaker, I'm not sure if I'm the only one who finds it amusing that the NDP are now accusing the government of some conspiracy with the PCs to cover up the gas plant situation. I think that's a little bit too rich for this side of the Legislature.

The fact of the matter is that the justice committee, with a broadened mandate, was set up with the support and encouragement of this Premier. We have provided it with 130,000 documents. Those documents have been forthcoming—as requested, have come forward.

We have seen this Premier, when she took office, write a letter to the Auditor General asking him to look into the Oakville situation. We're expecting his report later this summer.

This Premier has gone to great lengths to make sure that our government is as transparent as possible. As I say, going forward, she has asked me, as Minister of Government Services, to see ways that we can strengthen the current laws, as outlined in the IPC's report.

#### TRANSIT FUNDING

**Mr. Lorenzo Berardinetti:** My question is for the Minister of Finance. A few weeks ago, there was a passionate debate at Toronto city council about converting the proposed Scarborough LRT into a subway. Many of my constituents in Scarborough Southwest have been trying to convert this project into a subway for some time and have supported this change for many years.

I know that you have recently had correspondence with the federal Minister of Finance, Jim Flaherty, about receiving more funding from the federal government on transit. The province of Ontario has committed \$8.4 billion in capital investments, which is covering the cost of the Eglinton, Scarborough, Sheppard and Finch projects. The federal government has a measly \$330 million—not billion, but million—allocated for the Sheppard project. I can see why this arrangement needs to be updated.

What are the circumstances around which aspects of the Big Move could be revisited?

**Hon. Charles Sousa:** I would like to thank the member from Scarborough Southwest for his passionate advocacy on this very important issue. Currently, there is no plan to revisit these projects. They're founded on a plan with Metrolinx that is based on legal agreements signed in November with the city of Toronto and the TTC, and they're acting on that plan.

However, it is unfortunate that the federal government has not established a dedicated transit fund. If the federal

government was at the table with their complete share of the funds needed to support transit expansion, then aspects of the Big Move could be revisited. This issue is simply too important for us to take a wait-and-see approach to federal funding when we must act now to address the congestion crisis in the GTHA. Federal infrastructure funding should be flexible so provinces and other partners can maintain a path to fiscal balance and support our economy and community through strategic infrastructure investments.

The governments must be aligned with the federal investment strategy so that these priorities and strategic investments can be had. As you know, I've invited the federal government—

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

**Mr. Lorenzo Berardinetti:** Thank you, Minister, for providing that update. I agree that it's truly unfortunate that the federal government has not come to the table yet with a national strategy on transit. Other developed countries provide much greater federal funding for transit projects, and Canada is lagging behind its counterparts significantly.

Our government's record on public transit investment is truly something to be proud of. Our budget in 2013 outlines several key investments in public transit that we hope will be passed with the support of all parties in the House. We have stepped up to build transit across the province, and we are already seeing results.

The minister mentioned investments across the GTHA and beyond in public transit. Could the minister update us on the other projects that are part of the 2013 budget plan?

**Hon. Charles Sousa:** Minister of Transportation.

**Hon. Glen R. Murray:** I want to be very clear about a few things here. One, we have a memorandum of understanding with the city of Toronto, which they voted for. They voted down subways in Scarborough, and then they changed their mind. Then we went back, and the Premier, when she was Minister of Transportation—with skill that I think could solve the Middle East crisis—renegotiated and brought that back, and we have a deal. We've had a deal not once, but twice.

The door was always open to the federal government to come in. They did it. The city council could come to the federal and provincial governments and say, "We would like another MOU because we would like to add projects, and for the first time, we'd like to write a big cheque."

The federal government could come to us and say, "We would like to join because you're paying 90% of the costs. We don't think that's fair. We think we're being kind of cheap at 5%. We'll come up with maybe 25%, and then anything is possible."

#### ACCESS TO INFORMATION

**Mr. Todd Smith:** My question this morning is for the Premier. Premier, this just keeps getting worse and worse every day. I'm sick of watching all the Premier's men

unravel here in the Legislature as this scandal continues to reach further and further into the Liberal organization. Now we've even got the NDP, who are guilty as well of aiding and abetting this criminal activity by continuing to support this government. They're guilty of being an accessory after the fact.

You claim to be innocent. You've used your private Gmail account to discuss the gas plants because you know it wouldn't be subject to freedom of information. We've had your transition chief, Monique Smith, on record insulting the ruling by our Speaker. We've had two senior Liberal chiefs of staff break the law to destroy documents.

Premier, at least when Richard Nixon was breaking the law, he had the decency to resign as the evidence was mounting. He had the decency to resign in that scandal.

1110

Show some respect for the office that you hold. Show some respect for the people of Ontario. Will you call in the OPP today?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. While the clock is stopped, I am going to recognize that this is a heated debate, but I am a little concerned about the direction of the verbiage that's being used to make accusations against members. I would prefer the questions to be directed away from that as much as possible.

Premier.

**Hon. Kathleen O. Wynne:** Thank you very much, Mr. Speaker. As I have said a few times in the House, the OPP is an independent entity, and they will do what they deem in the best interests of the people of Ontario.

I have said that since I came into this office, I have worked to make sure that all the information that was asked for was provided. The fact is that the member opposite is talking about an email that he has. It's an email that he has read. It's an email that he has in his hands. Clearly, it's not something that I was trying to keep secret, because he has it in his hands. That is completely consistent with what we have done since I came into this role. We've opened up the process. We've provided the information that was asked for. We will continue to do that.

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

**Mr. Todd Smith:** Mr. Speaker, the privacy commissioner ruled this week that that Liberal government was guilty of breaking the law. It's as simple as that. Who is the leader of that Liberal government? It's the Premier of the province.

I'm not interested in more talking points, and neither are the people of Ontario. They want to see some real action. I'm interested in the Premier—that's you—finally showing some respect for the office that you hold.

The chief of staff to your predecessor broke the law. The former chief of staff to the Minister of Energy broke the law. Senior members of your team have said in emails that they don't really see any problem with that. They've actually stood up and said that they don't see any problem with breaking the law.

This is about a fundamental breach of trust that you and the senior members of your party and your government have committed against the people of Ontario. Only the OPP's white-collar crime unit can get to the bottom of this scandal. Will you, like Richard Nixon, have to be escorted out of here to make that happen?

Let's get to the bottom of this. Bring in the OPP—

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

*Interjections.*

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

Premier?

**Hon. Kathleen O. Wynne:** Government House leader.

**Hon. John Milloy:** Mr. Speaker, I'm very interested in the honourable member's discussion of the use of personal Gmail accounts. They'll want to hear this. I'd like to read an email into the record. It says, "A great opportunity has come up. You've been asked to do Focus Ontario this week. Taping is tomorrow at 2 p.m., and they want to give you the whole show. You'll be on with John Tory and Keith Leslie. The time works for your schedule, so we're going to book it in, and you've got some time before that to do a bit of prep." It's signed by Lynette Harris, executive assistant to the Leader of the Opposition.

The most interesting thing: It's sent to the Leader of the Opposition at his Gmail account.

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

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order. Order, please. This is the time in which you don't know whether or not I'm going to take another step if it gets quiet and you decide you're going to interject.

New question.

#### LONG-TERM CARE

**Ms. Teresa J. Armstrong:** My question is to the Minister of Health and Long-Term Care.

Speaker, in London and Middlesex county, 68%, or 15 out of 22, long-term-care homes have not had an annual resident quality inspection. The minister's response has been extremely concerning, implying that complaints or critical incident investigations can take the place of thorough and preventive inspections.

Will the minister acknowledge that the 15 homes in Middlesex county investigated for complaints and critical incidents should still get a full inspection so that further tragedies can be prevented?

**Hon. Deborah Matthews:** Speaker, what I can tell you is that I completely agree that when people are in long-term-care homes they and their loved ones ought to have confidence in the quality of care that is being delivered in those long-term-care homes.

We are significantly strengthening the inspection protocol. Since 2010, our inspections are much more thorough and they are resident-focused.

Is there more to do? Yes, I believe there is more to do, and I am exploring what those options might be.

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

**Ms. Teresa J. Armstrong:** Speaker, some long-term-care homes in London have more than two dozen investigations following a complaint or critical incident. The frequency of these complaint investigations might point to an underlying problem, but still, the minister has not taken the time to do a full inspection.

Seniors in long-term care and their families want problems resolved before they turn to tragedy. Will the minister tell these families when full inspections of all long-term-care homes will be completed?

**Hon. Deborah Matthews:** Well, Speaker, I think it is important to note that every home does receive an inspection every year. In fact, last year the ministry undertook 2,347 inspections. That's an average of 3.7 inspections per home.

I think it's also important to talk about the real improvements in quality that are happening in our long-term-care homes since the introduction and implementation of our new long-term-care act.

I'll just speak about one home, Leisureworld Tullamore: a 50% reduction in critical incidents because of the work that's been done through Behavioural Supports Ontario. The behaviours are decreasing because staff are better trained to know how to deal with people who have significant behavioural challenges.

Improving the quality of care is the highest priority in our long-term-care homes. Inspections are part of that. As I said before, we are looking at how to even further strengthen those long-term-care inspections.

#### LABOUR DISPUTE

**Ms. Dipika Damerla:** My question is for the Minister of Labour. Speaker, my riding of Mississauga East-Cooksville has a large number of high-rises and so the ongoing elevator strike is of issue, and I've been getting quite a few emails and calls from concerned constituents. Here's an example of a concern a constituent emailed to me: "There are three elevators in the building of 30 floors and only one elevator is operational. There's a message saying the technicians are on strike. I, as a homemaker, am asking for your assistance in solving this very severe issue."

Can the Minister of Labour give us an update on the negotiations that are taking place?

**Hon. Yasir Naqvi:** I want to thank the member for a very important question. I do sympathize with the concern that her constituent has raised. I have received, obviously, similar emails from my constituency. I'm sure other members have as well.

This is definitely an issue that impacts all Ontarians. I want to assure the House that the Ministry of Labour is quite engaged. In fact, a Ministry of Labour mediator has met with both parties on 10 different occasions, and is available to assist the parties at the bargaining table whenever requested.

We urge both parties to come back to the table and resume negotiations. I'm very confident that by working together, the parties will be able to reach a settlement,

and we know settlements reached at the negotiating tables are the best ones and the sustainable ones.

I also understand, Speaker, that repairs can continue by qualified TSSA-certified personnel, which various buildings in our constituencies can avail themselves of.

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

**Ms. Dipika Damerla:** Thank you to the minister for his update on how the negotiations are going, as well as for clarifying that while the strike is on, elevators can continue to be repaired.

I'd just like some clarification on behalf of my constituents as to how they would know whether an elevator repair person is a certified, licensed repair person while the strike is going on.

**Hon. Yasir Naqvi:** Minister of Consumer Services.

**Hon. Tracy MacCharles:** First, I want to inform all members of the House that it is the responsibility of building management and the owners to work with service providers to repair the elevators. In the interest of protecting public safety, the Technical Standards and Safety Authority, the TSSA, requires that only certified and qualified technicians work to repair the elevators.

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Currently, there are managers, supervisors and other certified personnel who have the required certifications to work on elevators. So repairs are being done; however, not as quickly as many would like, of course.

With regard to emergency situations, buildings have their own plans to respond to situations with emergency responders. It's important to note that the TSSA has zero tolerance for situations where uncertified, unqualified personnel are found to be working on elevators. I'm monitoring this very closely, and the TSSA and myself will act on public safety risks—

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

## WIND TURBINES

**Ms. Lisa M. Thompson:** My question today is for the Premier. Premier, I'm going to quote from your throne speech this past February:

"Your government intends to work with municipalities on other issues, too...."

"So that local populations are involved from the beginning if there is going to be a gas plant or a casino or a wind plant or a quarry...."

Premier, I'm now going to quote you and quote 104.9 The Beach, from Goderich, this past Saturday: "During a visit to Sarnia Friday, Premier Wynne," when asked about the May 30 announcement, "told reporters that municipalities who have made such declarations" of unwilling host communities "are likely out of luck."

Premier, your attitude toward rural Ontario is criminal but, sadly, that's become the norm of your government, I'm afraid. Going back to unwilling host communities who have declared in writing that they're unwilling, Premier, I have to ask you: Do you or do you not support these municipalities?

**Hon. Kathleen O. Wynne:** Minister of Energy.

**Hon. Bob Chiarelli:** Of course, it's always best for parties to work co-operatively with municipalities. I have a tremendous example of one right here, and this is from the member from Nipissing, when he was mayor. Perhaps we should take his lead and municipalities might take his lead:

"Taking advantage of locally available green power resources is a good fit with the long-range development strategy we have for the community. I am particularly pleased with the relationship we have struck with West Wind Development, Inc. for the first half of the project. I am confident that the company's reputation as a responsible wind power developer can put North Bay 'on the map' as a showcase for the sensitive and responsible development of this great renewable energy resource."

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

**Ms. Lisa M. Thompson:** Minister, you and I both know that's nothing but a load of spin.

Back to the Premier: Municipalities know your support is fair-weather. Proponents that I have met with, municipalities, and all of us in the PC caucus are wondering why last week's announcement was made before your MPP working group had actually even gotten together and presented the recommendations as reported in August.

Premier, it's an insult to rural Ontario. Municipalities thought that they could expect better from you. You told them they could. But you instead think you can fool them with this announcement, and actually they know better. They're very savvy now. They know it means nothing. Who did your working group consult with? Because I can tell you, no one in my riding heard from anybody. Because of that, Premier, will you invite opposition like myself and other members impacted by industrial wind turbines to join your working group so we can do the right thing?

*Interjections.*

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

Minister of Energy.

**Hon. Bob Chiarelli:** Mr. Speaker, I assure you that the decibel level doesn't necessarily create any more substance to the reality of the situation. Communities spoke—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Leeds–Grenville will come to order. I'm going to ask that all members allow the answer to be put.

*Interjection.*

**The Speaker (Hon. Dave Levac):** If the member from Leeds–Grenville is looking for a warning, he's got one. You are warned.

**Hon. Bob Chiarelli:** Mr. Speaker, communities spoke, mayors spoke, and we listened. We listened; we consulted with the Association of Municipalities of Ontario in a very significant way. We listened to stakeholders.

With these large renewable projects, the Ontario Power Authority is creating a new bidding process where priority approval is given to projects that have prior municipal approval, making it extremely difficult, if not

impossible, for contracts to be awarded without an arrangement with a municipality.

In addition to that, we're creating funds for small and medium-sized municipalities so that they can create municipal energy plans, and we're creating more taxation availability for municipalities that have wind turbines. It's very significant and—

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

#### PROTECTION FOR WORKERS

**Mr. Taras Natyshak:** My question is to the Minister of Labour. Minister, on Tuesday, 400 retirees of National Auto Rad in Windsor learned that they will lose their health and life insurance benefits. The reason is that the employer is filing for bankruptcy and has cleverly manipulated things so that all liquidated assets will be going to another company, a sister company—get this—owned by the same family that owns National Auto Rad.

Why is this government doing nothing when 400 loyal Windsor retirees are being stripped of their hard-earned health benefits by an unscrupulous employer?

**Hon. Yasir Naqvi:** I thank the member opposite for bringing this issue to my attention. Obviously, it seems like it's a matter between a union and its employer, and I obviously encourage the union and the employer to work together to be able to come to some sort of a settlement.

We always encourage parties to negotiate these types of things around the negotiating table; that's where the best results are created, so I encourage the company and the union to work together and be able to work in agreement. If they need the assistance of the Ministry of Labour's mediators, we will provide those services to facilitate an agreement.

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

**Mr. Taras Natyshak:** Minister, this isn't a one-off. This is just one of many stories of employers exploiting loopholes in federal and provincial law to deny workers wages and benefits that they are rightfully owed. In January, Vertis Communications in Fort Erie—and I know you're familiar with this—announced that it was shutting down, filing for bankruptcy in the States and leaving 100 employees with no jobs and no severance.

The callous treatment of workers such as those at Vertis and National Auto Rad is wrong and simply has to stop. When will this government finally take action to ensure that loyal workers like those in Windsor and Niagara get the wages and benefits that are rightfully theirs?

**Hon. Yasir Naqvi:** The issues that the member speaks of are federal issues. In fact, I have written to the federal Minister of Labour to encourage her to ensure that they enhance their worker protection and employment protection program, the Wage Earner Protection Program. This is an issue that the federal government has to deal with to ensure that, in the matter of Vertis—which the member from Niagara Falls so aptly advocated for—and in this particular issue, the federal government extend

wage earner protection to those who are beyond just a bankruptcy situation.

I look forward to working with the member on this. I've written to the Minister of Labour federally, and I will continue to urge her to provide the protection that Ontario workers so much deserve.

#### STUDENT ASSISTANCE

**Mr. Grant Crack:** My question is to the Minister of Training, Colleges and Universities. This is an important time of year for high school students across the province. Many have already been accepted at post-secondary institutions for the coming fall term. Also, many students already in college or university have travelled home for the summer to be with their family and their friends.

Ontario has world-class institutions across this province, and some students, like the ones in my riding of Glengarry–Prescott–Russell, need to travel a distance to attend college and/or university. Commuting from a great distance can be difficult, frustrating and, at times, time-consuming. However, some students have no choice but to commute, and I can understand the frustrations that they face.

Speaker, through you to the minister, can the minister inform the House about the opportunities that post-secondary students have when they commute to school?

**Hon. Brad Duguid:** That member is a strong voice for students across the province that do have long distances to travel to post-secondary education. We're very proud of the fact that Ontario has the best colleges and universities in the world. Each and every student that's qualified should be free to choose which institution they'd like to attend, regardless of the distance.

Ontario Distance Grants assist OSAP-eligible students from remote and rural Ontario areas with their transportation costs. The commuting grant provides \$500 per term to students who commute on a regular basis 80 kilometres or more and there's no post-secondary institution near their home. The travel grant provides \$300 a year to single dependent students who live away from home during the study period and their parents' home is 80 kilometres or more from the closest institution.

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Time with family and friends is important. Commuting can be time-consuming and financially difficult. Our government is providing the tools to make this easier for our students.

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

**Mr. Grant Crack:** Thank you for that great response from the minister. It's great to see that our government is making post-secondary education more affordable and more accessible.

Students in my riding of Glengarry–Prescott–Russell often study full-time in French, and they have to travel to various colleges and universities across the province. Access to francophone studies is important to many students that I speak with and are dedicated to pursuing their degrees in French. I'm pleased to hear this, but once

again, commuting and travelling to appropriate institutions can form a barrier for many students.

Speaker, through you to the minister, could he provide us with an update on what the government is doing to assist francophone students who need to travel to college or university?

**Hon. Brad Duguid:** That is a question that our minister responsible for francophone affairs speaks to me about very often. Francophone students deserve a supportive learning environment that allows them to study and succeed in their own language. We recognize the importance of providing francophone students in Ontario with a broader range of post-secondary options for study.

Beginning in 2013-14, eligible francophone students who are attending full-time studies in French will be eligible for both the commuting grant and the travel grant, even if there is another institution closer to home. This expanded eligibility criteria supports accessibility of French-language post-secondary studies in Ontario.

Our government is committed to providing the best post-secondary education in the world. This grant is just one way that we're doing that. I want to thank the minister for francophone affairs for her continual championing of these important issues on behalf of francophone students.

#### SCHOOL TRANSPORTATION

**Mr. Randy Pettapiece:** My question is to the Premier. With your new tendering policy, your government is destroying independent school bus operators. Shortly after you became Premier, I wrote to your education minister to demand a change. I've sent countless emails for constituents whose livelihoods are at stake and met with the Minister of Rural Affairs. You ignored recommendations by former Integrity Commissioner Coulter Osborne, who said you got it wrong. He showed you a better, fair path, and you've lost a court case that said your decisions were wrong.

Premier, how many court decisions will it take and how many lost jobs will it take before you admit your policy has failed?

**Hon. Kathleen O. Wynne:** The Minister of Education.

**Hon. Liz Sandals:** The member opposite is referring to an area which has clearly been difficult, and because this has been a difficult area, we have met with both the Ontario School Bus operators and also the Independent School Bus Operators, because we now have a situation where there are two competing organizations representing operators. What we have said to both of those organizations is that we're willing to work with them and look at the procurement practices and make sure that the RFP practices are well-refined, that they're clear and that they're clear to everybody who is bidding. But I must make it clear that the Auditor General has given us direction that we do need to have a fair and open procurement process.

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

**Mr. Bill Walker:** Thank you, Speaker. My question is to the Premier. Premier, if you were putting students first, you would be putting their safety first. Both the task force that Coulter Osborne chaired and the Ontario Chamber of Commerce talked about the benefits of independent school bus operators. Like them, I know the best interests of our rural school communities are when local operators who know their student populations serve our schools. Your actions prove you disagree with that.

Will you put our students first and will you restore integrity in student transportation by letting our small, independent operators compete?

**Hon. Liz Sandals:** I repeat, we have met with Karen Cameron, representing the Independent School Bus Operators, and we've met with the Ontario School Bus Association, and we have said to both of them that we are willing to have a look at how the procurement policies are defined. But I think it is also important that we know that when we look at the data around who has been successful in procuring contracts, contrary to some of the reports we have heard, the number of small operators has actually gone up. If you look at the experience across the province, the number of contracts that have gone to the smaller operators has actually increased.

#### AIR-RAIL LINK

**Mr. Jonah Schein:** My question is to the Minister of Transportation. Yesterday, scientist David Suzuki added his voice to the growing list of people critical of the Liberal government's plan to run diesel trains along the air-rail link. Suzuki's concerns echo those of transit expert Joell Ann Vanderwagen, who recently called the Liberals' diesel plan "the worst current example of wasted resources and opportunity." She calls electric train service a "common sense" alternative "to create a GTA-wide rapid transit network now—not 30 years down the road."

Speaker, will the minister admit that this diesel line is a bad plan and finally commit to immediate electrification of the Union Pearson Express?

**Hon. Glen R. Murray:** You know, Mr. Speaker, the more I listen to the third party, the more confused I am by their priorities. Big priority number one: Make it cheaper to drive a car. Big priority number two I don't understand because we both share a challenging set of constituencies along the Lakeshore line, where right now we're not running Tier 4 diesel, which is 25% of emissions. The trains that ran along Ontario's tracks for the last 70 years have been diesel. As someone who represents people who live half a block from the CN and CPR main lines, where diesel is commonplace, their health with conventional diesel seems to be a lower priority for the members when we've already committed to doing electrification by 2017.

When is one of the six New Democrats who represent people along the diesel-infested lines, as they might call them, going to—

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



**Mr. Jonah Schein:** I just don't understand why this government would move ahead with more diesel transit investment at this point. Let's be very clear: As New Democrats, we believe in transit investment. We're committed to it. We know we need to pay for it in fair ways. But we also believe in smart transit investment.

The Auditor General has criticized this government's diesel power plan. He says higher fares will drive down what he says are "overly optimistic" ridership projections on this line. Instead, an electrified line would allow multiple stops, it would generate higher ridership, it would be more affordable, and it would serve as a downtown relief line for the west end. Let's talk about this line, Minister.

So, one last time: Will the minister commit to do it once, to do it right the first time and to electrify the Union-Pearson air-rail link from day one?

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

**Hon. Glen R. Murray:** Mr. Speaker, I'm going to say this very slowly. We are doing it. The EA is under way. It's for 2017. The e-environmental process doesn't allow us to do it now because it won't be ready for the Pan Am Games, which would be an embarrassment, and we're pretty proud of the Pan Am Games.

I'm still confused. We could take \$900 million right now out of what? Twenty northern highways? How would the third party feel about that?

When is the third party going to demand, in Ottawa or here, a national transit strategy? When are they going to show concern about getting conventional diesel on the CN and CPR lines electrified, which we can only do with the federal party? When will Mr. Mulcair say the word "electrification" of a national transit policy? They had a chance when we were in power to support a national transit policy and they sided with the party there, then cancelled it.

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

**Hon. Glen R. Murray:** Mr. Speaker, electrification—

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

*Interjection.*

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

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

*The House recessed from 1139 to 1300.*

## INTRODUCTION OF VISITORS

**Ms. Helena Jaczek:** We are just about to be joined by some guests in the east members' gallery. We have Vish Date, Mrs. Swati Date, Ann Tran and Stephane Cadieux. They're all representing badminton in Markham.

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

**Mr. John O'Toole:** I'd like to recognize—in the chamber earlier today, there was Ruth Wilcock, who's the executive director of the Brain Injury Association, who put on a wonderful thing earlier today. Welcome to Queen's Park.

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

**Mr. Frank Klees:** Newmarket–Aurora.

**The Speaker (Hon. Dave Levac):** I know. I'm holding back. This is fun. Newmarket–Aurora.

**Mr. Frank Klees:** Speaker, I want to welcome all of my constituents from Newmarket–Aurora who are watching these proceedings on the parliamentary channel.

**The Speaker (Hon. Dave Levac):** That could have been why I forgot.

Last call for introductions—especially that one.

It is now time for members' statements.

## MEMBERS' STATEMENTS

### FIRST RESPONDERS

**Mrs. Jane McKenna:** Today, I have tabled a motion designed to offer a formal and lasting tribute to this province's fallen emergency medical services first responders. The resolution reads, "That, in the opinion of this House, the government should establish a memorial to emergency medical services first responders whose lives are lost in the line of duty."

Such memorials currently exist in the Queen's Park precinct to honour firefighters and police who have died in the line of duty. It is time that we honour fallen first responders as well, Speaker. If passed, this resolution would constitute a request to erect a memorial to Ontario paramedics, land and air, in the Queen's Park precinct.

First responders' skill and dedication often makes the difference between life and death. When a paramedic's life is lost in service to the public, that should be properly honoured.

This initiative is inspired by a request from John Snowball, father of Burlington paramedic Chris Snowball. Chris was tragically killed in the Ornge air ambulance crash last week. John asked that his son and all paramedics who have perished in service be memorialized so that they will be remembered by this and future generations as heroes.

I could not agree more, Speaker, and I am proud to table this motion in the Ontario Legislature today.

### ITALIAN HERITAGE MONTH

**Mr. Steven Del Duca:** I am extremely pleased today to be able to rise in the House and convey my most sincere thanks and congratulations to those celebrating Italian Heritage Month here in Ontario this June.

As some of you will know from comments I have made previously in this House, my own father, Ben Del Duca, immigrated to Canada from Italy in 1958, and his father, my grandfather, Alfonso Del Duca, came from Italy to Ontario in, I believe, 1951. Therefore, this month is of particular importance to me and to my family.

I'm also very proud to say that my community of Vaughan has what I believe is the largest concentration of Italian Canadians of any one electoral district not just in the province of Ontario but the entire country of Canada residing within its boundaries. So throughout the

month of June, people from all over Ontario will be celebrating and recognizing the Italian-Canadian community's contribution.

Ontario is home to over 1.3 million Italian Canadians. Since the 1880s, this community has made, and continues to make, significant contributions to both the growth and prosperity of our province and our country.

I look forward to attending a number of cultural events occurring in my riding of Vaughan over the course of this month in celebration of the Italian-Canadian community. In fact, just a number of days ago, as you will know, Speaker, and as many others will know, we did the official flag-raising on the front lawn here at Queen's Park, and just this past Tuesday, my own city of Vaughan did the official flag-raising at Vaughan city hall.

Once again, I want to congratulate and send my best to all of those celebrating Italian Heritage Month in the province of Ontario this June.

**The Speaker (Hon. Dave Levac):** Bravo. Grazie.

#### CAMBRIDGE STREET BAPTIST CHURCH

**Ms. Laurie Scott:** Last Saturday, I had the honour of attending an event marking the 150th anniversary of the congregation of the Cambridge Street Baptist Church in Lindsay. A hundred and fifty years ago, a tiny congregation of 13 devout members started to lay the foundations of what has since become an institution in this community. When the Lindsay church was first organized in 1863, there were fewer than 40 Baptist churches in the entire province of Ontario. When the chapel was first built, the pastor would bring his own organ to the church by wheelbarrow in the summer and by sled in the winter.

The 150-year history of the church has been well documented, and a detailed and comprehensive summary of key milestones is included on its website. It's a fascinating document, listing everything from the names of the first three people ever baptized there to biographical information on the various pastors over the period, the eventual purchase of the pipe organ, and the burning of the mortgage in 1946.

From its humble beginnings in 1863, the Cambridge Street Baptist Church has grown to become a place of joy, worship and community for the thousands of people who have belonged to the congregation over its 150 years. I was pleased to have been invited to participate in this momentous anniversary, and I would like to extend congratulations to the current congregation and wish them the very best for another 150 successful years in the Lindsay area.

#### ANNIVERSARY OF ATTACK ON THE GOLDEN TEMPLE

**Mr. Jagmeet Singh:** This week marks the 29-year anniversary of the Indian government's attack on the Harmandir Sahib, which is called the Golden Temple, in Amritsar. Twenty-nine years ago, the Indian government

ordered its attack on the Golden Temple and close to 50 other Sikh places of worship, in a systematic and organized manner.

India's Supreme Court judge Justice V.M. Tarkunde, in describing the June 1984 attack, said, "It was indeed a mass massacre mostly of innocents." S.M. Sikri, former Chief Justice of the Supreme Court of India, elaborates by describing Operation Bluestar as a "massive, deliberate and planned onslaught to the life, property and honour of a comparatively small, but easily identifiable minority community."

The attack on the Golden Temple, contrary to misinformation, had nothing whatsoever to do with a Hindu-Sikh conflict, as there was categorically no Hindu-Sikh conflict. In fact, in the years preceding the attack, the Sikh community rallied together calling for the implementation of the Anandpur Sahib Resolution, which called for increased rights for oppressed minorities, women, lower castes and impoverished communities, and asked for increased autonomy for the state and guarantees of constitutional rights and equalities for citizens, regardless of their caste, religion or gender.

This attack was a severe mark on the history of India; it has left untold wounds across the country and across many Sikh community members. I call on this Legislature to remember these attacks and to call for justice once and for all, because injustice against one is injustice against all.

My deepest sympathies are with those who lost their lives and their family members to this devastating attack, and I call again on all of us in this House to remember those devastating attacks and that injustice that occurred so that we can never let that happen again.

#### ORDRE DE LA PLÉIADE

**M. Phil McNeely:** J'ai assisté, le 29 mai dernier, à la cérémonie de remise des décorations de l'Ordre de la Pléiade, section Ontario, ici même à l'Assemblée législative. Mes collègues la députée d'Ottawa-Vanier et ministre des Affaires francophones, Madeleine Meilleur, et le député de GPR, Grant Crack, étaient aussi présents à la célébration.

Cet ordre a été créé par l'Assemblée parlementaire de la Francophonie en 1976. Il est destiné à reconnaître les mérites de femmes et d'hommes qui se sont particulièrement distingués en servant les idéaux de coopération et d'amitié de la francophonie en Ontario.

L'Ordre de la Francophonie et du dialogue des cultures reconnaît chaque année six Ontariennes ou Ontariens pour s'être démarqués de façon exceptionnelle par leur contribution à faire rayonner la langue française. Cette distinction marque ainsi les efforts et l'apport indéniables de ces individus à la promotion de la culture française dans leur communauté respective mais aussi au niveau de la francophonie partout en Ontario.

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Je suis donc honoré de féliciter devant cette Chambre les six récipiendaires du grade de Chevalier de l'Ordre de

la Pléiade 2013. Il s'agit du major à la retraite Elizabeth Allard d'Orléans, Maryse Baillairgé de Windsor, Jean-Luc Bernard de Mississauga, Peter Hominuk de Limoges, Gérard Paraghamian de Toronto et Linda Savard d'Ottawa. Félicitations une fois de plus. Vous êtes des symboles pour les générations qui suivent.

#### D-DAY ANNIVERSARY

**Mr. Robert Bailey:** I stand today on the 69th anniversary of D-Day, in honour of the 14,000 men of the 3rd Canadian Infantry Division and the 2nd Canadian Armoured Brigade.

In the early morning hours of June 6, 1944, with great courage and boldness, those men stormed the near impassable barrier of Hitler's Atlantic wall. That day, as part of the Allied forces effort, some 130,000 troops landed on the shores of Normandy.

At Juno Beach, the tenacity of Canadian troops quickly overwhelmed the surprised Nazi forces. In doing so, our troops helped to establish an 80-kilometre beachhead with Allied forces, a turning point that would lead to the eventual defeat of Germany in the Second World War.

In June 2011, I had the opportunity to travel to Juno Beach and visit that hallowed ground. I stood on the sands where those brave young Canadians ferociously fought their way through the killing zone of German artillery and where 344 soldiers made the ultimate sacrifice by giving their lives in the fight to liberate Europe.

Mr. Speaker, I ask today, as we tend to the business of our individual lives, that each of us reflect upon the past service and sacrifice of our veterans in all conflicts, and that we give thanks for their determination and commitment to protecting our traditions of freedom, justice and democracy.

#### FEDERATION OF BADMINTON CLUBS

**Ms. Helena Jaczek:** Today I'd like to recognize the Federation of Badminton Clubs, from my great riding of Oak Ridges–Markham.

The Federation of Badminton Clubs, whose motto is United We Play, was founded by President Philip Chow in 2011. It acts as an umbrella organization for the 49 badminton clubs in the Markham area and was recently awarded an Ontario Trillium grant worth over \$200,000. The grant will go towards purchasing new equipment such as custom racquets for younger children and youth, the hiring of a technical director, and the ability for coaches to get their National Coaching Certification Program designation.

In fact, the federation has been so successful at promoting badminton that they are now facing the enviable challenge of finding space to meet the demand. As a result, they are working with the community to ensure that the Markham Pan Am Centre, which will host the badminton events for the 2015 Pan Am Games, will remain dedicated to badminton.

We are joined today by Vish Date, a two-time gold medal winner at the US senior Olympic badminton championships and a gold medal winner at both the Ontario and World Masters tournaments; Ann Tran, a VP from the Federation of Badminton Clubs and a bronze medal winner for women's doubles at the Ontario Colleges Athletic Association championships; and Stephane Cadieux from Badminton Ontario, who is Canada's junior team's coach. Thank you for the work that you've done to build such a strong badminton community in Markham.

#### BOOTS AND HEARTS COUNTRY MUSIC FESTIVAL

**Mr. John O'Toole:** The countdown is on for the 2013 Boots and Hearts country music festival in Clarington from August 1 to 4. This is the largest country music festival of its kind ever hosted on Canadian soil. I'd like to thank the minister for supporting that program.

Exciting new performers, as well as global superstars, are all part of a lineup of more than 30 bands, including Miranda Lambert, winner of four American country music awards for 2013.

The Boots and Hearts stage will also welcome Jason Aldean, the Band Perry, Rascal Flatts, Dierks Bentley, Joe Diffie and Dean Brody.

Canadian performers include the Stone Sparrows from Clarington, Brooklin's Lindsay Broughton, Emerson Drive, the Stellas, Jason Blaine, and High Valley.

I would like to commend Shannon McNeven, a young entrepreneur from Peterborough, and his team at Republic Live for launching Boots and Hearts last year. The festival builds on last year's great success.

I'm proud to say that my riding is home to this four-day country music celebration. I hope to attend. I'd like to invite the members, their families, and friends of the Canadian Tire Motorsport raceway for a great time this summer and a great weekend in country music. Everyone is welcome, of course.

**The Speaker (Hon. Dave Levac):** The member from Vaughan on a point of order.

**Mr. Steven Del Duca:** My apologies for doing this, Mr. Speaker. The guests I'm going to acknowledge weren't in the gallery when we were going through introduction of guests. I'd like to acknowledge that I have some guests here from St. Gregory the Great elementary school in Woodbridge, in my wonderful riding of Vaughan, who I had a chance to meet and speak with down on the main staircase. They're here. I think it's three—I'm not sure if all three are here, but three grade 5 classes. I know they've been having a fantastic time and they will agree by now, as I told them on the steps right here today, that this place is more exciting than Canada's Wonderland.

**The Speaker (Hon. Dave Levac):** I believe we've missed a rotation that I thought was there. But let me make a point while we're all attentive. There is sometimes a habit of some people saying, "Take the next

rotation.” I don’t want to say it’s a game of chicken, but it’s, “I want to wait and see if I can get the last word.” If you miss the rotation, you could also miss all statements if no one else stands up. I want to make sure everyone realizes it’s always rotation but not necessarily rotation. If somebody’s late or they can’t make it and someone is nice enough to take the rotation and pick it up, that’s absolutely fine. I just wanted to point out, that if that game gets played, it could lose all statements. So try to be cognizant of that as we go through.

At this point, I will recognize the member from Toronto–Danforth on a statement.

### GREENHOUSE GAS EMISSIONS

**Mr. Peter Tabuns:** Thank you very much, Speaker, and thank you for your comments on the timing of statements.

Yesterday, the Environmental Commissioner of Ontario presented his report about greenhouse gas emissions and Ontario’s failure to actually move forward on taking action on climate change. He spoke eloquently about the inadequacy of the measures that have been taken. I note that the world has passed a threshold in the concentration of greenhouse gas in the atmosphere, a threshold that should seize the attention of every jurisdiction around the world for its implications.

This week, we are seeing massive flooding in eastern and central Europe, unprecedented in a half a thousand years. We’ve seen tornados in Oklahoma that have destroyed homes and destroyed lives—one of which was recorded as one of the widest ever seen, over four kilometres wide.

Speaker, we are facing disruption of our everyday life, of our civilization on this planet. Failure of this government and others to act will mean that we will deal with the consequences, not with the opportunities, of that challenge before us.

I call on all members of the Legislature to read the words of the Environmental Commissioner, look at what is possible to be done and act to make sure that our future has some guarantees, some safeguarding in it.

### D-DAY ANNIVERSARY

**The Speaker (Hon. Dave Levac):** The member from Sarnia–Lambton on a point of order.

**Mr. Robert Bailey:** Speaker, I’d like to ask the House for unanimous consent, this being the 69th anniversary of D-Day, for a moment of silence in memory of those veterans who gave the ultimate.

**The Speaker (Hon. Dave Levac):** The member for Sarnia–Lambton has asked for unanimous consent to observe a moment’s silence on the anniversary of D-Day. Do I have agreement? Agreed.

All members and guests stand, please.

*The House observed a moment’s silence.*

**The Speaker (Hon. Dave Levac):** I thank everyone.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr. Peter Tabuns:** I beg leave to present the first report, 2013, from the Standing Committee on Regulations and Private Bills and move adoption of its recommendations.

**The Speaker (Hon. Dave Levac):** Mr. Tabuns presents the committee’s report and moves the adoption of its recommendations. Does the member have a short statement?

**Mr. Peter Tabuns:** No further statement. I move adjournment of the debate.

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

*Debate adjourned.*

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## INTRODUCTION OF BILLS

### WASTE REDUCTION ACT, 2013 LOI DE 2013 SUR LA RÉDUCTION DES DÉCHETS

Mr. Bradley moved first reading of the following bill:

Bill 91, An Act to establish a new regime for the reduction, reuse and recycling of waste and to repeal the Waste Diversion Act, 2002 / *Projet de loi 91, Loi créant un nouveau cadre pour la réduction, la réutilisation et le recyclage des déchets et abrogeant la Loi de 2002 sur le réacheminement des déchets.*

**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.

**Hon. James J. Bradley:** Mr. Speaker, I’ll make my statement during the time allocated for ministerial statements.

### ENSURING LOCAL VOICES IN NEW CASINO GAMBLING DEVELOPMENT ACT, 2013

### LOI DE 2013 VISANT À GARANTIR LA CONSULTATION DES POPULATIONS LOCALES AVANT LA CRÉATION DE NOUVEAUX CASINOS

Mr. McNaughton moved first reading of the following bill:

Bill 92, An Act to amend the Ontario Lottery and Gaming Corporation Act, 1999 / *Projet de loi 92, Loi*

modifiant la Loi de 1999 sur la Société des loteries et des jeux de l'Ontario.

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

*First reading agreed to.*

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

**Mr. Monte McNaughton:** I'm pleased to rise to introduce my bill, the former Bill 76, Ensuring Local Voices in New Casino Gambling Development Act. Accordingly, this bill amends the Ontario Lottery and Gaming Corporation Act, 1999, to adopt by reference the rule set out in the current regulations made under the act that a casino or charity casino cannot be established in a municipality or on a First Nation reserve unless the electors in the municipality or the members of the council, as the case may be, approve the establishment by way of a referendum.

I encourage all members to support this important piece of legislation.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### WASTE DIVERSION

**Hon. James J. Bradley:** I rise to introduce the Waste Reduction Act. If passed by the Legislature, this legislation would replace the existing Waste Diversion Act. We need the proposed Waste Reduction Act to break the recycling logjam, boost diversion rates and establish a system that encourages the private sector to invest more in recycling plants and jobs in our province.

We have heard loud and clear from the Environmental Commissioner of Ontario, from both opposition parties and from stakeholders in the recycling system that the old legislation is fatally flawed. There's consensus that we need a new approach to increase recycling to better protect our environment.

Under the old law, recycling rates are stagnant at 25%. Under the old law, businesses and institutions are not pulling their weight on recycling. Under the old law, municipal taxpayers are subsidizing blue box recycling. The bottom line is this: Under the old law, every year, millions of tonnes of potential raw materials for our factories are being buried in landfill instead of being recycled back into the economy.

This legislation is designed to get recycling back on track. The cornerstone of the proposed act is ensuring individual producers take responsibility for the end-of-life management of products they sell.

The goal of our proposed legislation is to recycle much more of the 12 million tonnes of waste we produce in this province each year. While residents have embraced recycling, and are diverting 46% of household waste, Ontario's industrial, commercial and institutional sector has stalled at about 13%.

The plan would kick-start recycling in shopping malls, universities and other institutional, commercial and industrial companies, starting with paper and packaging.

More recycling means more jobs. When we recycle another 1,000 tonnes of waste, seven new jobs are created. To look at it another way, recycling a given amount of waste generates 10 times the jobs that disposal in landfill does.

And there's another benefit: The more waste we recycle, the longer landfill capacity lasts, so fewer new ones would be required across the province.

The proposed act would recognize the important role that municipalities and property taxpayers play in recycling waste. The act would lift the 50% producer funding cap on blue box costs so that over time, producers would pay more. The act would transform Waste Diversion Ontario into a strong Waste Reduction Authority with compliance, oversight and enforcement powers.

An early task for the new authority would be to work with municipalities and producers to move more blue box funding off the municipal tax base and over to producers, who should rightly bear more of these costs.

The authority would also be responsible for ensuring a timely transition of existing mandatory recycling cartels to an individual producer responsibility system. The Waste Reduction Authority would monitor progress to be sure producers meet their targets and that diversion rates improve across Ontario.

The legislation would also require all-in pricing. The advertised and shelf price of a product that is designated for recycling under the act would have to include any recycling costs as it would any other cost of doing business. There would not be any surprise at the checkout counter. This move will also incent companies to look for ways to make the recycling processes more economical and stay competitive.

As you know, I think recycling is just another cost of doing business and should not appear on a sales slip. You do not see a special charge for labour costs, rent or heat. Why should you see a separate charge for recycling? That is a question consumers may wish to ask those who have been charging them.

Under the proposed law, misrepresentation of recycling costs would be an offence. The Waste Reduction Authority would have the power to audit the accuracy of any claimed recycling costs and to take action if there is misrepresentation of these costs.

The proposed act draws on significant stakeholder consultations. These proposals are in line with many of the things that the opposition parties, in fact, have been asking for. Both opposition parties have expressed support for individual producer responsibility. Both have noted that greater oversight of the industry recycling programs is needed. Both have asked for internalization of recycling costs by producers. Both have said that industrial, commercial, institutional waste must be addressed. Our legislation would do these things.

I think we have a lot of common ground, Mr. Speaker, and I urge my colleagues in the House to support this legislation.

### PREMIER'S AWARDS FOR EXCELLENCE IN THE ARTS

**Hon. Michael Chan:** Speaker, I was listening to the honourable member talk about today, June 6, D-Day of the landing in Normandy. I actually had the fortune, in 1997, of visiting the beach in Normandy. I still can remember those deserted bunkers and also those big cannons lying around in 1997. I can only imagine, on that day 69 years ago, how bloody it was in the area.

1330

On behalf of the government, I'm pleased to take this opportunity to recognize 12 remarkable Ontario artists and arts organizations. Speaker, 2013 marks the seventh year of the Premier's Awards for Excellence in the Arts, which celebrate artists and arts organizations for innovation and creativity.

The passion our province's artists bring to their work inspires people across Ontario to participate in the extraordinary cultural life of our community. Artists, and the arts organizations that showcase and support them, make unique contributions to Ontario. Not only do they entertain and enlighten us; they also inspire us to innovate and attract talent to the province.

Recognizing Ontario's artists and investing in talent is part of our government's plan to strengthen the economy and build a fair society. We understand the relationship between the arts and our quality of life. We also know the very real value of the arts to our economy.

That's why we are proud to partner with talented artists and arts organizations across the province to build a thriving cultural sector. Arts and culture build vibrant and creative communities, sharpen our competitive advantage, spur economic growth, and create a stronger Ontario.

Mr. Speaker, arts and culture is one of Ontario's fastest-growing sectors. Ontario is home to about 57,000 professional artists and countless arts organizations. The creative sector these professionals work in contributes almost \$20 billion to our economy and employs more than 250,000 people.

Since 2003, creative-industry jobs have increased by 15%, representing 39,000 new jobs in Ontario. The men and women working in creative industries are vital to Ontario. They are key to a creative and innovative knowledge-based economy. That's why Ontario's 2014 budget renewed the government's commitment to the province's creative sector by proposing a new Ontario music fund and continued funding for educational programs at the Canadian film development centre, among other programs.

Our government is proud to support and recognize artists for their important contribution. This is why our government created the Premier's Awards for Excellence in the Arts. It is a way for us to salute these extraordinary accomplishments.

Today, I am proud to shine the light on our finalists, whose passion and creativity reflect the best in Ontario's arts and culture sector. An expert jury chosen by the

Ontario Arts Council awards office evaluated the candidates and selected 12 finalists.

Our finalists in the individual artist category are: conductor Lydia Adams, visual artist Iain Baxter, musician Jane Bunnett, writer Charlie Foran, visual artist Micah Lexier, and visual and media artist Shelley Niro.

Our finalists in the arts organization category are: Authors at Harbourfront Centre, the Blyth Festival, Definitely Superior Art Gallery, book publisher Prise de parole, arts educators SKETCH Working Arts, and the Toronto Fringe.

Please join me in celebrating and congratulating all those who contribute to the arts, whose work empowers our province and maintains our place on the map as a cultural capital.

The Premier's Awards for Excellence in the Arts celebrate the inspiration and innovation of our artists, whose work enlightens and enriches us. Congratulations to all our finalists.

**The Speaker (Hon. Dave Levac):** Statements by ministries?

It's now time for responses.

### WASTE DIVERSION

**Mr. Michael Harris:** I'm pleased to have this opportunity to address the government's proposed Waste Reduction Act. Since the Liberals created the province's first ever eco taxes in 2008, the Ontario PC Party has been demanding that these needless levies be scrapped. We think it's fundamentally unfair that the Liberals have spent the last five years forcing consumers to pick up the tab for recycling tires, electronics, paint cans and batteries by surprising them at the cash register with a sneaky eco tax.

That's why, when I assumed the role of PC environment critic, I went to work on developing a solution that would allow us to scrap eco taxes but would also keep more recyclable materials out of our landfills. In November last year, I presented a bold Conservative plan to better protect our environment, lower costs for businesses, and treat recyclable materials not as waste but as valuable resources that we should recover and recycle into new products.

Under this plan, the Ontario PC Party pledged to scrap eco taxes, get rid of Liberal recycling cartels and put the province's toothless waste diversion watchdog out of its misery. We also said we would continue to build on the success of the blue box program created by the former PC government.

I must say I find it quite surprising that the Liberals have taken a page from our book by promising to kill each and every Liberal eco tax program while continuing Ontario's only successful recycling program, the blue box. To me, this is an outright admission of the Liberals' failure to create the right policies to increase Ontario's recycling rate, which has been stalled at just 23% for 10 long years under this Liberal government.

This failure has been marked most noticeably by a major decline in recycling among industries, businesses

and public institutions. For more than a decade, the Liberals have ignored this sector, which accounts for 60% of Ontario's waste. As a result, its recycling rate has declined from 19% to 12% over the last 10 years.

We expected that the environment minister would reflect our policy proposals in his bill because, while the Liberal government had its head in the sand, we were consulting with municipalities, environmental groups and industry representatives on developing a real solution. But the devil is always in the details, so I look forward to reviewing this bill thoroughly.

#### PREMIER'S AWARDS FOR EXCELLENCE IN THE ARTS

**Mr. Ted Chudleigh:** I'm pleased to rise this afternoon to respond and congratulate the recipients of the 2013 Premier's Awards for Excellence in the Arts.

These awards recognize the outstanding achievements of artists and arts organizations in Ontario over a significant period of time. Winners are chosen by a jury from the Ontario Arts Council awards office.

Mr. Speaker, please allow me to take a moment to recognize the 2013 award winners who have shown fantastic talent in a number of arts-related disciplines, beginning with Lydia Adams from Caledon East, who is the conductor and artistic director of the Amadeus Choir and the Elmer Iseler Singers. The Canadian Music Centre has hailed Ms. Adams as the leading exponent of the Canadian choral composer.

Iain Baxter& from Windsor is an Officer of the Order of Canada. Mr. Baxter& is a conceptual artist who has boldly gone where no one has gone before—integrating photography, installation, sculpture, painting, drawing and performing aspects into his large array of works.

Jane Bunnett of Toronto is an internationally proclaimed flutist, saxophonist, pianist and composer who has built her career at the crossroads between Cuban music and jazz. Jane is a Juno Award winner, a Canadian Urban Music Award winner and has also been awarded the Order of Canada.

Charlie Foran of Toronto is an author, journalist and teacher and is president of PEN Canada. He has published 10 books, including four novels, and contributes to many magazines and newspapers. Mr. Foran is also a contributing reviewer for the *Globe and Mail*.

Micah Lexier, also from Toronto, is a visual artist and curator. He is intrigued by measurement, games, puzzles and found imagery. He has had more than 100 solo exhibitions and almost 200 group exhibitions and has produced a dozen permanent public commissions, including one in the Leslie subway station here in Toronto.

Shelley Niro of Toronto is a Mohawk painter, filmmaker and photographer. She graduated from the Ontario College of Arts and Design. Shelley is known for her photography, which often combines portraits of contemporary aboriginal women with traditional Mohawk imagery.

Also, there are six arts organizations that deliver arts to Ontario which are recognized by these awards.

Mr. Speaker, as you can see, Ontario is rich with talent in the arts sector. I am proud of the contributions made to our province by these outstanding and deserving individuals. On behalf of our leader, Tim Hudak, and the entire PC caucus, it's my privilege and honour to congratulate this year's winners. Our province is indeed a more enjoyable place to live because of their good works.

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#### PREMIER'S AWARDS FOR EXCELLENCE IN THE ARTS

**Mr. Paul Miller:** It gives me extra pleasure today to respond to the minister's statement on the Premier's Awards for Excellence in the Arts. We only need to look around this building to see the living embodiment of excellence in the performing arts. Performers from the live and recorded entertainment industries are here today to support the passage of my Bill 71, *Protecting Child Performers Act, 2013*.

The Premier's Awards for Excellence in the Arts are open to artists and arts organizations engaged in any professional arts practice in Ontario, and recognize their outstanding achievements. The two categories, Artist Award and Arts Organization Award, each carry a total award of \$50,000. There are six nominees in each category.

The Artist Award nominees are: Lydia Adams, of Caledon East, in music; Iain Baxter& of Windsor, in visual arts; Jane Bunnett, of Toronto, in music; Charlie Foran, of Toronto, in literature; Micah Lexier, of Toronto, in visual arts; and Shelley Niro, of Toronto, in visual and media arts. They are excellent representatives of their medium, and I wish each of them good luck in this award, but mostly in their ongoing careers and contributions to our arts community.

The Arts Organization Award nominees are: Authors at Harbourfront Centre, in Toronto, for literature; the Blyth Festival, for theatre; Definitely Superior Art Gallery, in Thunder Bay, for visual arts; *Prise de parole*, of Sudbury, in book publishing; SKETCH Working Arts, of Toronto, in arts education; and the Toronto Fringe, in theatre. Again, this diverse group represents the talent in every corner of our province. I wish each well in the awards and look forward to their continued growth in their communities.

The Ontario Arts Council selected the finalists for this award, which will be given out at a ceremony later this month, and I want to congratulate the OAC on its 50th anniversary. As I will mention in my remarks later this afternoon, the arts and culture sector creates significant positive economic impact in Ontario. We need to encourage participants in this sector, not only by annual awards, but by significant, stable funding, and we need to look for new ways to provide that stable funding for longer periods, so that forward planning is a much easier exercise and artists can turn their minds to their art.

I congratulate all the recipients.

## WASTE DIVERSION

**Mr. Jonah Schein:** Thank you, Speaker, for the opportunity to respond to the Minister of the Environment's statement. The NDP welcomes the minister's initiative to introduce new legislation to replace the Waste Diversion Act. There is broad consensus that we need to do better on waste reduction in Ontario. Not only is it the right thing to do for the environment, but waste reduction and recycling offer huge potential economic benefits in terms of job creation.

Waste diversion rates in Ontario, unfortunately, are stuck below 25%, far below provincial targets, and numerous problems have arisen under the current legislation. In the past 10 years, the Liberal government has failed to create an effective waste diversion framework that effectively ensures that producers are held responsible for the full life cycle of their products. In fact, the government has been reviewing the old Waste Diversion Act for the last five years.

Meanwhile, the government has idly stood by as consumers have been hit with unfair eco fees set by unaccountable industry-run stewardship organizations. Individual producers have been provided little economic incentive to reduce their waste or to improve their products. A lack of adequate oversight has led to the export or landfilling of materials, which pollutes our environment here in Ontario and overseas, and growth in the recycling sector has been stifled by the monopoly of stewardship organizations.

Our low diversion rates mean that the government has missed real opportunities to spur significant job and economic growth in this province. With seven jobs in diversion created for every one job created in disposal, we need to tap into that potential as a province. But over the last 10 years, we haven't seen strong leadership from this government, and the recent mismanagement of waste diversion in Ontario has undermined the public's confidence in government recycling programs.

It's time for government to set real and forceful targets for diversion, to ban recyclable materials from landfill and to make business truly responsible for the full cost of recycling and disposal. For these reasons, the NDP is happy to hear that the government is finally undertaking this long-overdue step to introduce new legislation, and we look forward to the opportunity to comment more when this goes to second reading.

## VISITORS

**The Speaker (Hon. Dave Levac):** The member from Kitchener–Conestoga on a point of order.

**Mr. Michael Harris:** I'd like to welcome a grade 5 class from St John's-Kilmarnock of Breslau in my riding. Folks and kids, welcome to Queen's Park.

**The Speaker (Hon. Dave Levac):** That's actually not a point of order, but it's a good time to mention somebody when they visit Queen's Park, so welcome. We're glad you're with us.

## PETITIONS

## PHYSIOTHERAPY SERVICES

**Mr. Jim Wilson:** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Health is planning on eliminating OHIP-funded physiotherapy services currently provided to seniors in retirement homes—and changing the current provider of the service as of August 1st, 2013; and

"Whereas the Minister of Health has announced a total of \$33 million in physiotherapy funding, or \$550 per senior, for 60,000 seniors, including those in retirement homes; and

"Whereas instead of the 100 to 150 visits per year a senior may receive now from their dedicated on-site OHIP physiotherapy staff, the change would mean a CCAC therapist would provide 5 to 10 visits on-site only to seniors who are bedridden or have an acute injury. All other ambulatory seniors would have to attend other community locations/clinics for physiotherapy and exercise off-site; and

"Whereas this change not only reduces the amount of money available, but also moves funds from the lowest-cost provider (OHIP physiotherapy providers—\$12.20 per treatment) to the highest-cost provider (CCAC—\$120 per treatment); and

"Whereas current OHIP physiotherapy providers, who have been providing seniors with individualized treatments for over 48 years, will be delisted from OHIP by the government; and

"Whereas these services have been proven to help seniors improve in their activities of daily living, mobility, pain and falls risk;

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

"To review and reverse the decision to eliminate OHIP physiotherapy services to seniors in retirement homes, our most vulnerable population and most at risk for falls; and continue with the provision of at least 100 treatments per year with a mechanism to access an additional 50 treatments, if medically necessary, with the current low-cost OHIP physiotherapy providers."

I agree with this petition and I thank the residents and friends of Riverwood Retirement Home in Alliston for sending it to me.

## SERVICES EN FRANÇAIS

**M<sup>me</sup> France Gélinas:** Hier, le commissaire aux services en français a présenté son rapport. Donc il me fait très plaisir de présenter 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 l'Ontario « de changer les pouvoirs du commissaire aux services en français afin qu'il relève directement de l'Assemblée législative. »

J'appuie cette pétition, je vais la signer, et je demande à Carlo Miguel de l'amener aux greffiers.

#### GASOLINE PRICES

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

"Whereas the" Wynne "government taxes gasoline" currently "at a rate of 14.7 cents per litre; and

"Whereas the provincial portion of the harmonized sales tax (HST) increases the price of gasoline at the pumps by a further 8% ; and

"Whereas Ontario families and Ontario businesses are once again facing steep increases in gasoline prices;

"Therefore we, the undersigned, petition the Ontario Legislature to work with citizens, elected MPPs, and all stakeholders to fight rising gasoline prices in Ontario."

I'm pleased to sign and support this. I present it to Michael, one of the pages on their second-last day.

#### DOG OWNERSHIP

**Mr. Rosario Marchese:** "To the Legislative Assembly of Ontario:

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

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

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

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

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

I'm a big supporter of this petition and I affix my signature and give it to Lamiha.

1350

#### WORKPLACE INSURANCE

**Mr. Jerry J. Ouellette:** I have a petition to the Legislative Assembly of Ontario.

"Whereas, beginning January 1, 2013, the WSIB was expanded to include groups of employers and principals who had previously been exempt from the 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; and

"Whereas the economy of Ontario is struggling and government must assist businesses in every way possible;

"We, the undersigned, do hereby petition the Legislative Assembly of Ontario to repeal the statutory obligations created by Bill 119."

I affix my signature in support.

#### CHILDREN'S AID SOCIETIES

**Miss Monique Taylor:** I have a petition from members from across this province.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government has approved a new funding formula to provide funding to the children's aid societies which are mandated by legislation to provide child protection services to Ontario's most vulnerable;

"Whereas due to this new formula the Children's Aid Society of Hamilton will be underfunded approximately \$4 million over the next three years with no changes to mandated child protection responsibilities;

"Whereas chronic underfunding to the Children's Aid Society of Hamilton will result in dismantling of support services and a loss of staff thereby jeopardizing the ability of the children's aid society to provide relevant services and protect Hamilton's children;

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

"That the Ontario government look critically at the funding provided to the child welfare sector and restore funding to the Children's Aid Society of Hamilton."

I couldn't agree more with this. I affix my name to it and give it to page Jeffrey to bring to the Clerk.

#### WIND TURBINES

**Mr. Jim Wilson:** "To the Legislative Assembly of Ontario:

"Whereas we, the residents of Clearview township and neighbouring townships, oppose the wpd Canada Fairview wind project on Fairgrounds Road and all wind energy projects in Clearview township; and

"Whereas we support the petition of mayors and councillors from 80 municipalities, farm organizations, the Ontario Federation of Agriculture and the Christian Farmers Federation of Ontario, which petition requested that the province place an immediate moratorium on all wind projects until an independent and comprehensive health study has determined that turbine noise is safe to human health, amongst other things; and

"Whereas wpd Canada's Fairview wind project violates the OLS airspace and usability of registered aerodromes in Clearview, including Collingwood Regional

Airport and Stayner field, and wpd Canada's draft renewal energy approvals reports do not recognize these impacts or the jurisdiction of the government of Canada; and

"Whereas wpd Canada is seeking final approval from the province for the Fairview wind project prior to completion of the federal Health Canada study and prior to federal actions to protect aviation safety;

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

"That the government of Ontario agree and accept that until the federal health study is completed and federal aeronautical zoning is in place, that it will immediately take whatever action is necessary to give full effect to a moratorium on all wind turbine development in Ontario, including all projects for which final approvals have not been given."

Mr. Speaker, I agree with this petition, and I will sign it.

#### DOG OWNERSHIP

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

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

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

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

"That the Legislative Assembly passes Bill 16, Public Safety Related to Dogs Statute Law Amendment Act, 2011, into law" and stop killing the thousand-plus dogs they've already killed, just because of the way they look.

I'm going to give this to Hooriya. I'm going to sign it, and she's going to deliver it to the table.

#### AIR QUALITY

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

"Whereas Ontario's Drive Clean program was implemented as a temporary measure to reduce high levels of vehicle emissions and smog; and vehicle emissions have declined significantly from 1998 to 2010; and

"Whereas the overwhelming majority of reductions in vehicle emissions were, in fact, the result of factors other than the Drive Clean program, such as tighter manufacturing standards for emission-control technologies; and

"Whereas from 1999 to 2010 the percentage of vehicles that failed emissions testing under the Drive Clean program steadily declined from 16% to 5%; and

"Whereas the environment minister has ignored advances in technology and introduced a new, computerized emissions test that is less reliable and prone to error;

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

"That the Minister of the Environment must take immediate steps to begin phasing out the Drive Clean program."

As I am in agreement, I have affixed my signature to give this to page Jeffrey.

#### CHILDREN'S AID SOCIETIES

**Mr. Taras Natyshak:** I have a petition from members of my community of Windsor-Essex county that reads:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government has approved a new funding formula with a fixed funding envelope for children's aid societies which are mandated by legislation to provide child protection services;

"Whereas this new 'fairer' funding model has resulted in a \$50.6-million funding shortfall for agencies across Ontario for 2013-14;

"Whereas due to inadequate funding and the introduction of 'accountability measures' which prevent agencies from running deficits, agencies will be forced to balance budgets by cutting staff and services;

"Whereas those services first cut will be services aimed at preventing abuse and neglect and supporting families, thereby allowing more families to remain intact and fewer children being brought into care, in addition to cuts to supports for foster parents, and other programs to support kids;

"Whereas chronic underfunding to the Windsor-Essex Children's Aid Society will result in cuts to access between children and families, the grouping of access visits with other families, cuts to orthodontics and psychological services, and as a result of cuts to staff, thereby jeopardize the ability of the agency to meet its mandate to protect children;

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

"That the Ontario government fund \$50.6-million funding shortfall, fix the funding formula to ensure that agencies can maintain services including prevention services and put an immediate halt to staffing cuts that hurt services."

I agree with this petition, will enthusiastically sign it and hand it to the Clerks' table through page Carlo Miguel.

#### PHYSIOTHERAPY SERVICES

**Mr. Monte McNaughton:** I have a petition from my riding addressed to the Legislative Assembly of Ontario.

"Whereas the Ministry of Health is planning on eliminating OHIP-funded physiotherapy services currently provided to seniors in retirement homes—and changing the current provider of the service as of August 1st, 2013; and

"Whereas the Minister of Health has announced a total of \$33 million in physiotherapy funding, or \$550 per

senior for 60,000 seniors, including those in retirement homes; and....

“Whereas current OHIP physiotherapy providers, who have been providing seniors with individualized treatments for over 48 years, will be delisted from OHIP by the government; ...

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

“To review and reverse the decision to eliminate OHIP physiotherapy services to seniors in retirement homes, our most vulnerable population and most at risk for falls; and continue with the provision of at least 100 treatments per year with a mechanism to access an additional 50 treatments, if medically necessary, with the current low-cost OHIP physiotherapy providers.”

I'll gladly sign this petition.

#### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** I have this petition that comes from all over Ontario and it reads as follows:

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

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

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

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

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

#### SPRINGWATER PROVINCIAL PARK

**Mr. Jim Wilson:** A petition to the Legislative Assembly of Ontario:

“Whereas we oppose the termination of the operating budget for Springwater Provincial Park in Springwater township on March 31, 2013;

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

“We ask that the park remain operating and facilities such as the animal sanctuary, cabins/shelters, playground equipment and ground maintenance remain intact and operating.”

I agree with this petition, and I will sign it.

**The Deputy Speaker (Mr. Bas Balkissoon):** The time for petitions has expired.

1400

#### PRIVATE MEMBERS' PUBLIC BUSINESS

#### MUNICIPAL AMENDMENT ACT (ELECTION OF CHAIR OF YORK REGION), 2013

#### LOI DE 2013 MODIFIANT LA LOI SUR LES MUNICIPALITÉS (ÉLECTION DU PRÉSIDENT DE LA RÉGION DE YORK)

Ms. Jaczek moved second reading of the following bill:

Bill 16, An Act to amend the Municipal Act, 2001 to provide that the head of council of The Regional Municipality of York must be elected / Projet de loi 16, Loi modifiant la Loi de 2001 sur les municipalités pour prévoir que le président du conseil de la municipalité régionale de York doit être élu.

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

**Ms. Helena Jaczek:** Thank you, Speaker. I rise in the House today to propose An Act to amend the Municipal Act, 2001 to provide that the head of council of The Regional Municipality of York must be elected. Bill 16 is about representative democracy and seeks to bring more of it to the residents of York region, something that is clearly absent when it comes to the selection of the chair of York regional council.

Bill 16 is necessary because it will ensure direct accountability of the chair to the electorate. This has been a subject of discussion in York region since at least 1995, when the topic was addressed as part of the York regional council governance review conducted in that year and of which I was project manager. Only members of regional council were involved in that discussion, so, not surprisingly, no consensus was reached, and no action was taken.

As medical officer of health for York region since 1988 and commissioner of health services from 1997 until my retirement in 2006, I have had an opportunity to witness the tremendous changes that the region has experienced in relation to population, budget and service delivery. I believe an appropriate governance structure is needed to reflect these changes.

First, I should explain the current process for selection of the chair of York region, usually known as the regional chair. As many of you know, York region is an upper-tier municipality. The lower tier is comprised of the individual councils of the nine area municipalities that make up the region of York: the town of Aurora, the town of East Gwillimbury, the town of Georgina, the township of King, the city of Markham, the town of Newmarket, the town of Richmond Hill, the city of

Vaughan, and the town of Whitchurch-Stouffville. As the member of provincial Parliament for Oak Ridges–Markham, I represent people living in four of these nine area municipalities.

The upper tier—that is, York regional council—is composed of 21 members. These members include the nine mayors, the 11 regional councillors who are elected from the lower-tier municipalities, and a chair. The number of representatives that each municipality elects to regional council ranges from only the mayor in the smaller municipalities to the mayor and up to four regional councillors in the larger ones.

Every four years, as in all municipalities in Ontario, residents of York region elect their municipal councils, casting votes for their local councillors, mayor and, in the case of Georgina, Markham, Newmarket, Richmond Hill and Vaughan, for their regional councillors. In municipalities that elect them, the regional councillors also serve on their local councils.

Absent, however, is an election for the regional chair. The chair is chosen by the 20 members of the council through a nomination process at the inaugural meeting of the regional municipality of York council. It is possible for any member of council to nominate any resident of York region. The individual nominated does not need to be an elected official. After the nomination is seconded, the council votes for the position of regional chair. I've attended eight inaugural meetings of York regional council over the years, and only once, in 1997, was there more than one nomination for chair. In the other seven cases, there was an acclamation of the incumbent.

During the last 42 years, only five people have served as regional chair. I think at this point it is important to honour the work done by these five individuals: Garfield Wright, Bob Forhan, Tony Roman, Eldred King and Bill Fisch. I've known them all. Unfortunately, three have passed away. But I can personally attest to their hard work, their dedication to the region of York and the important contributions they have made.

This bill does not in any way diminish their accomplishments. However, it is time for a new selection process for the office of regional chair. This bill is about moving forward in a democratic fashion to ensure accountability to the people of York region.

First established in 1971, when the population was 160,000, York region is one of Canada's fastest-growing municipalities. Now, with a population of over 1.1 million people, it requires a modern system of governance that is truly accountable to its citizens.

The regional chair and CEO, as the role is now entitled, is a position that holds a great deal of power over how the business of the region is conducted. The chair sets the direction of council, has control over the agenda of council meetings and sits as an *ex officio* member on all committees. In fact, the chair is the only member of council who works full-time on regional business, as the other councillors must attend to the business of their area municipalities as well.

The responsibilities of the regional chair have increased dramatically as York region has grown. Today

the regional chair is responsible for a budget of nearly \$3 billion, which includes \$1.2 billion for capital projects. It is quite astonishing that responsibility for these taxpayer dollars is vested in an unelected individual.

Furthermore, York region's website suggests that its economy, at \$43 billion, is bigger than four Canadian provinces. The regional chair is the official spokesperson for the region, and frequently has a role in representing the region on the national and even international stage. An elected chair would give added legitimacy, also, in this circumstance.

The tax-supported services provided by York region are vital to our everyday lives. They include regional planning, transit, community services and housing, court services, emergency medical services or land ambulance, public health—my personal favourite—long-term care, employment and financial support, waste management, forestry, roads, provision of water, and sewage disposal.

In my capacity as commissioner of health services for York region and as a member of the senior management team, it was my experience that many residents of York region do not necessarily recognize the vital role the regional chair plays in the leadership of council. Often, this is because there is confusion over what services are provided by the local municipality and what services are provided by the region.

For example, in regard to waste management, curbside pickup is the responsibility of the local municipality; however, disposal of garbage and recycling is the responsibility of the region. Distribution of potable water to individual homes is a local municipal service, but the region is required to source and treat surface and ground water. Sewage collection from homes is likewise a local municipal service, but treatment of waste water must be done by the region.

Confusion about the provision of services by residents of York region became very evident during the 2012 York regional transit strike. I found myself having to explain to upset constituents the integral role and tremendous authority that the regional chair has over transit and the many other important services provided by the regional government. A consistent reaction was that my constituents had never heard of the regional chair and were surprised that their hard-earned tax dollars were entrusted to a council whose head was an individual for whom they could not vote.

Since first reading of Bill 16 earlier this year, I have asked my constituents if they know the name of the current regional chair. With the exception of some municipal employees and a few others, it is rare to find anyone who does. By contrast, the name of their local mayor is almost universally known.

#### 1410

Allowing the citizens of York region to elect their regional chair will help underscore the importance of the position. If the chair of York regional council is elected by citizens, the individuals who seek election will likely develop a platform that outlines a vision for the region. Upon election, accountability to the electorate will be

clear. At the subsequent election, the electorate can judge whether the incumbent deserves re-election.

Through elections, citizens can play an active role in shaping their future. Important regional issues can be debated, and representatives can be held accountable by their electorate.

Most regional municipalities across Ontario have already come to the conclusion that an elected regional chair brings more accountability, representation and democracy to their governance. York region has the opportunity to join the regions of Durham, Halton, Niagara and Waterloo in serving the public interest in a more democratic manner. In fact, the only regions in the greater Toronto and Hamilton area that do not elect the chair of their regional councils are York and Peel.

The passage of this bill is important to me, my more than 240,000 constituents in the great riding of Oak Ridges–Markham all the residents of York region. To date, I have received written support from a number of York region councillors. These include Jim Jones and Joe Li, from Markham; Rob Hargrave, from Whitchurch-Stouffville; Debbie Schaefer, from King; Marilyn Iafrate, from Vaughan; Jane Twinney and Chris Emanuel, from Newmarket; and Wendy Gaertner, from Aurora.

In the event that passage of this bill cannot change the process for selection of the York regional chair in time for the next municipal election in 2014, I would urge York regional council to ask for a referendum during that election to ask the citizens of York region their opinion on whether the regional chair should be elected. I predict the result will be similar to that obtained in Durham in 2010, when over 80% expressed their support.

When this bill was introduced in the last parliamentary session by my colleague from Richmond Hill, it received all-party support. I ask my colleagues to continue that support today. Amending the Ontario Municipal Act to ensure the chair of York region is elected will be a victory for representative democracy, not only in York region, but for all in this province.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Etobicoke North on a point of order.

**Mr. Shafiq Qaadri:** On behalf of all members of the assembly, Speaker, I appreciate the opportunity to welcome a delegation visiting from Pakistan, led by Mr. Muhammad Ismail Qureshi, the leader, and Mr. Naeem Aslam, the dean and deputy leader.

We have representatives from the Pakistan ministry of foreign affairs; provincial governments of Sindh and Punjab; police services; planning, revenue and administration services; as well as Mr. Imran Chaudhry of the consulate general of Pakistan.

With your permission, Speaker, the visiting members are:

—ambassador from the ministry of foreign affairs, Ghulam Dastgir;

—Dr. Muhammad Afzal, director general, planning commission;

—Muhammad Nawaz Warraich, deputy inspector general of police;

—Dr. Saqib Aziz, secretary sports, government of Punjab;

—Saleem Raza Asif, commissioner, inland revenue service;

—Musawwar Abbas Naqvi, Pakistan administrative services;

—Iqbal Ahsan Zaidi, Pakistan administrative services;

—Nafees Iqbal, secretary, government of Sindh; and

—Mrs. Shazia Rizvi, secretary, government of Sindh.

Bienvenue. Welcome. Khush amidid.

**The Deputy Speaker (Mr. Bas Balkissoon):** Welcome to our visitors.

Further debate?

**Mr. Peter Shurman:** I'm pleased to rise in support of Bill 16, brought forward by my colleague from Oak Ridges–Markham, as I supported the predecessor bill, Bill 60, which was introduced originally by the member for Richmond Hill.

As my colleague mentioned in her opening statement, York region consists of 20 elected representatives and one unelected person, and that's the regional chair. That's something with which I think most people in a democratic society basically disagree: that somebody should have the level of power that we're talking about in York region, without having been elected and being accountable directly to the people.

We're not talking about personalities here, I would hasten to add. This is not a commentary with regard to the person who holds that seat at the present moment. It has to do with fairness no matter where the representation takes place.

This is a very large geographic area, well described by my colleague. I rise in debate because I represent some fairly sizable pieces of two of the largest cities that form York region, and those are Markham and Vaughan. The responsibilities of the regional council—and that works directly through the chair—include public health; residential and commercial development; regional transit, which I'll have a further word to say about; roads; waste management; policing; emergency services; and social services. If you take those as a collectivity, that is a goodly number of the things that residents derive service on in their everyday lives. They see and feel the effects of what that council does on a daily basis and very particularly what that person does. So one of the most powerful positions in the region is regional chair. The salary recorded for that position in 2011, the latest figure I have, is about \$208,000. I imagine it has risen since then.

But I wanted to take my time to illustrate an example of what happens when you have an unaccountable chair and citizens who are really in dire need of change. Representing the riding of Thornhill, I have a particular situation in front of me that technically should be in the province of the chair, the council at the regional level, the council at the city level—in this case, Vaughan—and I'm talking about the plan to build a diversion from the Highway 7 transit way, which is a dedicated 25-kilometre centre lane idea that's under construction now by

bringing it down Bathurst Street into the very centre of Thornhill, being Centre Street. There is no wiggle room here, as I've been told.

I've taken this directly to the Minister of Transportation, who is sympathetic, who took the time to actually visit the site and take a look at it, who I can't speak for, but I felt was sympathetic enough that if he could change things, he would. But the problem with this is that it rests with the regional chair up in Newmarket.

We're talking about \$100 million here. We're talking about the splitting of a community here. We're talking about people here who are citizens and have a right to be heard. And yet their local councillor, who has direct responsibility, says, "I know better than you. I'm not going to take this to the city," and therefore it doesn't really work its way through that councillor, the regional councillor, the mayor and up to the chair.

I hope through this appeal I have been able to raise some eyebrows at the regional level, notably with the chair of the region, and I hope I have been able to illustrate my point as to why we need an elected and responsible and accountable person in that position.

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

**Mr. Rosario Marchese:** I'm happy to speak to Bill 16. I'll be supporting this bill; I think it's a good one. I also supported David Caplan's bill, which he introduced in 2010—I think he was in Don Valley East, if I recall—although his bill was so that every person who has a non-elected chair—that the chair be elected, and it doesn't matter whether it's York or other regions. That was his bill at the time. The now Minister of Research and Innovation, Mr. Moridi, introduced a bill in 2012, I think, similar to this one, and we have the member from Oak Ridges moraine introducing Bill 16 today.

**Interjection:** Markham.

**Mr. Rosario Marchese:** Markham. Good heavens, what happened there?

**Mr. Steven Del Duca:** Oak Ridges–Markham.

**Mr. Rosario Marchese:** Oak Ridges–Markham. What did I say?

**Interjection:** Moraine.

**Mr. Rosario Marchese:** Moraine. Well, it seemed to make sense—with apologies, of course.

I think it's a good bill. My worry is that when you have three Liberal members who introduce bills that are reasonable, you wonder, "What does it take?" And they're in government. I could understand if three New Democrats introduced that bill over a period of time; it makes sense that the government would reject it. I could understand if the official opposition does that three times and the current government says, "We've got some issues." But when government members introduce it, I wonder to myself, "What is the holdup? What are the obstacles?"

1420

It's not as if we've introduced thousands of bills in the last couple of years that might be holding some bill back. When we have so little to do, I think it's a good time to

introduce bills that have three-party support. I think this is one of them.

I'm hoping that the member from Oak Ridges–Markham—

**Mr. Steven Del Duca:** Markham.

**Mr. Rosario Marchese:** —that's what I had written, by the way—will have some success this time with this bill. She might go to the minister—and she probably has already done that—to indicate to her that there are parties on the other side who agree. And they are not agreeing just today; they agreed yesterday and the day before that. So when you have three-party approval, I think it's important for the government to move on these things. The arguments that I've heard from others are very good and sound. I think that people are ready.

We now have Halton-Waterloo that has moved to a direct election.

**Hon. James J. Bradley:** I always like hearing you speak, Rosie.

**Mr. Rosario Marchese:** Thank you, Jim. Good to see you.

We now have Hamilton-Wentworth, which, of course, was amalgamated, which made it easier, and the region of Durham. The member from Oak Ridges—

**Ms. Cheri DiNovo:** Markham.

**M<sup>me</sup> France Gélinas:** Oak Ridges–Markham.

**Mr. Rosario Marchese:** It's Oak Ridges–Markham. That's what I said.

The folks from Durham voted 80% in favour of having a direct election, and I suspect that once we allow the York region electorate to have a vote on this, we will have a high number of people—80% or more—agreeing that there should be a direct election, because it makes sense. It's the modern thing to do. You cannot have a highly paid individual—by the way, these folks are highly paid, and some will argue that they should be. I understand that. They are more highly paid than MPPs—which might make sense; I don't know. That individual makes almost as much as the Premier, and the Premier has got a whole province to worry about.

As I used to say to the former Premier and the current Premier, they have to face question period here each and every day and get slapped around by everyone in this Legislature and outside, and she makes as much as the regional chair of York—just a little bit more. I don't know whether that's fair, but if the person is going to earn as much money as he or she does, they should be elected, and I think the majority of people agree with that.

**Hon. James J. Bradley:** Federal MPs got a raise.

**Mr. Rosario Marchese:** That's another matter. I will not speak to that because it's irrelevant in the scheme of things.

**Interjection:** They have a pension.

**Mr. Rosario Marchese:** They have a pension, which we don't.

Some people might argue that voter turnout will be higher if we have direct election. I'm not persuaded by that—I really am not—but I'm not sure that that's the

appropriate argument. I think the right argument is that it will engage people, because if they know that they have a choice as to who they want as their candidate, they will pay attention and they will be involved, one way or another, in selecting the candidate that they want to see in that position. So I do believe that there's an argument for voter engagement, which does make a whole lot of sense.

Some people might argue that only wealthy candidates will apply because it will cost a whole lot of money to run in an election, and that will indeed exclude a whole lot of candidates who, once they find out that they might have to raise—what, \$150,000, \$200,000, \$300,000, \$400,000? If a mayor of Toronto has to raise \$1 million, what about the person in York region, which includes a whole lot of municipalities, as we just heard? They are quite expansive and quite big in many cases. So if it's \$1 million in Toronto, how much would it be in York region? Can anybody guess?

*Interjections.*

**Mr. Rosario Marchese:** Half a million? Okay.

It's a whole lot of money you have to raise, and some municipal councils will have to decide, "Do I run for that position or not?" But that's a choice they would have to make. Do they exclude themselves on the basis that they might have to raise too much money and wouldn't be able to and thus not be able to compete with the wealthy candidates who might have their own pecunia to run an election or who are so well connected that they will be able to raise the money from many of their, shall I say, developer friends and/or others? Of course, there are a lot of wealthy people other than developers. I say developers because we have a whole lot of construction in the GTA. We have a whole lot of construction in Toronto. I'm quite familiar with the developers here. They know me quite well. I'm not sure how much they like me, but they know me quite well. In York region, there's a whole lot of development and much of it is condominiums. I suspect there would be a lot of contributions made to that candidate. So some people will have to compete. How do you compete?

One of the suggestions is that if we have rebates to the donors, as we have in Toronto, that might make it easier for people to decide to run—because an individual contribution of a hundred dollars goes a long way. If you have a great deal of popular support in an area and they like you, a \$50 contribution or a \$100 contribution can go a long way. The candidates who have the support of the wealthy will get the bigger contributions. But if you are a popular person and you get a whole lot of \$100 contributions, that could go a long way. That individual will be able to compete almost on the same playing field as the other candidates. It doesn't equalize it altogether, you understand, but it does help.

You could, on the other hand, simply abolish donations of the unions and the corporate sector. You could do that, which is something that we have talked about in the past. The federal government does this. The province could certainly move in that direction if it wanted to. That's another possibility. But I suspect if we don't

support these bills, getting to the other might be a little more complicated. So let's not worry about that.

But we could permit rebates as a way of facilitating that level playing field, which I think would make it easier.

On the whole, I believe this is a good bill. Direct election is the modern thing to do. Democracies are stronger when people have a say in who they want to represent them. The fact that we have delayed this for so long speaks to the government's inability, sometimes, to get things done. It does puzzle me because, as the member from Oak Ridges–Markham pointed out, this has been discussed since 1995. I'm not quite sure why, often, good things take so long to get done. I don't understand. I really don't. But I am persuaded that this time, perhaps, maybe, we might get it done, with the support of both the official opposition and the third party. We can help. We said we want to help you. Bring it forth; we'll debate it. We don't have to debate this bill forever, because I don't think it will take that long—well, a couple of days should do it, and we'll get it out of here. Then we'll allow the people to have a vote so that the people can say, in a referendum, "Yea, we want this to happen," and we're done.

Member from Oak Ridges–Markham, I'm on your side. I think New Democrats are on your side on this. We want to be able to vote on this as quickly as possible and get it done. Maybe you can be the one who made this happen.

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

**Mr. Steven Del Duca:** As always, it's a privilege and a pleasure for me to stand in my place here in this hallowed chamber and deliver some relatively brief comments regarding this particular item.

I want to say, before I get into the meat of my discussion here today, that I listened to what the members opposite and, of course, my colleague the member from Oak Ridges–Markham had to say about this bill. I'm happy to hear that there is, so far in the course of the discussion today, very broad support for an initiative that I'm proud to stand on with my colleagues, not just the member from Oak Ridges–Markham, but also our other colleague the member from Richmond Hill, who in the past, as has been mentioned here today, has tried to move this particular item through the Legislature. I'd also am happy to note that there are several other members who also represent York region ridings who are here today to participate in the discussion and be here for this fairly important item.

**1430**

I am very proud, as I've said many times over the last eight months, to represent the wonderful community of Vaughan, which, as many will know, is in the heart of York region. I think it's important, as has been said, because of the explosive growth that's occurred in York region. I've lived in Vaughan for about 25 years, and to have witnessed first-hand the way that York region has developed and has exploded in terms of its growth is actually something that's remarkable.

I know that many other 905 communities around Toronto share similar characteristics, but to consider that we're in a position now to recognize that we are talking about the position of what is essentially the chief executive officer of such a growing concern, to recognize that up until this point—perhaps for some many good, historic reactions—this is a position that was appointed, initially by the province and then by the members of council itself. I think there was probably definitely a time and place for that kind of approach to this, but given the growth, given what's been happening across York region and given what the vision is for where York region has to go over the next generation, I, along with my colleagues who have spoken prior to me standing up today—and I'm in agreement with them. We need to get to a point where the residents of York region themselves have the opportunity to, over the course of an election campaign, like we all do in this chamber and they do in the federal House and they do when they run for regional council itself, put their ideas, their thoughts and their own concepts and their own vision for the future of the region itself before the people who they will ultimately impact the most, the residents of the particular jurisdiction. I think it is really important that we take that next logical step, as I believe the member from Trinity–Spadina said.

So I do want to applaud my colleague from Oak Ridges–Markham for bringing this forward at this point in time, and I am quite happy to hear so far in the course of this discussion today that there is broad support for moving forward.

I don't have a lot of time but I want to just say as well that I think it is important to recognize that in our current chair in York region we have an individual who has devoted himself to many, many years of outstanding public service in his current role. When I think about a couple of projects in my riding, be it the Vaughan hospital project, the extension of Highway 427 or a lot of others—certainly around public transit—it's important to recognize someone who's been a very passionate advocate for helping to shape the growth in York region, Mr. Bill Fisch, and the rest of the folks on York regional council. But notwithstanding the outstanding contribution of Bill Fisch and the rest of his colleagues on York regional council, this is to me the next natural step in an evolution around a community that is maturing in such an important and, as I said earlier, explosive way.

Like I said, it is important to make sure that in the course of a campaign we're all battle-tested. Folks in our respective communities have the chance to kick the tires and see where we stand on a whole host of issues, and I think it's important to make sure we do that in this process now. So I'm happy to say that I'm supporting this, along with my colleagues, and I look forward to the rest of the discussion. We'll take it from there.

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

**Mr. Frank Klees:** I'm pleased to participate in this debate. Let me say at the outset that I will certainly be supporting this bill, as I did when the member for Rich-

mond Hill, Mr. Reza Moridi, brought this bill forward the last time.

This is a very straightforward bill. Reference has been made to a referendum. There's no need for a referendum here. The way this bill reads is very straightforward: "The head of council shall be elected by general vote in accordance with the Municipal Elections Act, 1996." That's essentially it. If this Legislature passes this bill, it's done—and it should be done in time for the next election.

You know, it's the glacial speed of government that, after 18 years, continues on occasion to depress me, because here we are spending an entire hour of debate. We did the same thing with Mr. Moridi's bill. Members of the government are all in support; the members of the third party, I assume, are; certainly the official opposition is. People out there have to be wondering what's going on, what is the problem?

You'll ask for the vote. We're going to support this. We're going to affirm the fact that the chair of York region—a population of some 1.1 million—should be accountable to the people who are then going to benefit or be otherwise affected by the decisions of that person.

Prior to this bill being debated the last time, I personally spoke with Mr. Darcy McKeough and Mr. Bill Davis. One was the former Minister of Municipal Affairs and Minister of Economics and Intergovernmental Affairs, who was the architect of regional government; the other was the Premier at the time that regional government was put in place.

I asked both gentlemen, in a direct conversation about this issue: When the regional chair was appointed, was it the intention that that position would perpetually be appointed? Both gentlemen said no. It was always anticipated that as the regional government matured, there would be a direct election and the regional chair would be accountable to the people they represent. Well, folks, that was 1971. It's now 2013. When are we going to catch up with the intentions of the good people in this place in 1971? We simply need to do it.

Chair, in the interest of full disclosure, I have been asked if I would be interested in running for this position.

*Applause.*

**Mr. Frank Klees:** The Liberal members would love to get rid of me, I know, but as many of my colleagues have said before me, "I'm not contemplating that at this time."

I'd just simply say that it's the right thing to do. Let's get it done. If not approving this bill, let's have the Minister of Municipal Affairs bring in a government bill to get it done in time for the next election.

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

**Hon. Michael Chan:** Thank you, Speaker, for this opportunity to talk about this bill, Bill 16. First and foremost, I'd like to thank my colleague from Oak Ridges–Markham for her great effort in introducing this bill. She works very hard for her constituents, and also for the people in the good area of York region. I supported this



bill before, when it was first introduced by my colleague from Richmond Hill, and I am very, very happy to see it reintroduced.

As MPP for Markham–Unionville, I represent 136,857 people.

**Mr. Rob Leone:** Wow.

**Hon. Michael Chan:** That's a lot. They have elected me as their representative since 2007. The local council of Markham has eight councillors and a mayor, all of whom are democratically elected. Markham also has four regional councillors who sit on both the local council and also on the regional council. These, as well, are all elected positions.

It seems odd to me that the regional chair, who leads the regional council, is not elected. The chair is the face of the entire region, but is accountable only to the council. Now that our region is one of the fastest-growing areas in the country, Speaker, it's time for a change.

Accountability is a virtue in our democracy that Canadians value. The residents of York region are no different. Currently, the constituency to which the chair is responsible is council, not the region at large. The chair directs the vision for the region. Currently, those on the council appoint the individual who sets the vision.

**1440**

With Bill 16, the region at large would determine what vision they want for the future. Durham will be voting for their regional chair in the 2014 elections. It's time for York to join Durham, Waterloo and Halton in bringing more democracy to their residents. Waterloo has been electing their chair for a long time, with great success. It is time for York to do the same. Through elections, the residents of the region have more choice. We are doing the 1.1 million residents of York a disservice by not providing them with the ability to choose their regional chair. The chair has a lot of power and needs to be accountable to the residents and not just 20 members of regional council. Across the country, accountability and transparency are important parts of our democracy. York region is facing an accountability and transparency deficit with the selection of the regional chair. Bill 16 seeks to fix that.

Once again, I would like to thank the member from Oak Ridges–Markham for raising this important issue today. When Bill 16 was first introduced, it had all-party support, and I hope to see that repeated.

I gladly support this bill, and I hope the members of this House will do the same.

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

**Mrs. Julia Munro:** I'm pleased to be able to join the debate today on Bill 16, the proposal from my colleague the MPP for Oak Ridges–Markham.

As others have mentioned, this is the second time, I think, that we've seen this bill, and my opinion, and I think everyone else's, has stayed the same. It gave me the opportunity, though, to just pause for a minute and look at maybe a couple of new arguments or rerun arguments for why this bill should receive the attention and the

support of this House. Several others have mentioned the other regions that have been incorporated. Certainly the fact that Waterloo region was done back in 1997 gives us a sense of the kind of opportunities that having an elected chair make, and the fact that Durham will be heading into the next municipal election, electing for the first time its regional chair.

So there's no doubt about the fact that we're looking at that being a trend, and I think that there are some very important reasons for that trend. One of them has to be the issue of the population growth in York region. When you look at the size of York region and realize that it is larger than some provinces of this country, it gives you a sense of the complexity and, quite frankly, the incentive to have a fully representational, senior, upper-tier government, and with modern technology, direct election is just that much easier than it has been. I look at my own constituents and the complexity of the service delivery in the region and the municipality, and the concerns that people have about that complexity and the lack of the accountability.

The member mentioned the transit strike, and that provided such a window of learning for most people. Quite frankly, they were very unsympathetic to the fact that they did not have an elected person who was in that leadership role.

I just would say, as I hope this bill moves forward and that we are looking at some of the issues further, that one of the things about it is that in my riding there's a significantly smaller population than in the southerly parts of York region, and so my constituents would certainly want to feel that their voices are going to be heard from the northern part of York region. We have a lot of issues in York region of underfunding at the provincial level of the high-growth areas. Again, I would want to make sure that we're going to have that strong elected voice to redress some of that.

In closing the brief minutes I have, I would just say I will certainly support this bill moving forward. I do think that we have some issues, though, in terms of the mechanics and the differences in population that will have to be worked out, but we're certainly in support of it.

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

**Ms. Dipika Damerla:** I'm delighted to rise today and speak in favour of Bill 16, which is being put forward by my colleague the member from Oak Ridges–Markham.

Quite simply, before I say anything, I do want to say that this is not about any one individual; there are a number of appointed chairs across Ontario, including in the region of Peel. I have to say that most of them are doing a fantastic job, and if most of them were to stand for an election, I'm sure they would win handily. So this really isn't about personalities.

What is at stake is the concept of democracy, the idea that if somebody has executive power on behalf of the taxpayer, if somebody is spending money on behalf of

the taxpayer, that person ought to be directly responsible to the taxpayer and be elected by them. That's the principle at stake and that's why I'm here to support the bill.

If I have one criticism of the bill, it would be that I wish the member had made it broader—not just for the region of York, but for all of Ontario. I think all Ontarians, wherever there is a regional government, deserve that shot at democracy at the regional level, at the chair level.

Lastly, I want to say I did hear a few—I guess not criticisms, but certain suggestions that electing a chair isn't perfect and that there might be some downside to it. I would agree: There is no perfect system. But on balance, even though there were some legitimate concerns around spending limits and who can run for it, whether somebody who's not very rich can run for it, and the idea around the voice of smaller municipalities being heard—all of them are valid concerns, but I think the principle of democracy trumps all of them.

I'm going to quote Winston Churchill, and I'm sure most of us are familiar with this: "Democracy is the worst form of government, except for all those other forms that have been tried from time to time." That is the reason I'm delighted to support this bill, and I hope that it actually goes broader. Thank you so much for bringing it forward. I support it.

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

**Hon. Glen R. Murray:** Across Canada, we've gone through an interesting period in municipal reform. We saw the emergence of metropolitan and regional governments first—many cities: Toronto; Winnipeg, where I was; Vancouver; Halifax. It's hard to find an urban region that didn't see the emergence of a metropolitan government.

It's interesting that we went through a period of layering, and now we're often in a period, as we were with Hamilton, where we went back to one tier of government, with an elected mayor and chair. We have a very inconsistent pattern of municipal democracy, and we're seeing it here. I think this is a positive step forward.

It's also different. Rural communities, large rural regions, northern regions—as you know, I'm a big believer in decentralization of government. I've argued many times that we need more decentralized government in the north and more power in the north, and I've also believed that putting more power—there's a principle called subsidiarity, where all decisions would be local decisions, unless there's a need for them not to be. I think people make better decisions in their communities.

I commend the member from Oak Ridges–Markham. We have something in common: She has the most populous seat in the Legislature; I think I have the second.

Elected chairs: Mr. Fisch has been doing a wonderful job. He's been a great ally. I don't think there has been a regional chair who's done more to advance transit. York

region has stepped forward as one of the most significant funding partners in the Big Move, so we have huge regard and respect for Mr. Fisch and are very thankful for his leadership. But I think the emerging importance of regional governments requires them now to have an elected official. That gives that person more strength, more political clout, and more ability to make a difference.

So I think I'm finished my time, and I appreciate it.

1450

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Oak Ridges–Markham, you have two minutes.

**Ms. Helena Jaczek:** Thank to you all those members who spoke to Bill 16.

The member from Thornhill mentioned Bill Fisch, our current chair. Bill Fisch was my boss for nearly 10 years, and I have nothing but the greatest respect for him, as has been said by so many people who are familiar with the work that he has done. There's no question, he has just been a superlative regional chair.

To the member for Trinity–Spadina: Well, perhaps third time lucky, in terms of now having support very clearly articulated today from both the official opposition and the third party. We all know that our Premier, Kathleen Wynne, believes in consensus. She believes in making this Parliament work. I think we have an excellent opportunity to move this bill forward.

Many members, including the member from Vaughan, mentioned citizen engagement as probably the most important issue when it comes to direct election. That certainly is part of the democratic process, ensures accountability and is extremely important.

The member from Newmarket–Aurora: I do share some of his frustration with what he calls the glacial speed of government. But I'm also a realist, so if by some chance there is not the ability to make this happen by 2014, as a fallback I would certainly urge councillors in York region to consult their constituents through a referendum.

The Minister of Tourism, Culture and Sport, again, has great experience, clearly, in the region of York and knows the situation there intimately. I'm grateful for your support.

The member from York–Simcoe may come from the more rural part of York region, but I think her support is extremely important.

Yes, to the member from Mississauga East–Cooksville, I think Peel deserves the same type of representation. Perhaps we can together go to the Minister of Municipal Affairs and urge that.

What can we say about the Minister of Infrastructure and Transportation? He's always enthusiastic about ensuring democracy is alive and well.

Thank you so much, Mr. Speaker.

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

PROTECTING CHILD  
PERFORMERS ACT, 2013  
LOI DE 2013 SUR LA PROTECTION  
DES ENFANTS ARTISTES

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

Bill 71, An Act to protect child performers in the live entertainment industry and the recorded entertainment industry / Projet de loi 71, Loi visant à protéger les enfants artistes dans l'industrie du spectacle vivant et l'industrie du spectacle enregistré.

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

**Mr. Paul Miller:** It is a tremendous pleasure to welcome to the Legislature some of Ontario's finest performers in the recorded and live entertainment industries.

First, in the Speaker's gallery, is Canadian television, film and stage actress, activist, Officer of the Order of Canada, and this year's ACTRA lifetime achievement award winner, Shirley Douglas. Not only is it an honour to have Shirley Douglas in the Legislature in her own right, but to have the daughter of Tommy Douglas here supporting protection for child performers is extraordinary.

Attending with ACTRA and the Canadian Actors' Equity Association are, from ACTRA: Art Hindle, Clara Pasieka, Connor Price, David Sparrow, Farah Merani, Maria Del Mar, Richard Young, Shannon Kook-Chun, Bien Herrera, Theresa Tova and Tabby Johnson. ACTRA staff: Sue Milling, Cathy Wendt, Karen Woolridge, Lisa Blanchette, Karl Pruner and Barb Larose.

From Equity: Lynn McQueen, Jeremy Civiero, Arden Ryshpan, Evan Klassen, Amariah Faulkner and Danielle Faulkner.

Speaker, all these people are here to ensure passage of Bill 71, to ensure the best protection for child performers in Ontario. Our live and recorded entertainment industries highlighted the tremendous homegrown talent that we have in many areas of our province, and our entertainment industry is a significant economic force.

I'll read a quotation from the Ontario Media Development Corp.'s March 1 news release: "Film and television activity contributed \$1.28 billion to the provincial economy in 2012 and accounted for almost 29,000 full-time direct and indirect jobs. Since 2008, economic activity has increased by 90%, and the 2012 financial results are the strongest ever."

In the March backgrounder to the OMDC release, it was reported that the domestic production dollars left in Ontario in 2010 were \$646.2 million, which increased to \$871.9 million in 2012. Additionally, foreign production dollars left in Ontario in 2010 were \$318.2 million, up to \$404.5 million in 2012. These numbers alone tell us the significance of the film and television production industry in Ontario.

The calibre of the writing, the performances and the productions are obviously top-notch, but we have a dark

little secret here in Ontario, Speaker, and it's about our lack of clear and direct obligations to child performers. We don't have legislated hours of work, set breaks, play or resting areas, or requirements for appropriate tutoring or healthy snacks or for who can chaperone, tutor or act as a guardian.

The Minister of Labour, ACTRA, Equity and the producers worked diligently on a series of very strong guidelines to address these concerns. However, guidelines do not have to be followed. They look nice on the shelf, but if they only provide a preferred way of treating child performers, there will be those who will prefer not to follow those guidelines. ACTRA and Equity continued their efforts during their contract negotiations and have included as many safeguards as possible in their contracts.

The guidelines in these contracts informed the writing of Bill 71. The writing process recognized that the obligations to child performers are different in the recorded and live entertainment industries. So Bill 71 sets out requirements separately for each of these performance areas. Bill 71, possibly with some minor tweaks, will go a long way to ensuring that child performers will have the best and safest experience while providing the entertainment industry with the child performances necessary to tell the whole story.

A fact sheet was handed out at our press conference at noon, and it provided information essential to this issue. To be sure that every member of this Legislature is able to read that information, I will read it into the record now.

"Why do we need more than the Ontario Child Performers Guideline?"

"The Child Performers Guideline was developed by the Ministry of Labour in consultation with industry stakeholders.

"Some of these guidelines are supported by the provisions of the Occupational Health and Safety Act, but others—like part 3 of the guideline—are presented as 'best practices' and carry little or no legal force.

"Furthermore, the guideline is silent on many aspects of the engagement of child performers.

"The Child Performers Guideline offers a solid foundation, but must be enshrined in legislation so that the full weight of the law may be brought to bear when necessary.

"For example, limited hours of work for minors are only 'strongly encouraged to be incorporated into workplace practices.'

"The same is true, for the appointment of a chaperone, the provision of breaks in the workday, and travel to and from the workplace, among other provisions.

"Other aspects of the engagement of child performers that are not addressed in the guidelines include:

—provision of tutoring;

—regulation of exposure to moral hazards; and

—protection of earnings through a requirement to put a portion of earnings in trust.

“ACTRA and Equity have negotiated strong collective-agreement language to address these issues. While we are proud of the work they have done, it is unconscionable that the welfare of children should be subject to market forces and the uncertainty of negotiated contracts.

“Some producers and engagers do not adhere to ACTRA or Equity contracts and, as a result, many child performers do not even have the protection of a collective agreement.”

Has this type of legislation been introduced elsewhere? Yes. In British Columbia, minimum standards for wages and working conditions for children working in the live and recorded entertainment industry are set under the Employment Standards Act and employment standards regulation. The legislation covers minimum age, daily hours, split shifts, breaks, time before a recording device, hours free from work, work week, chaperones, and income protection.

#### 1500

In Manitoba, the Worker Recruitment and Protection Act improves protections for children in the talent and modelling industry by making the agency and the parents/guardians of child performers jointly responsible for the safety and well-being of the child. It helps parents and guardians and agencies to recognize and to prevent the potential for exploitation before it happens.

A child under the age of 17 who will be promoted by a talent agency must have a child performer’s permit from employment standards. The offence of operating without a licence or contravening the legislation is subject to fines from \$25,000 to \$50,000.

History of income protection for child performers: Coogan accounts, a.k.a. blocked trust accounts and trust accounts, are required in the United States only in California, New York, Louisiana and New Mexico. Fifteen percent, which is not much, of the minor’s gross wages are required to be withheld by the employer and deposited into the Coogan account within 15 days of employment.

The Coogan Law is named for the famous child actor Jackie Coogan. Coogan was discovered in 1919 by Charlie Chaplin and soon after cast into the comedian’s famous film *The Kid*. Jackie-mania was in full force during the 1920s, spawning a wave of merchandise dedicated to his image. It wasn’t until his 21st birthday, after the death of his father and the dwindling of his film career, that Coogan realized he was left with none of the earnings he had worked so hard for as a child. Under California law at the time, the earnings of the minor belonged solely to the parent.

Coogan eventually sued his own mother and former manager for his earnings. As a result, in 1939 the Coogan Law was put into effect to protect future actors from finding themselves in the same terrible situation that Jackie Coogan was left in.

Jackie Coogan went on to recover a small portion of his earnings after battling his own mother in court. He became well known for playing Uncle Fester in the

television series *The Addams Family* and will always be remembered for the role his story played in protecting child actors from losing their earnings.

Even long after the Coogan Law went into effect, another child performer who grew up with no savings from years of child performances was Shirley Temple. These are extreme examples, but we want to be sure that the child performer from Ontario is not the next bad example of how to treat the monies they work hard to earn.

Child performers not only spend their days learning their lines and performing them; they also attend tutoring sessions to learn their school work and meet the education curriculum required at their grade level. Their days can be very full, with diverse demands on their learning abilities and their mental and physical capacities, and the loss of time with their friends and families.

One of the appealing things about this bill for the producers is that it is a very low- to no-cost initiative. No matter how big or small the company is, any change to these working conditions are doable. Ensuring that there is a safe, secure room for child performers to be tutored, relax and to learn their lines will be an easy requirement to when selecting a production venue or an easy modification to a current location. To sit down with parents or guardians to set out the terms of employment, tutoring requirements, income protection and hours of work, and confirm adult supervision, is an easy pro forma exercise. Establishing a work schedule to comply with the ages of the performers as set out in the clauses in this bill will become second nature, and it is already practised by many producers.

A well-informed scheduler will be able to ensure that the child performer’s day meets the requirements and satisfies the needs of the employer without a strain on the child or the production. In fact, the establishment of these clear rules will make it easier at all levels to engage child performers because the rules are clear and consistent across the industry.

The tutoring requirements are well set out in the bill, along with a clarification of what educational supplies are needed, the times required and the standards that must be met.

As I mentioned earlier, the requirements for income protection are absolutely necessary to ensure that our child performers are properly compensated. How much should be protected and the amount arrived at need further study and resolution, and how that money is handled to ensure that when the child performer reaches the age of 18, their earnings are there for them to manage. I would suggest that the trust be made available to performers past the age of 18, if possible. At that age, there might be a tendency to spend this hard-earned money on current interests rather than what would be good for their future.

In this bill, we want to set out clearly the difference between the working environments of the recorded and live entertainment industries; for example, the need for criminal background checks. Child performers in the

recording industry must have a parent or chaperone with them at every stage of their working day, so the need for the background check is much less.

Speaker, I'm running low on time, but I can tell you that this bill is in-depth. The bill has been put together by ACTRA, Equity, our legislative lawyers and staff. It is extensive and well-written, and I think that the members in this Legislature would be proud to vote for such a bill that would protect young performers in the province of Ontario. We could set an example for the rest of Canada and be leaders on this particular issue.

I'm looking forward to this bill going to third reading and royal assent. I'm sure that all of us in this Legislature want to protect kids in the industry.

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

**Hon. Tracy MacCharles:** I am very happy to rise and speak in support of this bill today for so many reasons. As a mother of kids who think about getting into the performing arts and being child actors with their friends and so on, and as a former parliamentary assistant to the former Minister of Children and Youth Services, I think it is our responsibility as a government to ensure the safety and support of our young people in any way we can.

I know the member from Hamilton East–Stoney Creek is always passionate about everything that he does. We don't always agree on everything, and that's okay, but he's very passionate. I understand from reading a bit about this bill that it is indeed well researched. He has looked at other jurisdictions, and he has extensive knowledge of what he's talking about in this bill, so I just want to applaud him for bringing forward a well-developed bill.

If it is the will of the Legislature to go to committee, then of course refinements can happen with any bill, but I think this is one of those bills where a lot of homework has been done. That's my read of it, that's my sense of it, and I want to congratulate him on doing that, because he's obviously passionate about it. I think that when we're passionate about things in the Legislature, when we advocate on behalf of our constituents and Ontarians, as he is doing in this case for child performers, that's our job; that is what we're supposed to be doing.

I'll talk a bit about the bill, just to recap, and then—

**Mr. Gilles Bisson:** Tell us about Fester.

**Hon. Tracy MacCharles:** There are a few jokes going on in the Legislature today, but this is serious. This is a serious bill. I take the bill seriously. There are a few comments going on, but that's okay.

As I understand it, the bill sets out rules relating to the disclosure of terms of employment, tutoring, income protection, hours of work and adult supervision for child performers. Parts of it would be enforced as part of the Employment Standards Act and would set out rules related to the health and safety of child performers.

The bill also provides that if there's a conflict between a provision of the bill and a provision governing the employment of child performers contained in a collective

agreement, a contract or another act, the provisions that provide the greatest protection to the child performer will prevail. I think that's a really important principle that the member has brought forward in this bill, that whatever provides a stronger form of protection should prevail, because sometimes there's different legislation and people get confused about what applies when and to whom. Having that principle of the strongest protection is the right way to go, for sure.

The bill also provides regulation-making authority on a number of matters, including things like:

- daily expenses of a parent or guardian payable by an employer under the act;

- prescribing persons who are authorized to hold money in trust;

- governing the administration of money held in trust for child performers;

- prescribing employees who are required to have a clean criminal record to be chaperones or supervisors;

- defining what “clean criminal record” means; and

- also defining any word or expression that is used in the act but not defined in the act; and

- providing for transitional matters which, in the opinion of the Lieutenant Governor in Council, are necessary or desirable to facilitate the implementation of the act.

Again, it's very thorough and very well thought out.

It is important to note what we do have in place in Ontario, and I don't think the member would mind me highlighting some of these things. There is a Child Performers Guideline in Ontario, and the Ministry of Labour does conduct inspection blitzes for new and young workers, which includes child actors in the entertainment industry. In fact, I've been told that we have a new young worker blitz inspection going on right now. However, that's not to say that more can't be done, that more shouldn't be done, because our government does value the contributions of Ontarians who work in this entertainment industry. And putting on my Minister of Consumer Services hat, we put the highest premium on safety when it comes to Ontarians, and particularly children.

**1510**

Some other interesting statistics I learned about: Since 2003, jobs in the entertainment and creative industries have increased by 15%. That represents 39,000 new jobs. That's great. We all want more jobs, but presumably a portion of that represents young child actors, and they're the people that this bill is intending to protect. So I do support the bill moving forward. There are some aspects that we may want to look at and have clarified should this go to committee, such as potentially looking at mental or emotional stress of child performers and how do we provide appropriate supports there, making sure that healthy food and snacks are provided and ensuring travel with chaperones is required.

Ultimately, we feel the bill is well intentioned and addresses a very important issue. I know the member has consulted quite a bit already with stakeholders and I

assume also with industry partners. So I'm sure that would continue if the bill progresses. I think we are all in agreement that whatever we can do to promote the well-being and safety of children is indeed something we can all support. It really is a pleasure indeed to support bills where everyone agrees and everyone can work together to refine, going forward.

With that, I'm looking for my colleague who was supposed to speak for the last six minutes, but maybe I'll just keep going. I'll keep going, how's that? We have one of my colleague ministers speaking, but perhaps I'll just carry on, then.

*Interjection.*

**Hon. Tracy MacCharles:** Okay. I'm learning from my learned colleagues—as long as he gets his six minutes back when he comes in the House—

*Interjection.*

**Hon. Tracy MacCharles:** Pardon?

**Ms. Cheri DiNovo:** Go for broke.

**Hon. Tracy MacCharles:** Go for broke.

**Ms. Cindy Forster:** Just keep it going.

**Hon. Tracy MacCharles:** Keep going or sit down? Oh, I'm getting the sit down. I'm going to sit down but again, let me thank the member for bringing the bill forward. I know my colleagues will have more to say on it.

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

**Mrs. Jane McKenna:** I'd like to commend the member from Hamilton East–Stoney Creek, first of all. I'm honoured to speak today to Bill 71, the Protecting Child Performers Act, a bill that certainly resonates with me as the PC critic for children and youth.

We live in a very youth-oriented culture, and our young people are often more sophisticated and cultured than we were at that age. They're often more confident in their talents and abilities as well.

Changes in technology and the culture industries has meant that while it's not easy, it's easier than ever to set out that path if that's where your passion lies. But the flip side to all of that historic opportunity and talent is that the potential pitfalls are also very numerous. Bill 71 would introduce rules for dealing with child actors in both the live and the recorded entertainment industries.

Provision would include the mandatory creation of trust funds, something that has been around in the United States since the Jackie Coogan case in the late 1930s. Tutoring for child actors, regulations on working hours, the establishment of break periods and mandatory chaperoning—these are all measures that would appear to enshrine respect for the child performer both as a child and as a performer. This is not to take away from the incredible job that most stage parents do. They may be standing in the wings, but they are just as committed to this path as their children.

We've set aside a space in our culture for the hockey parents or the soccer parents but for some reason, maybe because they don't assemble in public quite so regularly,

we don't put stage parents on the same level. They are in many cases dedicated to their children's dreams.

One of my constituents, Donna Gosling, mother of Ryan Gosling, was a level-headed presence during the outset of her son's career. Ryan began his career on the Mickey Mouse Club as part of a cast of future superstars like Britney Spears and Justin Timberlake. He was naturally a bit wilful and Donna was very patient. Even while we pay tribute to the parents, we must acknowledge that this industry can distort reality, that they can be star-struck as much as anyone.

As much as Bill 71 is about protecting the interests of the child from predatory industry influence, it also contains measures that would potentially act as a buffer against some parents who often have the best intentions—they just want their child to enjoy greater opportunities and richer life experiences, grow their talent and work with amazing people—but are perhaps overeager and push their child beyond reason.

Currently, child labour is illegal in Ontario, with the notable exclusion of the entertainment industry. The proponents of this bill argue that because of this exclusion, additional regulation is needed. The proponents fail to note any cases where this regulation would have prevented any sort of misdeeds or transgressions from taking place.

That's not to say there isn't room for improvement, debate and scrutiny, but I'm happy to support this bill and look forward to delving into it at committee.

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

**Ms. Cheri DiNovo:** I first want to acknowledge, again, the presence of Shirley Douglas—we are so honoured—and all the phenomenal members of ACTRA who have come back time and time again to support this, and also the rights of workers in the arts. Thank you for being here. Give them a round of applause.

*Applause.*

**Ms. Cheri DiNovo:** My little speech is going to be called "Confessions of a Child Actress," because I was one, and when you talk about stage mothers, I had one. She was a stage mother to beat all stage mothers.

I remember, at the tender age of three or four, being taken out to model, to go on auditions. I had several little, minimal parts and various advertising moments on television. It was one of those scenes that you've seen in the movies, where you open the door of the audition and three mothers fall in because they all have their ears at the door.

I have to say that I remember to this day the sheer terror and horror of those auditions. I know that my mother meant well; it wasn't that she didn't mean well. She really wanted the best for me, but it was terrifying. I don't know many performers who love to go on auditions, quite frankly, but imagine what that feels like for a little kid. It's scary: "Go on, go on. Do your best. Smile." I remember having to smile so hard that my cheeks hurt. I remember that very well.

My mother was very proud, though, because it all culminated in me actually getting a job in an ongoing

series; you know, that's the kind of gold ring for many performers. It was called Time of Your Life. It was on CBC, and I was a dancer. I think Peter Kastner was one of the stars on that show.

Every Wednesday, through an entire school year, I went from 8 in the morning until about 5 or 6 at night, and it was dancing.

**Hon. Tracy MacCharles:** No school?

**Ms. Cheri DiNovo:** No school whatsoever. So we rehearsed, and we rehearsed hard. I was like nine or 10 at the time. When I think back about it, there was no chaperone, there was no parent on the set, there were no courses given. I missed one day of school every week for an entire year. Now, did I enjoy some of it? Absolutely. But, my goodness, it was hard work.

Then, one might ask, where did the money go? I don't know. Honestly, I don't know. Now, I'm not accusing my parents, who have long since passed away, of anything. I'm sure they had my best interest at heart. But I don't know. I had lots of performances and lots of ads that continued to run. Where are all those residuals? I don't know.

Suffice to say, I support this bill. Not only do I support it, but we tabled it before, back in 2007—six years ago. We in the New Democratic Party tabled this bill before, and a bill for actors' rights. So I really herald the member from Hamilton East–Stoney Creek for bringing it back again. This time, I think we're going to be lucky—I think we're going to be lucky—because this time we're in a minority government, where we have a little bit more push, a little bit more say.

**Mr. Gilles Bisson:** Especially New Democrats. We've got a whole bunch of push.

**Ms. Cheri DiNovo:** Especially. We had quite a bit of push and quite a bit of say this last budget time.

So I hope—I live in hope—that the Minister of Labour is going to do the right thing and is going to move on this finally, because, as you heard the member from Hamilton East–Stoney Creek say, it's not good enough to have guidelines. Guidelines have no legal—they don't really even have moral—weight. They're something that's just a piece of paper on your desk. It's the enforcement. It's the law that makes the difference, and then, of course, the enforcement. So that's important.

**1520**

It's extremely important to codify this; it's extremely important to move on this, because I know there are lots of kids out there who are going through the same reality I went through, and let me tell you, it turned me off acting forever—unless you count this as acting. It turned me off acting; it turned me off auditions, that's for sure. Because not only was I doing all of that—the classic stage mother that she was—I was also taking violin, modelling—I was just writing down all the things I used to take—acting, ballet. I literally had a class every night of the week after school, plus doing the work that I did. That's very stage mother; come on, that's very stage mother.

Now, there are some children who love to do that, who want to do that. I wasn't one of them. It's the kids like

me you've got to protect—and all the kids, even the ones who love doing it; you've got to protect the money they earn doing it. This is only fair, because not all parents have the best intentions of their children at heart. Unfortunately, we know that to be true.

Again, it's absolutely important that we support this, absolutely important that we get it passed this time—and not just passed today, but please, my friends in the Liberal Party, in the government, please make this a law so that these poor people don't have to come back in another six years to see the same sometimes-not-great performances take place.

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

**Hon. Glen R. Murray:** It's a great pleasure to rise in support of this bill and also in support of the efforts of my friend from Hamilton East–Stoney Creek. He always brings the perspective of the people who are forgotten, obviously. I think his pretty unrelenting commitment to social justice and human equality is reflected in this bill, and I want to thank him.

He also has a certain acting flair in the House. I don't think any of us will ever forget the dramatic moments when Mr. Miller rises to support a government bill. It's got the attention—he's developed almost standing ovations on this side of the House for the drama and the portrayal of the put-upon member of the opposition. I just have a sense that there is something in Mr. Miller's childhood he hasn't quite shared with all of us right now. I'm going to look at all those ads on Star Trek, from when we were kids, to see if I can see a little Paul on a Campbell Soup ad or something similar.

I also want to join my friends opposite and the member for Parkdale–High Park to acknowledge Ms. Douglas. She is a great Canadian, a great artist and a great voice for social justice. Ms. Douglas, on behalf of the government and Premier Wynne, we'd also like to join our friends the New Democrats in welcoming you here. We all live a better life in Canada in a more just society because of your leadership. Thank you very much.

My son and Ms. Douglas's son had a brief encounter that led to my son being in a movie. I was running for mayor. I had started a film office when I was a city councillor in Winnipeg, and we had a very robust film industry, which I was quite proud of—we quadrupled the amount of money for arts and culture. One of the big things was this film, and the big crescendo of this was Kiefer Sutherland was coming to town to do a movie, which in Winnipeg is about as big as it possibly gets.

When he was there, I was in an election campaign shortly thereafter the time the movie got shot. I was running for mayor, and he and Michael Moriarty co-hosted a fundraiser for me. Michael Moriarty, you might know as Ben Stone, the original crown—

*Interjections.*

**Hon. Glen R. Murray:** Yes.

I always thought he was a really progressive guy, and I found he is somewhere right of, you now, the Repub-

lican Party—hated Janet Reno and didn't like Bill Clinton. I tried to carefully avoid talking politics. Fortunately, Mr. Sutherland was much more progressive and enlightened, and we had a lot more fun together.

**Mr. Rick Nicholls:** Great word, “progressive.” I like that.

**Hon. Glen R. Murray:** Yes. Well, I remember when your party was.

*Interjections.*

**Hon. Glen R. Murray:** Sorry. After question period today, you've got to expect we're going to shoot a few shots back.

**Mr. Rick Nicholls:** Just remember I'm speaking next.

**Hon. Glen R. Murray:** I'm sure.

But it was interesting because, as some of you may know—and this is where the child actor part comes in and why I think these measures are so protected—my son, Michael, when he was 19, did a documentary about his childhood called *A Kind of Family*. It was about his struggle with HIV and fetal alcohol syndrome. I think he thought he was going to be Kiefer Sutherland, but with that kind of mentoring, the kind of connection he had, he was able to go on and talk about child abuse. If you ever have a chance to see this film, you'll understand why my son is my hero.

But going through the decisions about the kinds of personal disclosure that a child went through, and I said to him—it was actually the child service agency, where one of the young people there was a filmmaker who really wanted to do that. I said, “Don't do it because if you tell your story, you have to live with it for the rest of your life, and it's public.” He said, “I've spent my entire life being controlled by foster parents and defined by other people. The kids like me on the street never get to tell our side of the story.” It's a transformative film. He's one of the few kids—my son recovered from a drug addiction. He's now a carpenter and doing very, very well as a young man, and I'm enormously proud of him. I couldn't have gone through what he's gone through in his life, and I was devoutly honoured and overwhelmed being his parent, going through with my friends what he went through and what he taught me about patience, maturity and courage.

But he was 19 when he did this, and I said, “You can't decide to do this. You have to wait a year. You have to talk to a lawyer. You have to do all of that.” But the impact of having young people tell their own stories in the first person is an incredibly powerful thing. Whether it's fictional, which many of these stories are about, or whether it's a fact-based documentary, we have to go a little extra further to protect young people to do that.

I want to say to my friends opposite—I've only got 10 seconds left—you will certainly have all my support and, I think, all members on this. I want to congratulate the New Democrats, who have really used this minority government to advance things. I would invite the official opposition to bring forward more constructive ideas and a little less criticism, and we'll get a lot more done.

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

**Mr. Rick Nicholls:** I appreciate the comments the minister has made with regard to his son.

With regard to bringing forth bills that would really help to advance this particular Legislature, I think we have done our best to try to advance it as well. Unfortunately, the other two parties don't seem to think, feel or believe that way.

It is my pleasure to rise this afternoon to speak to Bill 71, the Protecting Child Performers Act.

**Mr. Gilles Bisson:** They're buying their own spin now.

**Mr. Rick Nicholls:** You might want to listen to this. You might learn.

I want to thank, first of all, the member from Hamilton East—Stoney Creek for introducing this bill, and I must mention that the member from Parkdale—High Park also introduced a similar bill back in 2007.

There's a saying that, “All the world's a stage” and we're just merely players as we pass through. I could have said something else, that all the world's a black tuxedo and this coalition is a pair of brown shoes, but I won't say that.

On a more serious note, I do support this bill at second reading and we hope to see the bill examined closely in committee to ensure—

**Mr. Gilles Bisson:** You're not even wearing sandals.

**Mr. Rick Nicholls:** May I finish, Mr. NDPer, or would you like to have the floor?

Again, because I'm sure he missed this statement, I will support this bill at second reading, all right? But I hope to see it examined more closely at committee—by the way, if we do have committees, and I certainly hope that does happen over the summer.

First and foremost, we need to confirm that it properly protects children, and that's very important. Secondly, it should allow child actors to fully benefit from their careers.

We've done a little digging into this issue and tried to find some examples of misdeeds occurring in Ontario because of a lack of legislation. There does not seem to be many cases where abuses have occurred due to the lack of definitive law, but Ontario certainly has a thriving entertainment industry which will surely grow as the world comes to realize what this province has to offer.

Many American states have legislation to protect child actors, most notably in California, which should come as no surprise, as Hollywood is of course the entertainment capital of the world. This bill includes a good number of measures that these states have adopted over the years. I'd just simply like to briefly highlight a couple of them.

California currently requires that three hours per day are required on set on school days for child actors. This bill calls for a minimum of two hours, which is certainly reasonable and indeed crucial for our youth. This bill also seeks to place a limit on the number of hours a child in the entertainment industry—with the same rules from age two to 17. What that means simply is this: That someone



at 17 certainly is much different than one who is two years old, and they may be capable and willing to work much longer hours. New York has a graduated system that lays out different standards for different ages, which may be an approach worth considering.

**1530**

Subsection 14(1) of this bill helps protect against any potential abuse. The subsection states, “A parent, guardian, or authorized chaperone of a child performer” under the age of 16 “shall be present at the workplace and ... accessible to the child ... at all times.”

Lastly, and this is what I believe will have the greatest impact, at least 25% of funds will be held in trust until the child turns 18 years of age. That’s a great idea. This is similar to the Coogan Act, named after a child star in the 1930s whose parents spent his fortune before he turned 18. His earnings would have been roughly \$50 million by today’s standards. This is a widely used law in the States, which would help to prevent such things from happening in Ontario.

I applaud the member from Hamilton East–Stoney Creek for doing his part to protect children in this province. Children are our most precious resource, and at the same time, they’re also our most vulnerable. While working in the entertainment industry can provide many opportunities for youth, their safety is paramount. It’s for these reasons that we must do all we can to protect them.

Speaker, yes, we will be supporting this bill at second reading.

**Mr. Bas Balkissoon:** Further debate?

**Mr. John O’Toole:** It’s a pleasure to respectfully speak on behalf of our party, but also to respect the work that Mr. Miller, the member from Hamilton East–Stoney Creek, as well as his colleague from Parkdale–High Park, have put into this issue. I also want to recognize Shirley Douglas, as well as the other celebrities—famous, young and old—who are here today. Thank you very much for coming and supporting this cause in support of children.

I think it’s also important to put on the record that our party, however vilified from time to time, does put children first. And I would say we put the economy first as well. I think it’s also important to recognize that in the 2007 provincial election, this was a plank in our party platform.

It’s not an issue that I’m unfamiliar with, as a parent with five children, all of them talented. Being a parent—I’m speaking directly to the parents here—you want the best for your children, and I think all the legislators here do as well, despite the politics that rattle back and forth here. I would also say that we believe that children deserve protection over and above adults. In many ways, this bill does that, and that’s why we’ll clearly be supporting it without any ambiguity at all.

I would also say that I went to the press conference at noon—I thought it was very well done. I commend the member for professionally giving voice to the issues, the young actors who spoke and the comments made. I think that’s why legislators here and private members should keep the partisan stuff out of it a bit and try to be doing

the right thing. Who here would speak against protecting children?

I think it’s important also to recognize that perhaps we’d all agree it would go to public hearings. Although the bill is quite substantive—in terms of a private member’s bill it is very well developed. I could commend you for that, and legislative counsel, who helped you put that together.

I also want to commend the people here from ACTRA and the providers, the Equity association, because you’ve had a loud voice in this, I can tell. I heard a parent of one of the younger actors—I gather you’re an actress, or certainly involved as a parent—who spoke at the press conference this afternoon of the importance of making sure that children receive the full life. That’s the protection that is in this bill, specifically the provision in, I think, sections 3 and 4, which talks about the fact that they would have employment opportunities but they’d also have opportunities for tutoring and supervision within the provisions of this legislation. It’s my understanding that it would make permanent amendments to the Employment Standards Act.

With that, I’m going to leave a bit of time for one of my other colleagues to make comments on this bill.

Thank you, Mr. Speaker, and thank you, member for Hamilton East.

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

**Mr. Peter Tabuns:** I want to first thank Paul Miller, our critic for culture and heritage, for doing this work. It’s important work. It’s consistent with what my colleague Cheri DiNovo has done in that role in the past. We really appreciate this. And I want to thank ACTRA and Equity for all the work they’ve done over the years to move this agenda forward.

Speaker, in Greek mythology there was a figure, Sisyphus, who was doomed through eternity to roll a boulder up a hill through the whole day; it would get to the top of the hill and roll back down. Sisyphus did not have the commitment that ACTRA and Equity do, clearly.

They have done extraordinary work; they have never stopped advocating for the rights of artists and certainly for the rights of child performers and their parents. I’m hopeful, given what has been said in this chamber this afternoon, that the boulder will get to the top of the hill and will stay there this time.

To everyone who made this possible, in particular to our critic, to Equity, to ACTRA, my thanks, and my hope, Speaker, that we all vote for this bill and get it through to committee and to third reading.

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

**Mr. Taras Natyshak:** I’m pleased to rise today on behalf of our caucus to applaud the work that my colleague the member from Hamilton East–Stoney Creek has done in bringing forward this bill.

I’m also pleased to rise as our party’s labour critic, because this bill, in essence, is a labour bill. We are

talking about child actors, but we are talking about workers. They are professionals, they are artists, they are entertainers that put a lot of effort and skill into their craft, and are rewarded as if it was a full-time job—sometimes it's a part-time job, but as a real industry that needs protection. It's one of the most glaring aspects in our Employment Standards Act and our health and safety act that child performers aren't recognized. They are given minimal, minimal recognition, and those that do exist typically are recognized under provisions of collective agreements.

I want to applaud—I'll roll some credits here right now—ACTRA and Equity, who are setting the tone, really, for protection of young workers and young actors in this country and in this province, and I commend them for doing so.

We are obviously, as has been mentioned, privileged to have Shirley Douglas among us today. In meeting with representatives from ACTRA, I was told a story that I think should shed some light on this subject for members of the assembly.

On set, on one of the productions Shirley was working on, there were a number of actors and child actors. Throughout the production and the filming, those young actors had to go and embark on their tutoring, and were taken away off set to go and to have their classroom lesson. Now Shirley, being the inquisitive, labour-minded, social justice activist that she is, decided to figure out where these young people were being taught, and asked if she could see exactly what the location was and to see what the conditions were. Lo and behold, she walked into what essentially was a Quonset hut that had some makeshift tables set up and a study area that was in the same area as the paint shop was, where the film crew, not on their own accord, certainly had no other room but to set up their paint shop in the same area that they taught young people. To Shirley's credit: My dear, you shut that place down immediately, and those young workers were taken out of that dangerous scenario.

This just simply highlights one incident where this bill, among many other things, can play a supportive role in protecting the lives of young workers and honouring the good work that they do.

Mr. Speaker, I would be remiss if I didn't acknowledge that I have a little bit of a vested interest here, and I'm very proud of the fact that I have a relative, my little nephew, Carson Reaume, who's an aspiring actor and actually will be featured in an episode of *Rookie Blue* this week. So it's really cool that I get to stand here and deliver to the cameras—and I know it adds 10 or 20 pounds onto me, because everyone tells me. I know who's watching, you've been sending me texts; I know who's watching—

*Interjection.*

**Mr. Taras Natyshak:** It's 30 or 40? Okay.

But I also am able to do something here that actually has a tangible effect outside of the walls of this chamber. We all have that opportunity to do that here today. I'm just so proud to see a bill come forward that has so much

common sense built into it. It will have such an immediate effect and will really modernize our standards in film and television and media in this country, and bring us, really, to the standards that we should have as a world-class entertainment and artist-driven district that promotes the arts and also supports them, not only culturally, not only as members of the community, but also legislatively. We recognize that these workers add so much value to our communities and to our spirit. We can do something, and we're doing it here today. I'm very proud to rise today, and I encourage all members of the chamber to support this incredible bill.

**1540**

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

**Mrs. Julia Munro:** I just want to add a couple of comments. While I am not a child in the way that the member for Parkdale–High Park explained her experiences, at the same time my nephew has been a member of ACTRA. Currently he's not, but he was for many years. It was through his experiences as a young child that it became very clear to my sister and me that there was an opportunity and a demand for some further kind of regulatory environment for children to work in.

She was particularly struck not by the producers so much as the overambitious parents and the manner in which they were prepared to make sure their kid was in front of the camera for however long it took. So on behalf of those people, I want to add my voice in supporting this bill.

As the former culture critic for our party, I did work on the initiative that came out in the 2007 platform, which was, in fact, to provide this kind of legislative framework for children in this province. Thank you very much for giving us the opportunity to demonstrate our continued support.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Hamilton East–Stoney Creek, you have two minutes.

**Mr. Paul Miller:** I'd like to thank the Minister of Consumer Services, the Minister of Infrastructure and Transportation, the members from Chatham–Kent–Essex, Durham, Burlington, Parkdale–High Park, Toronto–Danforth, Essex and York–Simcoe for their kind words.

I'd also like to thank them for their common bond. We all share something in this House. We all share the values of protecting the children and the young people of our province. I think that all party partisan politics will go out the door when it comes to voting for this bill all the way along. I think we've finally arrived, and we all realize it's time to move on this legislation. I'm looking forward to working with all parties to make this a reality.

But as it often happens, there are enough instances of poor- or ill-considered conditions for child performers that we must formalize their treatment at work. We must protect them, and we will protect them. I feel really good about this.

Speaker, in closing, I would be remiss if I didn't thank Shirley Douglas and the other ACTRA and Equity

performers and staff who have taken the time out of their busy lives to come to Queen's Park today to support the passage of Bill 71. I particularly want to thank Equity, ACTRA and our legislative counsel for their hours and hours of hard work, even on weekends.

This bill before us today is a good thing. It is always a pleasure in this House when we can all agree on something that's good for the people of Ontario, something that's going to protect the citizens of our province, something that's going to show the rest of the country we're taking a leading role when it comes to labour law and to health and safety. I'm very excited. I really believe we can take this to the finish line with all three parties.

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

FAIRNESS AND COMPETITIVENESS IN  
ONTARIO'S CONSTRUCTION  
INDUSTRY ACT, 2013

LOI DE 2013 SUR L'ÉQUITÉ ET LA  
COMPÉTITIVITÉ DANS L'INDUSTRIE  
ONTARIENNE DE LA CONSTRUCTION

Mr. McNaughton moved second reading of the following bill:

Bill 74, An Act to amend the Labour Relations Act, 1995 to alter bargaining rights conferred by pre-1980 working agreements in the construction industry / Projet de loi 74, Loi modifiant la Loi de 1995 sur les relations de travail pour modifier le droit de négocié conféré par des accords de fait conclus avant 1980 dans l'industrie de la construction.

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

**Mr. Monte McNaughton:** I'm pleased to rise this afternoon to speak to my bill, Bill 74, the Fairness and Competitiveness in Ontario's Construction Industry Act.

Speaker, over the past decade, Ontario has experienced extraordinary economic decline. The facts speak for themselves: 600,000 people unemployed, rapidly escalating energy prices, historic deficits and a doubling of the provincial debt that will both stifle job creation and burden future generations.

While we all know these facts well, more troubling trends are becoming apparent. Over the past decade, Ontario has experienced a net loss of leading global companies. Despite prolonged unemployment, the province faces unprecedented skilled-labour shortages. Ineffective economic development programs continue, even though they have failed to deliver results. This is the current government's record, and this is Ontario's future if we stay on the same path that we're on today.

You see, we now face a critical choice about our future: Either we implement the sensible policies that will help create jobs and prosperity, or we accept a future

of high debt, declining public services and living below our economic potential.

I am bringing Bill 74 before this House in order to address a newly uncovered loophole that has recently been found. This loophole is putting an established Ontario construction firm at a decided disadvantage in bidding for industrial, commercial and institutional contracts outside of the city of Toronto.

I envision a province known for its ingenuity, inventiveness and innovation, but to achieve that, we must work with our entrepreneurial hubs and support those who are driving growth and innovation. We must support those who are creating jobs and helping to grow our economy, and that is why I am pleased to be bringing forward this important piece of legislation here today.

This established general contractor is now under threat. This is a company that is widely known as a community leader in London, and a company that has earned significant acclaim, including being named 2013's number two best employer in Canada by Aon Hewitt, and a platinum member of Canada's 50 Best Managed Companies, and one of Canada's top 100 employers in 2013 by Mediacorp Canada.

Speaker, a single working agreement that was made all the way back in 1958 is now being dredged up, and a recent unfair decision by the Ontario Labour Relations Board puts their future at risk and threatens the viability of this very important contractor. The agreement from 1958 puts EllisDon at a significant disadvantage, compared to foreign competitors who are neither bound nor obligated to follow through with these types of agreements, and it is this un-level and uneven playing field that my bill seeks to address. Simply put, we need to update the system before this ancient labour law chases jobs out of Ontario.

I have often commented in this House about the need for a level playing field for businesses to succeed on their own merits, and I have said that it is time for government to stop picking and choosing winners and losers, and to get away from the government corporate-welfare-and-subsidy model. This bill furthers this goal, and will help ensure a level playing field for all general contractors operating in Ontario.

The OLRB has set a deadline to comply with their ruling. This timeline gave the company just enough time to seek a legislative remedy to this unfair situation, and that is what we are trying to do here today with this Bill 74. It is important to note that this act only applies to the 1958 working agreement. This is a simple and straight-forward bill designed to resolve a specific loophole that has recently been uncovered.

As you can see, Ontario law is crippling this Ontario-based job creator. EllisDon is being forced to abide by an unfair OLRB ruling that affects all of their operations in the province that are outside of Toronto. The winners will be new and foreign companies, which will be able to bid on contracts at a much cheaper rate. This will not only impact construction jobs, but it will also impact head office jobs as well.

1550

Speaker, I don't think I need to remind you that EllisDon has a head office in London, where we are currently looking at a 10% unemployment rate. Not only do we need to create jobs and grow the economy in London, but we also need to keep and maintain the important jobs we already have. Quite clearly, it is in the best interests of Ontario to ensure that all businesses operate on a level playing field against new and foreign competitors. Bill 74 ensures that everyone in the industry is playing on a level playing field. With a fair environment to operate in, EllisDon will continue its operations in Ontario and will continue to create good jobs across the province, while also taking a leading and active role supporting our communities and, importantly, the city of London.

It's important that the companies in Ontario that provide good jobs for the hard-working men and women of this province are not crippled by unfair legislation and odd legal loopholes, but rather placed in an environment that is fair for all. If this Legislature fails to pass this legislation, this Ontario company could be forced out of its core business, ultimately resulting in more job losses in this province, more unemployed people adding to the 600,000 currently unemployed in Ontario today.

That is 600,000 men and women who woke up in the morning with no job to go to and no paycheque coming home to their bank account—but that's not all. Over the past decade, Ontario has lost 300,000 good jobs in the manufacturing sector, but at the same time, we saw 300,000 more added to an already bloated government payroll. Soon the only industry left in Ontario will be government.

Speaker, if you look at the StatsCan data from the last year, the government sector has grown by 48,000 jobs, but we haven't seen a single net new job to the private sector. In fact, fewer people are working outside the government, paying for more people working inside the government with higher wages, benefits and pensions than those who are paying the taxes. We have to do everything we can to preserve jobs in the private sector and grow Ontario's economy. We cannot allow for local Ontario companies to be placed at a decided disadvantage due to unfair legislation, and we cannot allow foreign and new companies to play by a completely different set of rules.

The only way forward is to move confidently and boldly in the direction of the plan that you know is right. Ignoring the issues Ontario is facing is not solving the problem. With my bill here today, this House has an opportunity to solve a problem and help keep jobs in Ontario.

The approach of this House needs to be one that creates jobs and keeps Ontario businesses in Ontario. We must stand up for jobs and protect the jobs and businesses that are in this great province. I believe that we can rebuild our economy for the 21st century and recreate a strong, growing and confident middle class. Our big advantage is that Ontario has more of the greatest

resource there is, and that's people. It is these people's knowledge, ideas and hard work that will take Ontario back to the top in Canada.

This bill is a simple solution to a specific problem, and I am asking that all members join with me in standing up for good jobs across Ontario. Bill 74 helps keep jobs in Ontario, at home where they belong.

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

**Mr. Taras Natyshak:** I'm pleased to rise to speak on Bill 74, Fairness and Competitiveness in Ontario's Construction Industry. I spoke briefly with the member who initiated the bill. On the surface, I see what he's trying to do. I see that the company is under an agreement that binds them that predates, I think, everybody in this House. It dates back to 1958—maybe not Monte—

**Interjection:** The other one.

**Mr. Taras Natyshak:** —but certainly that Monte. And I wonder actually what precipitated the initiation of that agreement in the first place. I'd like to look at some of the aspects that brought about that master agreement.

All in all, if we look at the preamble or the explanatory position of the note—as New Democrats, we read this and it goes against our fundamental beliefs in terms of the right to collectively bargain and enter into a negotiated contract with an employer. “The bill amends the Labour Relations Act, 1995 to end bargaining rights recognized and conferred by certain working agreements entered into before May 1, 1979 between an employer and a council of trade unions.” I'll spare you the rest, but the employer is EllisDon, one of the largest construction companies in Canada, certainly a reputable constructor, one that has a stellar record in its workplace, in its competency and quality. There's no question about that. And that has been reflected dating back to the most recent profit points that I can find: In 2010, they made \$3.39 billion that year in revenue, which is quite impressive. That's amazing. They build a lot of great stuff here in the ICI sector.

I can't imagine that this aspect, by circumventing the OLRB and a collective agreement through this legislative body, will make them any more profitable than they currently are. I couldn't imagine that they could be less profitable. They have a stellar record, they had good contractual relationships with different trades and they're highly regarded, not only in this country but abroad.

To take that extra step, again, to circumvent what would normally be the process through the OLRB—if the concept here is to get out of this collective agreement, then they would go about a decertification process. I don't know if that has been exhausted yet or not. There are a lot of missing components to this bill that I need to know, but just on the surface, as I stated, it looks as though, in order to comply or in order to get them out of this contract, they have to do it through this legislative body before the time runs out under the clauses of the OLRB decision. This is the first that I've seen any really comprehensive view of this bill. In my opinion, it doesn't merit our intervention. It doesn't merit our intervention

on a lot of levels because, as much of a surprise as this might come to those at the OLRB, imagine the surprise it would come as to those workers who are under a collective agreement working for EllisDon that, tomorrow morning, no longer are they actually signatory to an agreement with them—something that this body initiated. I couldn't imagine that would be something that any member would want to do.

I'm pleased to hear arguments around it. I think the member is also looking to elaborate on it. I hope the opposition does as well, because I believe they signalled that they are going to be supportive—sorry. One day they're going to be the opposition again. But the government is going to be elaborating on it. I welcome some more information on this, and I welcome any opportunity that we can find to work in a fair and balanced way to enhance construction and infrastructure in this province, and balancing the rights of workers, and to uphold our laws as they relate to labour relations.

The member did bring about one aspect that I'd like to quickly touch on: ever-increasing competition from outside jurisdictions and from construction conglomerates coming in and bidding on our projects. I would ask him to—I'm not going to talk to him; I'm going to talk through you, Speaker, to the member who initiated the bill. I agree that the pressures from multinational corporations, specifically in the construction industry, that are able to come into Ontario and other jurisdictions and undercut our home-built industries and companies—there is no question that that's a threat. That's also what the member would agree is probably a component of a free market economy, one that they are proponents of, one that their party certainly champions through free trade agreements such as CETA, which absolutely opens the door to not only construction companies coming in but any other service provider that would fundamentally alter a municipality's ability to bid and to support their local businesses.

**1600**

I hope that the member can square that circle for me, because the real threat here certainly is in the opening of our borders to multinationals that have been given free rein, through free trade agreements, to undercut. That presents a real and present danger to our construction companies and any other business that's based in Canada—to compete.

Instead of bringing the bar down—we're no longer outsourcing; they're insourcing cheap labour under the Temporary Foreign Worker Program, and we saw that explode quite dramatically just as of late—let's take a look at those aspects where we can protect Canadian and Ontario workers. We can protect Ontario businesses from those foreign competitors through good, savvy, well-nuanced legislation, both at the provincial and federal levels.

Mr. Speaker, my colleague the member from Timmins–James Bay wants to add to this, as well.

Again, I don't think this is coming at us fully nuanced. I think it's something that has a cloak of—not secrecy,

but it isn't clear to me why we need this legislative body to intervene so dramatically to circumvent a decision that has clearly been put before the OLRB.

Merci, monsieur le Président. J'apprécie votre temps aujourd'hui.

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

**Mr. Steven Del Duca:** As I think I say almost every time that I stand—maybe because I'm still a relative newcomer here—it is a pleasure for me to be standing here today in my place, on behalf of my constituents and my community and, at least in this particular instance, on behalf of our caucus, to speak to Bill 74 and to provide my perspective on it.

Before I actually discuss the bill itself and get into some of the reasons why it's important for this Legislature to continue to support Ontario's homegrown infrastructure and construction industry, there is one point—and I don't normally start with the last, but there is one thing that I do want to reference regarding something I heard the member from Essex say. I understand where he's coming from, and I understand that there are concerns and that perhaps there's, at least at this stage, a little bit of a lack of clarity or a lack of understanding, if I could suggest, on their part as to what this bill is all about. I think that's exactly why it's important at this particular moment for this bill to be passed at second reading and for it to go to committee beyond today: so that all members of this House, representing all three caucuses, can seek the kind of additional analysis and input, ask the questions that they're looking to ask and get a better understanding of this particular process.

I would say to the member from Essex, as is probably clear from my comments so far, that I am supporting this bill. I think it needs to move forward to committee, and we need to make sure, as I said at the very outset, that we find a way through this legislative chamber to make sure that Ontario's world-class infrastructure and construction industry continues to flourish.

Members who have been here over the last little while will know that I introduced my very first private member's bill just a few weeks ago. It was a bill that does relate to the construction industry in Ontario. It was Bill 69, regarding prompt payment. The reason I mention that, Mr. Speaker, is to underscore how important the construction industry is to my particular community, to my particular region and also to me as an individual.

In my comments around Bill 69, I mentioned that in my own family there was a long history of being employed by Ontario's construction industry, from my grandfather to my father to my uncle to me, working as a summer student on construction sites around the GTA and having the opportunity to see first-hand how crucial it is for tens of thousands of families across Ontario to make sure that those jobs are available and that people can continue to build their lives and have the kind of quality of life that they deserve to have in this province.

Though I am quite happy and proud to support moving this bill to committee, I hope that the member who

introduced the bill, the member from Lambton–Kent–Middlesex, will understand that while I support the thrust of this bill and want to see it go to committee, I probably couldn't disagree more strongly with some of the rhetoric and some of the preamble that found its way into his comments today.

Over the last 10 years, given the billions of dollars that we have invested in crucial public infrastructure here in the province of Ontario, we have been able to create tens of thousands of jobs. We've kept the economy moving forward. But it's important to note that the government alone—any government alone—cannot do that. Government can help find and create the conditions to enable those in private industry to help move forward, and that, through our infrastructure spending and investments, is one of the things that we've done extremely successfully.

In the case of the particular company that this bill, at least in part, is regarding, EllisDon, which I have to say is really and truly—and this was mentioned by the member from Essex and I believe by the member from Lambton–Kent–Middlesex—a world-class construction company and infrastructure company, having built projects right around the province of Ontario and having done so at an exceptionally top-quality level over many, many years, I think it's important to note that while we have provided the investments for infrastructure, we have done so in partnership with infrastructure companies like EllisDon and many, many others that are, frankly, models for the entire world when it comes to infrastructure.

In previous aspects of my career, I have heard from individuals involved in the construction industry from beyond Ontario's borders, beyond Canada's borders, who have a very clear understanding and appreciation for the kind of construction and infrastructure project and product that we produce here in the province of Ontario, again thanks in large part to the decisions made by this government since 2003 but also because of the kind of expertise of companies like EllisDon. And there are others: Eastern Construction, PCL, and many others that do significant work here in the province of Ontario, building our hospitals, building our schools, building community centres, building universities, building so much of the crucial public infrastructure that we need. It's important that we, I believe, at every turn do our very best to make sure that we find a way to support those kinds of Ontario-based, in particular, homegrown infrastructure projects.

The member from Essex did talk about the threat we face from infrastructure companies from beyond our borders. It's a very real threat. Have a conversation with anyone from the infrastructure community that's based here in Ontario and you will hear about that threat.

I know that I'm sharing my time on our side with the member from Willowdale. The only thing I will say—because my time is running out and there is so much I'd like to say about this bill—is that one of the reasons it does need to move forward at this point in time is if the members from the third party had had a chance to review the labour board decision, they would understand that the

labour board understood in its decision—in fact, it stated in its decision that it was perfectly all right, perfectly acceptable, for those involved in this to seek a legislative response to their decision. They placed a deadline on that, and the deadline was very early in the year 2014.

Given the way this Legislature works, given the way all Legislatures work, it is important to get this bill moved through second reading; get it moved to committee; get it dealt with at committee; have the members from the third party, the members from the official opposition and members from the industry and the public comment; go through that process and, I would say, get it back here for third reading. Get it back, get it approved, so that EllisDon and, I would argue, I would say, any other company that might in the future encounter a similar technical difficulty—provide them with the opportunity and the vehicle to seek the resolution they need.

I'm going to finish by saying once again it's really important for this chamber to focus on making sure that we support Ontario's homegrown infrastructure industry. That's what this bill in large part helps to do. I would call on all members through all three parties—on behalf of all three parties, I should say—to strongly support this bill and get it to committee.

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

**Mr. Jeff Yurek:** Thank you, Speaker, for acknowledging me. I'm pleased to have the opportunity to speak on this bill, the Fairness and Competitiveness in Ontario's Construction Industry Act.

I'd like to sum up: The goal of this bill at the end of the day is job creation. We talk a lot in this House about the dismal job situation in which Ontario finds itself. It wasn't too long ago that Ontario was the economic engine of this country, a place where everybody wanted to live and grow, and a place that had lots of opportunity to create one's living. Now we're at a place where we have 600,000 people out of work.

My riding of Elgin–Middlesex–London has been drastically hit over the last five years, where we now have over 6,300 jobs lost in our manufacturing sector. In my area, London and area, the unemployment rate has hit 9.9%.

If we look at the construction industry alone, it employs over 400,000 people. A healthy construction sector is very vital to the economic prosperity of job creation, yet our province has restrictive trade ratios, mandatory WSIB coverage and the College of Trades, which is keeping our young people out of this job market and shutting them out of this province.

With this bill today, my colleague is putting forward legislation that is a step in the right direction for job growth. This bill stems from a recently uncovered deficiency in the Labour Relations Act that puts Ontario general contractors at a competitive disadvantage. Certain hiring restrictions mean out-of-province contractors that don't have to abide by such restrictions are given a leg up when bidding against Ontario firms for ICI contracts.

1610

The effect of these restrictions arises from an obscure agreement that was made over 60 years ago. I think we can agree that a lot has changed since the 1950s and this is an outdated piece of legislation or agreement. After all, why do we want outdated policies deliberately giving out-of-province contractors an advantage over our Ontario construction companies?

Ontario boasts some of the best contracting firms in Canada. We want them to create jobs and we want them to thrive. We're not talking about favouring Ontario contractors over the others; all we want is our contracting firms to compete on a level playing field. This bill will fix that problem, enhance market competitiveness and contribute to a healthy construction sector. And a healthy construction sector, Mr. Speaker, will create jobs.

This is a small step, but, as I said earlier, it's a step in the right direction. I commend my colleague from Lambton-Kent-Middlesex for bringing it forward, and I encourage everyone here to support this bill so we can rectify this problem and move on. After all, we do have a lot of work ahead of us to reverse the current job-killing policies in this government. For instance, we need to get to work on the trades ratios and reduce them to 1 to 1. We need to remove the compulsory WSIB coverage and allow construction companies to buy workplace insurance in the private market. Finally, we need to dismantle the College of Trades.

Let's pass Bill 74 so we can focus on these other things.

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

**Mr. Gilles Bisson:** Mr. Speaker, no surprise that a New Democrat will not vote for this particular bill, and I just want to lay out a couple of reasons why.

First of all, let me just say this: What we've seen in North America and we've seen in Ontario, as in a lot of other parts of the western world, is the middle class shrinking more and more. One of the reasons for that is the loss of unionized jobs within our economy. One of the things that we've been very successful at over the last 50 or 60 years in Europe and North America—it used to be that about 10% of society used to control about 90% of the wealth, of the money that was—well, maybe not 90%; about 80% of the wealth, let's say, at the turn of the last century, in the 1890s into the 1900s.

What happened was that workers decided that enough is enough, that it was wrong that 10% of our society controlled essentially 80% to 90% of the wealth. So people decided the way to end that was to be able to negotiate collective agreements as workers by banding together into unions to negotiate fair wages and fair conditions of work, so that we're able to essentially make sure that the rest of society, the 90%, are able to share in the wealth of the economy and thus create a strong, robust middle class.

Ontario, as North America—Ontario specifically, as the rest of Canada and North America, has done extremely well over the last years building a very strong

middle class. Why? Because we had good unionization. There was a large percentage of our employees who were part of collective agreements they were negotiating that created a very robust middle class and, as a result, built a stronger economy. Mr. Ford understood way back when that if the workers who work in the factory don't make enough money to buy your product, you're lost. You're not going to build a strong economy. That's what unionization is all about. And what this does is further erode that middle class by saying that those collective agreements that are in place when it comes to the construction sector can be done away with so that we can control for the race to the bottom with the non-unionized sector, so that workers work for less money.

Why would we want to do that, first of all, as citizens of this province, and why would we want to do that as anybody who understands anything about economics? You have to make sure that you have the means to be able to distribute the wealth. We live in a democratic society, so we're not going to allow the state to do that by way of what we saw in the Soviet Union and China. We understand that in a democratic society you do that through collective bargaining. That is one of the democratic rights that individuals have in a society that's democratic like ours—the freedom to join a union so that you can sit down with your boss and you can negotiate your wage when it comes to the ability to be able to make a living.

What this bill essentially does is it makes it possible to de-unionize a sector of our economy, the construction trade, which is something that I can't support.

**Interjection:** Not at all.

**Mr. Gilles Bisson:** I hear the Liberals and I hear the Conservatives say, "Not at all." What I see the facts are—our province and this country are having a smaller and smaller middle class and we're having more of the top 10% or 20% of society make more and more of the money and pay less and less of the taxes. I don't think that's progressive and I don't think it's right. As a New Democrat, I will stand proudly and vote against this bill. If there are issues—

*Interjections.*

**Mr. Gilles Bisson:** Well, here go the Tories, talking about the union bosses. What about the corporate bosses? What about the people at the top, who are getting bonuses that are 250 times the amount of money that the worker makes on the factory floor? Is that right?

Those big bosses and the corporations—I think they're deserving of making a fair dollar. I think somebody who runs a big business should be paid a good wage, especially if they're the owner. They should be able to benefit from the profits of their endeavours as far as building capital and making money, but I think it's blatantly wrong when we're saying we're going to encourage the top 10% to make more and the rest of the 90% to make less. I think that's wrong.

What this is essentially doing is undoing what is the sectoral—not the sectoral bargaining, but I forget what it was called—the closed-shop arrangement when it comes

to the construction trades, and I don't think that's something that we should be supporting. Clearly, this is a step in the wrong direction. I will vote against this, and I encourage others in this House to do so, because all this is in the end is an attack on the middle class, an attack on the union sector, and saying to the people of this society that we should race to the bottom, we should give the top 10% more money and the 90% should settle for less. I'm not going to stand for that as a New Democrat.

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

**Hon. David Zimmer:** I'm pleased to rise in support of Bill 74, brought by the member for Lambton-Kent-Middlesex. Let me just go into some of the facts as to why I'm supporting this bill. Here's what happened: Back in 1958, down in the Sarnia area, there was a collective agreement entered into by EllisDon and one of the unions down there. That agreement provided for collective bargaining rights—we'll refer to it—in the Sarnia area.

That agreement was lived up to for a couple of years, and eventually everybody forgot about the agreement. As I understand it, it was in the desk at one of the unions, and over the almost 60—54—years, that agreement was forgotten about and was not adhered to in the rest of the province.

Then, in 1979, there was some labour reform legislation that set up a different regime that covered the collective agreements, construction companies and the like. As I understand it, a couple of years ago—maybe two or three years ago; two years ago—this agreement from 1958 was discovered in the back of a desk drawer at the union.

The effect of the changes that were made in 1979, when applied to the 1958 agreement, said, in effect, that the rights and obligations that the parties had entered into—and all the parties agreed that it was just going to be related to the Sarnia area—now, because of a legal loophole and some wording in the 1979 legislation, said that all of those rights that the union enjoyed vis-à-vis EllisDon applied throughout the entire province.

That was never the intention of the union at the time. That was never the intention of EllisDon at the time. So, in fact, the parties went before the Labour Relations Board to try and get this anomaly, this unintended consequence, sorted out, because people had forgotten about the 1958 agreement, and in the meantime the intervening 1979 legislation kicked in, which sort of mixed everything up.

What the labour board said when they heard the agreement—they felt they had no choice but to hold that the bargaining rights that were supposed to just relate to Sarnia now had to apply to EllisDon for the whole province. But the Ontario Labour Relations Board gave EllisDon two years from the date of the decision to seek a legislative solution to this legal loophole. The deadline is February 13, 2014.

That's why the legislation has been brought forward: to address this loophole. In fact, the 1958 agreement

between the parties, when considered in the context of the most recent labour legislation, which is the governing principle for these things in Ontario—you can think of that 1958 agreement as—shall I use the expression?—a rogue agreement. The point is, that agreement had unintended consequences for all the parties.

**1620**

What Bill 74 does—the member on the Liberal side from the riding of Vaughan who spoke just before has addressed these points. What the legislation does is remove this anomaly and say that an agreement that the parties entered into some 54 years ago, with the understanding that it would just apply to the construction work EllisDon was doing in the Sarnia area—there was never any intention that it would apply to everything all over Ontario. This has created unintended consequences for a whole host of parties. It has put EllisDon in a difficult economic situation, because they now have to work with a collective agreement that applies throughout the entire province.

There are some unions that are quite happy to see this anomaly cleared up, because EllisDon will continue to be able to do work throughout Ontario, and there will be jobs in eastern Ontario and jobs in western Ontario and jobs in northern Ontario and so on. But we have to get this anomaly cleaned up so that all the parties—EllisDon, employers, workers, everybody—are on a level playing field. It's this odd 54-year-old agreement that has caused this problem. This merely cleans that up.

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

**Mr. Rob Leone:** I'm pleased to rise to speak on Bill 74, An Act to amend the Labour Relations Act, 1995.

When I came to Queen's Park as MPP for Cambridge, one of the things that I hoped I would be able to do was come to this Legislature, come to this chamber, listen to the debate and be persuaded one way or another on legislation.

I have to say that when I first saw this bill, I looked at it, I read it and I thought it was a little odd, to be quite frank. I wasn't really sure what it sought to do. The members who have spoken on this bill, to this point in time, have certainly contributed and, I think, enlightened this debate quite significantly.

I appreciate the member for Essex, who spoke from a principled perspective, I think, as a person who comes from a construction union and was a member of a construction union; I think the member from Vaughan is of the same background. Having them contribute their thoughts about the contents of this bill and what this bill seeks to do—somewhat hesitating at some points in time, but certainly I think what we all share and what we all have in common is that we want to see Ontario companies employing Ontario workers and having them succeed to the best of their ability.

I think that's ultimately what this bill seeks to do. It's about fairness. It's about making sure that an Ontario company is on a level playing field with other Ontario companies and, at the end of the day, can compete with



other construction firms that come to Ontario to build the kinds of infrastructure projects in the ICI sector that, obviously, they would like to compete on.

Mr. Speaker, I say this because I believe, at the end of the day, this is about elevating an Ontario company and making sure it survives. It's about ensuring that this company, EllisDon, has the fairness and equal treatment that other companies are provided with. At the end of the day, we cannot ignore that this company heavily employs unionized workers, and I would imagine they would continue to do so in the near future.

I have to say that because this ultimately, as the member for Elgin–Middlesex–London stated, is about the construction trades, something we feel very passionately about on this side of the House—I think a lot of members certainly care about the construction industry. These are good jobs. These are jobs that pay well, that obviously provide the kind of income that can sustain a family, and we have to do whatever we can to ensure that Ontario workers are encouraged to be trained in the trades, but ultimately, once they're done their training, that they are going to be employed right here in this province.

The last thing that we need, I think, is to have these capable individuals, these men and women who have a whole lifetime of work ahead of them, simply leave this province because the work is out west or in another country.

*Interjection.*

**Mr. Rob Leone:** The member from Timmins–James Bay advocates quite forcefully for unions. Let me just say this: EllisDon heavily employs unionized workers. I would say, as I said before, that I would expect them to do so in the future as well.

But as I started speaking on this issue, what I think is very valuable—and I think the member for Vaughan stated this very succinctly—is that this is about creating fairness. What we can do about this is, if people have certain issues and certain problems with the bill, we pass it at second reading and bring it to committee so that all these issues can be dealt with and everyone has the fullness and understanding of what is happening here.

At the end of the day, let me restate that certainly I appreciate that the Minister of Aboriginal Affairs actually succinctly put, in his short time speaking to this bill, the process and the reason for this legislation and why a legislative solution is required, one that was provided for, and the Ontario Labour Relations Board said that it was acceptable to seek a legislative solution to this issue.

We have a timeline that expires within a few months: February 13 of next year, as the minister stated. We obviously have a responsibility to ensure that we have Ontario companies and put them on the right footing, so I think that we should support this bill and send it to committee. If we have issues at committee we certainly can deal with them there, and hopefully we can provide fairness to an Ontario-based company that employs thousands of people in good-paying jobs right here in this province.

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

**Mr. Jim Wilson:** I'm pleased to rise today to speak very briefly to this legislation, the Fairness and Competitiveness in Ontario's Construction Industry Act. We all know that the journey to jobs and prosperity begins by setting great goals. Ontario can lead this country in job creation again, as it has so often in the past, and we should accept nothing less.

This goal requires a level playing field for all businesses. Established Ontario companies must be able to compete against their multinational competitors in every sector of our economy, but a recent unfair decision by the Ontario Labour Relations Board puts that future at risk.

If the provincial government doesn't pass this bill, a technical ruling made by the Labour Relations Board will put one of our major employers, a London, Ontario, success story, at an untenable competitive disadvantage throughout the province, and it's no minor disadvantage. It will be crippling for this Ontario-based company, rendering them uncompetitive and possibly forcing them to leave the province. This is unacceptable, and we need to update the system before this ancient labour law chases jobs out of this province.

The Fairness and Competitiveness in Ontario's Construction Industry Act does nothing more than restore a level playing field. As elected members of the Legislature we should all stand for that.

But we must act swiftly, as has been said. The Ontario Labour Relations Board set a deadline of February 2014 to comply with its ruling. This timeline gave the company just enough time to seek a legislative amendment, which was allowed for in the decision and which is what we're trying to do today. It's a simple solution to a specific problem and we would all hope that all of the parties will join with us in the PC Party in ending this discriminatory practice. Let's pass the bill, get it to second reading so everyone can get a better understanding of it, then get it back into the House and pass it.

Finally, in the minute that I have, I'm hoping someday, before I leave this Legislature—voluntarily, I hope—that we build a new hospital in Collingwood and expand the one in Alliston. EllisDon may very well win one of those construction project bids in the future. If this bill is not passed, my local tradespeople will not be able to work on their local hospital, because it has to be the people that were part of the 1950s agreement—those particular trades in that particular collective agreement that, through, I think, a technical error, has now been spread right across the province.

**1630**

I'm speaking up for the people of Alliston, Tottenham, Beeton and Collingwood. Those tradespeople, unionized and non-unionized, should be allowed—after all, they're the ones who are going to raise the money for their local infrastructure projects, like the hospitals and schools—to share in that work, should EllisDon win those contracts. I'm doing it for fairness, not just for this company, but for my residents.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Lambton–Kent–Middlesex has two minutes for a response.

**Mr. Monte McNaughton:** Thank you very much, Speaker. I'd like to thank other colleagues in this House: the member from Essex; in particular, the member from Vaughan, who spoke clearly on this, and it has been a pleasure working with him on this; the member from Elgin–Middlesex–London; the member from Timmins–James Bay; the Minister of Aboriginal Affairs, who clearly outlined the reasoning why it's important for this bill to be passed; and my colleagues from Cambridge and Simcoe–Grey. Thanks for participating in the debate today.

It's important that Bill 74 is passed and gets to committee. A single working agreement that was made all the way back in 1958 is now being dredged up, and as I said before, a recent unfair decision by the Ontario Labour Relations Board puts one Ontario company's future at risk and threatens the viability of this important business. The agreement from 1958 puts EllisDon at a significant disadvantage compared to out-of-province competitors who are neither bound nor obligated to follow through with these types of agreements. It is this unlevel and uneven playing field that my bill, Bill 74, seeks to address and to resolve.

Simply put, the Legislature needs to update the system before this ancient loophole chases jobs out of Ontario. As I said in my remarks, here we are with 600,000 men and women out of work today. We cannot afford to have more jobs lost in any community across this province.

Thank you, members, for the debate. I look forward to passing Bill 74 here today.

**The Deputy Speaker (Mr. Bas Balkissoon):** The time provided for private members' public business has expired.

MUNICIPAL AMENDMENT ACT  
(ELECTION OF CHAIR  
OF YORK REGION), 2013  
LOI DE 2013 MODIFIANT  
LA LOI SUR LES MUNICIPALITÉS  
(ÉLECTION DU PRÉSIDENT  
DE LA RÉGION DE YORK)

**The Deputy Speaker (Mr. Bas Balkissoon):** We will deal first with ballot item number 31, standing in the name of Ms. Jaczek.

Ms. Jaczek has moved second reading of Bill 16, An Act to amend the Municipal Act, 2001 to provide that the head of council of The Regional Municipality of York must be elected.

Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

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

**Ms. Helena Jaczek:** Mr. Speaker, I'd like to have the bill sent to the Standing Committee on the Legislative Assembly.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that the bill be sent to the Standing Committee on the Legislative Assembly. Agreed? Agreed.

PROTECTING CHILD  
PERFORMERS ACT, 2013

LOI DE 2013 SUR LA PROTECTION  
DES ENFANTS ARTISTES

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Miller has moved second reading of Bill 71, An Act to protect child performers in the live entertainment industry and the recorded entertainment industry.

Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Hamilton East–Stoney Creek.

**Mr. Paul Miller:** Thank you, Speaker. General government.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that it be referred to general government. Agreed? Agreed.

FAIRNESS AND COMPETITIVENESS IN  
ONTARIO'S CONSTRUCTION  
INDUSTRY ACT, 2013

LOI DE 2013 SUR L'ÉQUITÉ ET LA  
COMPÉTITIVITÉ DANS L'INDUSTRIE  
ONTARIENNE DE LA CONSTRUCTION

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. McNaughton has moved second reading of Bill 74, An Act to amend the Labour Relations Act, 1995 to alter bargaining rights conferred by pre-1980 working agreements in the construction industry.

Is it the pleasure of the House that the motion carry?

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

All those opposed to the motion, please say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1635 to 1640.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Can all members take their seats, please.

Mr. McNaughton has moved second reading of Bill 74, An Act to amend the Labour Relations Act, 1995 to alter bargaining rights conferred by pre-1980 working agreements in the construction industry.

All those in favour, please rise and remain standing.

**Ayes**

Albanese, Laura  
Berardinetti, Lorenzo  
Brotten, Laurel C.  
Chan, Michael

Duguid, Brad  
Hudak, Tim  
Jackson, Rod  
Jaczek, Helena

McNaughton, Monte  
McNeely, Phil  
Milligan, Rob E.  
Milloy, John

Chiarelli, Bob	Jeffrey, Linda	Murray, Glen R.
Chudleigh, Ted	Leal, Jeff	Nicholls, Rick
Damerla, Dipika	Leone, Rob	O'Toole, John
Del Duca, Steven	MacCharles, Tracy	Qadri, Shafiq
Delaney, Bob	Mangat, Amrit	Wilson, Jim
Dhillon, Vic	McDonnell, Jim	Wong, Soo
Dickson, Joe	McKenna, Jane	Zimmer, David

**The Deputy Speaker (Mr. Bas Balkissoon):** All those opposed, please rise and remain standing.

**Nays**

Armstrong, Teresa J.	Mantha, Michael	Singh, Jagmeet
Bisson, Gilles	Marchese, Rosario	Tabuns, Peter
DiNovo, Cheri	Miller, Paul	Taylor, Monique
Fife, Catherine	Natyshak, Taras	Vanthof, John
Forster, Cindy	Prue, Michael	
Hillier, Randy	Schein, Jonah	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 33; the nays are 16.

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

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Lambton–Kent–Middlesex.

**Mr. Monte McNaughton:** I move that this bill be sent to the Standing Committee on Finance and Economic Affairs.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that the bill be sent to finance and economic affairs. Agreed? Agreed.

Orders of the day? Government House leader.

**Hon. John Milloy:** I move adjournment of the House.

**The Deputy Speaker (Mr. Bas Balkissoon):** The government House leader has moved adjournment of the House. Do I have agreement?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

This House stands adjourned until Monday, June 10, at 10:30 a.m.

*The House adjourned at 1643.*

**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	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Bailey, Robert (PC)	Sarnia–Lambton	
<b>Balkissoon, Bas (LIB)</b>	Scarborough–Rouge River	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Barrett, Toby (PC)	Haldimand–Norfolk	
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
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of the Environment / Ministre de l'Environnement Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Brotten, Hon. / L'hon. Laurel C. (LIB)</b>	Etobicoke–Lakeshore	Minister of 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	
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	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
<b>Chiarelli, Hon. / L'hon. Bob (LIB)</b>	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	
<b>Coteau, Hon. / L'hon. Michael (LIB)</b>	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	
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	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	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Attorney General / Procureur général
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of 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
<b>Hoskins, Hon. / L'hon. Eric (LIB)</b>	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	
<b>Jeffrey, Hon. / L'hon. Linda (LIB)</b>	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	
<b>Leal, Hon. / L'hon. Jeff (LIB)</b>	Peterborough	Minister of Rural Affairs / Ministre des Affaires rurales
Leone, Rob (PC)	Cambridge	
<b>Levac, Hon. / L'hon. Dave (LIB)</b>	Brant	Speaker / Président de l'Assemblée législative
<b>MacCharles, Hon. / L'hon. Tracy (LIB)</b>	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	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	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	
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	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	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
<b>Miller, Paul (NDP)</b>	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
Milligan, Rob E. (PC)	Northumberland–Quinte West	
<b>Millroy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Government Services / Ministre des Services gouvernementaux Government House Leader / Leader parlementaire du gouvernement

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Moridi, Hon. / L'hon. Reza (LIB)</b>	Richmond Hill	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
<b>Munro, Julia (PC)</b>	York–Simcoe	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du comité plénier de l'Assemblée législative
<b>Murray, Hon. / L'hon. Glen R. (LIB)</b>	Toronto Centre / Toronto-Centre	Minister of Infrastructure / Ministre de l'Infrastructure Minister of Transportation / Ministre des Transports
<b>Naqvi, Hon. / L'hon. Yasir (LIB)</b>	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	
<b>Oraziotti, Hon. / L'hon. David (LIB)</b>	Sault Ste. Marie	Minister of Natural Resources / Ministre des Richesses naturelles
Ouellette, Jerry J. (PC)	Oshawa	
Pettapiece, Randy (PC)	Perth–Wellington	
<b>Piruzza, Hon. / L'hon. Teresa (LIB)</b>	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	
<b>Sandals, Hon. / L'hon. Liz (LIB)</b>	Guelph	Minister of Education / Ministre de l'Éducation
Schein, Jonah (NDP)	Davenport	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
<b>Sergio, Hon. / L'hon. Mario (LIB)</b>	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	
<b>Sousa, Hon. / L'hon. Charles (LIB)</b>	Mississauga South / Mississauga-Sud	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Harinder S. (LIB)	Mississauga–Erindale	
Taylor, Monique (NDP)	Hamilton Mountain	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of 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	
<b>Zimmer, Hon. / L'hon. David (LIB)</b>	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: Kevin Daniel Flynn  
Vice-Chair / Vice-présidente: Soo Wong  
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 / Greffière: Sylwia Przewdziecki

**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 Qadri  
Vice-Chair / Vice-présidente: Laura Albanese  
Laura Albanese, Teresa J. Armstrong  
Steven Del Duca, Bob Delaney  
Frank Klees, Jack MacLaren  
Rob E. Milligan, Shafiq Qadri  
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 Qadri  
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  
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