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Thursday 3 October 2013

Jeudi 3 octobre 2013

Speaker
Honourable Dave Levac

Clerk
Deborah Deller

Président
L'honorable Dave Levac

Greffière
Deborah Deller

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 3 October 2013

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 3 octobre 2013

The House met at 0900.

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

Prayers.

ORDERS OF THE DAY

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

Resuming the debate adjourned on October 2, 2013, on the motion for second 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): Further debate?

Mr. Jonah Schein: I'm pleased to stand again this morning and continue the remarks I was making yesterday afternoon when it comes to Bill 91.

Speaker, I'll talk a little bit about what Bill 91 is. Bill 91 is, first and foremost, enabling legislation. It allows the government to set diversion targets and enforceable standards for producers to meet.

It creates the Waste Reduction Authority to enforce waste reduction activities. The bill will allow for the phase-out of industry-funded organizations like Stewardship Ontario, while still allowing producers to band together and form intermediaries to meet waste diversion targets. In this case, intermediaries are third party service providers or administrative organizations.

Bill 91 allows municipalities to register with the Waste Reduction Authority, thus obligating producers to pay municipalities for the collection and recycling of designated materials like paint, packaging and batteries. Under Bill 91, fees paid for municipal collection are negotiated by municipalities and producers. If a compromise between municipalities and producers cannot be reached, the new Waste Reduction Authority can arbitrate or set compensation payments.

Bill 91 prevents retailers from applying a separate eco fee to products. In other words, it requires all-in or integrated pricing, which is a good thing. It expands waste diversion to the institutional, commercial and industrial sector—called the ICI sector—to designate materials like printed paper and packaging, and it allows the govern-

ment to put in place disposal bans on designated materials.

Before I get into the details of my impressions of Bill 91, it's important to say that the Waste Reduction Act is a big piece of legislation. It's pretty complex, and it is a complex issue that we have to address here. It's a serious and complicated problem, but the complexities have been largely a creation of this government.

I want to recognize the many stakeholders who have taken the time to meet with me to discuss the legislation. Actually, at this moment, I also I want to take a moment to give special thanks to one of our researchers with the NDP caucus, Michael Polanyi, for the hard work that he's done on unpacking this legislation with me. Everyone who's had the chance to work with Michael Polanyi knows he is quite simply the best. We all appreciate his integrity, his brilliant mind and his dedication to make this world a better place through good public policy, and so I appreciate his help that he's given me.

Speaker, this legislation is complex. No legislation is going to be perfect, but it's clear to me that we can't go backwards in this case, that we must work with all members of this House to send this legislation to committee, to hear from people across this province and the stakeholders across Ontario to work out the kinks in the legislation and get it right.

We must move forward. Bill 91 is a step forward, and so I do support it. I do wish the Tories would roll up their sleeves and engage in this debate and work on making improvements in committee, rather than simply voting against this bill; I'm hopeful that they will. I hope that the minister is committed to working with us to make it better, too.

But before we speak about its shortfalls, let's talk about the benefits of Bill 91. One of the key benefits of Bill 91 is that it has the potential to increase diversion rates in our province by enabling the government to set strong material-specific targets for recycling and diversion. Obviously, this is the most important thing. Here are the environmental implications and our track record when it comes to waste diversion—and the fact that this province sits last in the country at achieving waste diversion goals. It's clear that we need strong targets and we need real timelines to turn things around in this province.

In 2004, the Liberal Minister of the Environment announced that the government's intention was to develop a strategy for Ontario that would divert 60% of the province's waste from disposal by 2008. That was back in 2004. Speaker, that evidently did not happen. The con-

cern here, however, is that there is some uncertainty over what these targets will be and what will be the timeline for their achievement. All of this will have to be set through regulation, which raises a few concerns that I will mention in a bit. But clearly, without targets and timelines, we have not been able to progress forward, and so it's important that, moving forward, the province does set these targets as part of the act.

Another welcomed part of this act is to finally focus attention on the industrial, commercial and institutional sector, because we all know it is a sector that is mired in very low recycling rates. Only 13% from this sector is recycled, and that's shameful. Designating materials in the ICI sector will help elevate those diversion rates and get us going in the right direction.

Another benefit of the act, and one that we're happy to see, is a move away from eco fees to insist that the real costs of dealing with products is integrated into the pricing. Strangely, integrated or all-in pricing seems to be something that the Conservatives disagree with, even though this is a key component of the legislation that will create competition and drive innovation. My Conservative colleagues will likely categorize this as a tax, that an integrated price will be a tax on producers and a tax on consumers, but I'd like to know what my colleagues would say when they talk about the costs of transporting a product, whether that price should not be integrated into the price of an item when it hits the shelf. Is that also a tax, Speaker? Because the cost of properly disposing of a product should be no different than the cost of transporting it, producing it, packaging it and so on. That's why we're focused on this legislation: to make sure that industry producers actually take responsibility for the full cost, the real cost, of the package and the product that they deliver. We must move to a model of extended producer responsibility. This means that producers must take the disposal cost into consideration when they create a project. It's that simple.

Internalizing the cost creates a number of benefits that make the producers more responsible for the products they bring to market, leading to more innovation, more environmentally friendly products and less cost for consumers, municipalities and municipal taxpayers.

0910

Speaker, the recycling council did a great job of outlining the benefits of extended producer responsibility in their submission. I'd like to read a bit from their document, and I would encourage my colleagues to do the same. They say that EPR, extended producer responsibility, "applies the responsibility of end-of-life management of a product and its packaging on the producer, who is seen to have the greatest ability to reduce its"—the product's—"environmental effects."

Extended producer responsibility creates incentives like the following:

"—selection of environmentally superior materials;

"—minimization of toxic waste throughout a product's life cycle;

"—increase useful life of the product;

"—facilitation of reuse; and

"—maximization of the recovery of resources inherent to that product or package in order to give them another use."

Speaker, the Conservatives would claim that integrated costs will be a burden on taxpayers, but at the moment taxpayers are the ones who are getting it worse. They're getting dinged at the cash register by the eco fees, but their taxes are also covering the costs of diversion and disposal because municipalities have been left to manage the cost of managing waste.

Integrated pricing will help reduce consumer confusion and ensure that the environmental costs of products stay with producers and are not passed on to municipalities and taxpayers. That's why it's so important that Bill 91 actually acknowledges the municipal role in the collection of solid waste.

We are happy to see Bill 91 recognize the important role that municipalities play in waste diversion. As the Canadian Environmental Law Association has remarked, "Across Ontario, municipal governments are the 'face' of waste management for the general public, having built up years of experience and reputation. The Waste Reduction Act and strategy must recognize the value that municipalities provide in terms of public access to waste services and knowledge of public waste management."

Municipalities have made significant infrastructure investments in waste collection over the years, and they are, of course, well placed to provide curbside and other convenient waste diversion options for households, and have shown themselves to be efficient collectors of waste. On the other hand, there is a legitimate concern amongst producers that a mandated municipal role could unduly hinder the individual producer responsibility framework that makes producers responsible for some costs that they can't individually control; in this case, the obligated contracts with municipalities. This is why the determination of collection fees by the new Waste Reduction Authority must be fair and must be transparent. This tension between producers and municipalities is something that will have to be dealt with, but we believe it's important that Bill 91 recognizes the important role of municipalities in waste diversion.

Speaker, Bill 91 also encourages a greater shift toward producer responsibility by moving away from the current 50-50 cost-sharing arrangement between producers and municipalities and toward a new relationship where producers pay an increased share of the cost to run blue box programs and start to take the cost of these programs away from municipal tax rolls. This is helpful and moves us toward greater producer responsibility. But there is a lack of clarity about the time period over which the producers' share will be ramped up to 100%, and there is also no clear timetable for producers to cover 100% of the cost of disposing of municipal household hazardous waste.

Moving on, we are happy to see consideration of disposal bans in Bill 91. Disposal bans have been used in places like British Columbia and Nova Scotia. They can

be an effective tool for preventing recyclable material from going to landfill, and they can promote the innovation and investment in waste reduction that we need.

CELA and other environmental groups have said, “Bans on designated waste from disposal in a landfill or incinerator are a welcome tool for quickly reducing waste disposed, and promoting innovation and investment in improved waste reduction, reuse and recycling. The use of bans must be done carefully and with full consideration that disposal alternatives and mechanisms are in place. The process should also include accessible and effective public engagement to ensure transparency and accountability in the process.”

It’s important that, if implemented, viable collection options exist for banned materials, and it’s important that landfill fees actually reflect the full cost of landfilling. It should not be cheaper to send waste to landfill than it is to recycle.

Speaker, having mentioned many of the benefits of this bill, I would like to speak to some of its weaknesses. Let me start by just stating some general concerns that I have with this legislation.

Like many other pieces of Liberal government legislation, Bill 91 is enabling legislation. It provides a legal framework but it leaves many of the details to be left to regulation. I mentioned this earlier when I spoke about the targets and timelines for this bill. While Bill 91 enables the government to set these, it does not mandate them to, and it doesn’t set them out in legislation. This is a concerning trend that moves government decisions out of the public realm. In the case of Bill 91, there are a number of problems with this approach.

The legal text of the bill is vague, and it’s unclear whether it will achieve the objective of waste reduction. There will be significant delays while regulations are developed. Considering that a significant amount of consultation has taken place before this bill, the rate of this transition seems to be quite slow.

Speaker, public input into governance is reduced since the many individuals and groups lack the resources and knowledge to monitor and engage in the process of regulation writing. The content of regulations will be a result of negotiations, and I fear that the folks with the deepest pockets—those best served by weak regulations—are those most likely to influence the content of regulations, and they’ll be more likely than groups with less economic power but who seek to advocate in the broader public interest.

Although this bill leaves much to regulation, the complexity and massiveness of this bill is somewhat shocking. All parties—municipalities, producers, consumers—need a simple and effective system. Producer responsibility is the right way to go. The government has a responsibility to make it as workable as possible for companies, and if not, they are setting us up for failure. As I said before, we need to make sure that Bill 91 works for producers, for service providers and municipalities.

One of the most clearly articulated concerns that I’ve heard is the concern that the framework created by this

bill will put producers and municipalities at odds with one another. Municipalities have raised concerns about the complexity and burden of having to negotiate hundreds of thousands of agreements with producers and intermediaries, and producers are concerned that they do not have the freedom to choose a service provider and yet they must meet the designated material management obligations.

The Ontario Waste Management Association also recognizes the potential negative impacts of a mandated municipal role and has committed to bringing forward potential amendments with the goal of ensuring “the least impact on open and competitive markets for stewards and service providers, as well as accessible and convenient diversion options for residents.”

AMO has suggested the idea of a municipal clearing house that could facilitate this, and this is something that also deserves careful consideration. I’m looking forward to fully exploring solutions that are being proposed by municipalities, producers and service providers.

Another point of concern is the lack of vision for this bill. Bill 91 seems to have lost the vision of zero waste that the government has spoken about in the past. Bill 91 doesn’t mention the aim of achieving zero waste or the goal of protecting the environment and human health.

We should keep in mind that the longer-term goal of this act should be to move towards making this a province in which goods that are not safely recyclable are no longer sold in Ontario.

Bill 91 also doesn’t recognize the importance of the hierarchy of the three Rs: to reduce, reuse and recycle. As such, it doesn’t give priority to waste reduction, nor does it encourage higher orders of recycling that promote the best use of a material. Recycling a glass bottle into a glass bottle should be given priority over a glass bottle being crushed to use as a roadbed. It’s just common sense.

The bill also fails to encourage reuse—for example, through refillable deposit return container systems—and to prioritize these over recycling. If you look across the country, you’ll see that provinces with deposit return systems have far higher rates of diversion than those without.

0920

The current act does little to encourage an expanded role for the LCBO or the Beer Store, which are huge successes when it comes to recycling. They’re also big job creators in this province. We should focus on enhancing the deposit return system for wine bottles. This is something that the Blue Green alliance has called for. This would create green jobs and reduce waste. And it could even provide a market advantage to the Ontario wine industry.

Adding clear definitions of waste reduction, reuse, recycling and disposal would also strengthen this act. There is widespread concern about the lack of specifics in Bill 91 when it comes to monitoring and enforcing high standards of waste management and recycling services. Bill 91 does not clearly indicate that the Waste Reduction Au-

thority has the authority to monitor or enforce standards in these services.

The Ontario Waste Management Association has highlighted this as a concern with Bill 91. They say:

“The lack of proper oversight and enforcement of recycling standards in stewardship programs has been an area of continued concern. Under the proposal, producers would provide much of the oversight and enforcement of the Waste Reduction Act through commercial and contractual arrangements....

“The new enforcement regime is fatally deficient as it fails to provide any oversight and compliance function relative to recycling standards for waste service providers for designated materials. Producers should not be made to be enforcers of waste reduction or waste service standards vis-à-vis waste service providers.”

Speaker, if these standards are worth enforcing, they are worth enforcing directly against all parties who are responsible for carrying them out, including waste service providers.

RCO, the Recycling Council of Ontario, has also highlighted this as a problem. They suggest that “the WRA include provisions that assign government responsibility to establish minimum operational standards for each of the targeted products/materials designated under the legislation through regulation and add a role for the Waste Reduction Authority to manage an auditing program that monitors compliance against those standards. The WRA should also establish a registrar of public and private service providers to track compliance and provide a directory to obligated producers to assist them in managing their liability.”

Speaker, it’s clear that it can’t be left to producers to both meet recycling obligations and certify and inspect recycling facilities. This just does not work. Not only is it burdensome, but they obviously lack the incentive to uphold rigorous standards.

If there are inadequate regulations and standards imposed on recyclers and waste processors, then the goals of waste reduction will not be met, and municipalities and taxpayers will end up continuing to subsidize the end-of-life product costs. If recycling standards are weak or unenforced, then batteries will simply be shipped to the United States to be smelted, reducing the jobs and the economic opportunities in Ontario. If sharps end up in landfills or recycling bins, they can cause costly jam-ups at municipal conveyor belts, adding costs to municipalities and municipal taxpayers.

As groups like the Canadian Environmental Law Association indicated in their submission on the act, “Regulations need to be set by the government of Ontario to outline operation standards and provide definitions of recycling.”

Another concern that has been raised centres around the effectiveness and transparency of the Waste Reduction Authority. Is it the right approach for the Ministry of the Environment to transfer enforcement powers to a new authority that ensures compliance of producers and recyclers, or is this enforcement better done by the ministry

itself? We know what the Conservatives have to say on this matter; they’ve spoken out about this. But I’m not sure about their solution, which is to get rid of the Waste Reduction Authority, scrap the act and go back to stage 1. I’m not sure that that is the correct one, that we should throw the baby out with the bathwater.

Groups like the Canadian Environmental Law Association have raised concerns that transferring enforcement to the authority will reduce the independence and fairness of prosecutors under the act. Prosecutors in the Ministry of the Environment are accountable to the Attorney General to ensure that there is no political interference in prosecutions conducted by the crown, and the Attorney General is accountable to the Legislature. But, Speaker, delegating enforcement to this new agency could undermine this accountability structure and remove important procedural requirements, such as disclosure.

A look at the history of the Technical Standards and Safety Authority shows the risks and deficiencies of outsourcing inspection and enforcement to an agency. Therefore, the Canadian Environmental Law Association and others believe that enforcement of the law is a core government function and that it should not be transferred to a delegated administrative authority.

A further question is whether the Waste Reduction Authority will have the resources to monitor and audit compliance of waste diversion practices and have an adequate number of inspectors with sufficient authority to conduct inspections. We have seen in other sectors, such as unlicensed home daycares, for example, how toothless some government inspectors are, and we don’t want to see this repeated in this act. The Waste Reduction Authority needs real auditing powers and real capacities, and for that it needs to be adequately resourced.

The Ontario Waste Management Association has raised concerns that the Waste Reduction Authority is not empowered to fully oversee the Waste Reduction Act. The act is not clear as to whether the Waste Reduction Authority can enforce standards for all participants, and this must be made clear in legislation and should not be left up to regulation.

Additionally, Speaker, some observers have suggested that the Waste Reduction Authority, as constituted under Bill 91, is not sufficiently open or accountable. They suggest that it should be placed under the freedom-of-information act and that it should be subject to review by a parliamentary committee, the Environment Bill of Rights and the Ombudsman Act. This makes good sense to me; I think we’ve all seen what happens in cases like this.

The authority is open to assessment by the Auditor General, but we know that the auditor has limited resources to fully monitor every agency. We know how lack of accountability of government agencies like Ornge, eHealth and the Ontario Power Authority has cost Ontario billions of dollars during the current Liberal regime. This is a mistake we cannot afford to repeat in this legislation.

Bill 91 also does not seem to address the lack of uniformity of recycling services across Ontario. This chal-

lenges how governments will encourage the expansion of designated materials that are collected. Consistency of recycling programs is important for simplicity's sake and for comprehensiveness. Residents across Ontario, including small and remote communities, should have access to waste diversion options for a similar range of products and materials as residents of larger urban communities. A confusing or fragmented waste management system will not allow us to meet our waste diversion targets. Moreover, to reduce waste, there needs to be a clear timetable to designate additional materials province-wide. For example, new types of e-waste, durable goods and other recyclable materials that are not currently collected in blue boxes need to be designated.

Also, organic waste is one of the largest categories of waste, and there is an urgent need for the government to develop a strategy to support municipalities across Ontario to operate green bin programs. The government strategy calls for a four-year phase-in of organics collection, but I feel like that is just too slow. Government needs to play an active role to educate the public about diverting green waste, and government needs to provide incentives for industry to invest in the infrastructure that will allow the expansion of the green bin and the recycling of additional materials across Ontario.

Speaker, as you can tell, there is an extensive list of real concerns that relate to Bill 91. I'd like to mention just a few more, though. First, Bill 91 does little to work with other provinces or the federal government to set timetables that would reduce packaging. I've heard from a number of stakeholders who point out that our borders are open and that we need the province to harmonize with other jurisdictions. Instead, though, Bill 91 relies on the incentives of individual producer responsibility, which may not be enough, on its own, to push producers to reduce unnecessary packaging. It should be remembered that packaging still accounts for 70% of the waste that goes to landfill, and we are far behind places like Germany when it comes to reducing packaging.

0930

Another concern in this bill is that the government mentions the creation of new intermediaries. These are third party service providers or administrative organizations that allow producers to band together collectively to meet waste diversion targets. We need to make sure that we do not simply just recreate the problems that we have right now, where intermediaries have increased costs and fees for consumers and evaded accountability. By introducing the role of intermediaries in the bill, there is a danger that individual producers may be able to continue to off-load responsibility to third party bodies, and there is also a danger that the recognition of intermediaries will lead us down the road to the privatization of waste collection services, that it will undermine standards, accountability and convenience for families.

Speaker, this bill does not seem to do enough to ensure that producers are responsible for the waste produced by all the products in all sectors and to all clients in all regions of Ontario. Producers must be responsible

for all the products and packaging that they sell, regardless of where it's sold, who the consumer is or where it's disposed. Producers who sell in remote markets must be responsible for the cost of collecting and recycling those goods. For example, a producer should not be allowed to meet their recycling quotas by only collecting in easy-to-reach urban regions. We must ensure that all regions of Ontario are treated equally and fairly. Individual producer responsibilities should mean that producers are responsible not just for the reduction, reuse and recycling of products but also for the disposal of products that cannot be recovered. But what does Bill 91 do to prevent the cost of disposal from simply being dumped onto municipalities and taxpayers?

Many people have worked hard to improve our systems over the years and to reduce waste. I want to thank many of the stakeholders for their hard work and I want to encourage them to keep pushing to make the system work.

I hope it's clear from my remarks that there is a lot of hard work ahead of us but that New Democrats are here and ready to get to work on this.

The NDP has a proven record on promoting waste diversion in Ontario. The NDP government played an important role in the advancement of recycling in this province with our comprehensive 1991 waste reduction action plan and our 1994 regulations governing municipal waste, ICI waste, composting and product packaging. By 1992, the NDP government had already met the 1989 targets of diverting 25% of solid waste from disposal facilities, and we passed the regulation in 1994 which required the blue box programs to be set up in municipalities across the province to recycle aluminum, glass, newsprint, plastic bottles and steel containers.

Since then, as we know, waste diversion rates have stagnated. That's a long time ago. That's going back to the NDP government. I was in high school the last time we had an NDP government here in Ontario.

Mr. Taras Natyshak: I was in diapers.

Mr. Jonah Schein: Taras was in diapers.

In 1995, the Conservative government ended provincial subsidies for the blue box program, dumping the costs onto municipalities and municipal taxpayers. I think this is one of the hypocrisies that has to be pointed out. The tax fighters—the Conservatives—are all too willing to subsidize their corporate friends and push those costs down to municipalities—and ultimately paid for by municipal taxpayers.

In 2002, the Waste Diversion Act imposed a 50-50 cost-sharing of the blue box program between producers and municipalities, but this didn't end the fighting between municipalities and producers.

As I mentioned earlier, in 2004 Liberal environment minister Leona Dombrowsky announced the government's intention to develop a strategy for Ontario that would divert 60% of the province's waste from disposal by 2008. Again, this is going back to 2004. I don't remember the announcement but I'm sure it looked good on television: a promise to reduce waste—and nothing has

happened since then. It's clear the Liberal government has failed quite spectacularly on this front.

I'm happy to see Minister Bradley introduce this legislation. We are happy to work on it, we're happy to work to improve it, and I believe that the people of this province will be happy if we all get to work on this. As I had mentioned earlier, there's no doubt in my mind that the people of this province care about our environment and they want to do their part to make it more sustainable. The problem is that the people are ahead of the politicians when it comes to this issue. The kids in my riding are ahead of the adults on this issue, and they're definitely ahead of the politicians.

In my riding, there are a number of community groups and organizations that are doing remarkable work when it comes to environmental protection. Just recently, the Premier was actually in Davenport at an incredible organization called FoodShare that's been working to try to make that connection from field to table. They have been strong advocates for more sustainable food systems and food access. I was excited just a few weeks ago to go to FoodShare for what I thought was a new announcement by the Premier, but in fact it was just a reannouncement of something that was in the budget. Nevertheless, FoodShare is just one of these groups that have inspired the imagination of our community and are reaching out to people across the province to talk about food justice and food access. But they are largely doing this without any kind of support from the province or from any level of government. It's organizations like FoodShare that are doing this work. If only they had the support of provincial and federal and municipal dollars, more of that support, think about the health impacts and the environmental impacts, the greater impacts that they could have.

Less formally organized groups are also doing this work. We have community gardens in schools across the riding and across Ontario, in EarlsCourt Park and Dufferin Grove Park. Last Friday, I had a tour from a young man who wanted to show me the kind of urban farms that he has started on his own with his friends, to farm people's backyards that are not being used right now, to put them into food production, to grow that food and intentionally share it around with the community. We have organizations like Not Far From the Tree who are doing this work more formally, who are helping to harvest backyard trees for seniors and people who are no longer able to pick their fruit. They will voluntarily come and pick that fruit off the tree and share it with the owners in the house, but also share it among themselves and bring it to food programs across the city.

Speaker, every Friday at Dufferin Grove Park we have community suppers. These save energy by having people work together. We have community free stores. These are individual projects where people are meeting in the park to exchange goods free of cost. This means that things are avoiding the dumpster.

We have a ward 18 cycling advocacy group. A ward 17 cycling group is being formed right now. These are cycling advocates who are going out there and doing

their part to try to build new cycling infrastructure in our city and across our province. They've been pivotal in trying to push the provincial government to actually take a position when it comes to building more active transportation. They have had work to do just to protect some of the existing cycling infrastructure that we have—cycling infrastructure on Dupont, on Rogers Road. Those are in place at this moment because of the work of individuals.

We also have, as I mentioned, a lot of young people who are interested in these issues. Last spring I had the chance to meet with students from St. Helen public school and speak to members of their environmental club. These kids talked to me for an hour about the benefits of just having a bicycle rack in their school. The debate in that classroom was better, often, than the debate here. They told me quite clearly about the economic benefits, the difficulties that students have affording transit in this city and why cycling would help them to get to school. They talked about the impacts on their learning of getting some exercise each day. I volunteered to work with them to actually get the cycling infrastructure that they need, but I reminded them that just because they're right doesn't mean that they are going to get what they want. It's going to take a fight, and we're going to continue to work with those students at St. Helen to make sure they get a bike rack in their schoolyard, so that they have a place to lock up their bikes when they come to school in the morning.

0940

It's clear to me that people in this province want to be environmental stewards, but we also need governments to do their part to make this province sustainable. Many of us are New Democrats because of our concern for the environment, and we know that we have an important role to play when it comes to protecting our environment. Too often our governments gets their accounting wrong, and it's not just about the kind of faulty math when it comes to power plants and so forth, but it's the governments that forget to count our air and our soil and water as some of our greatest assets, and a source of our greatest wealth.

Unlike some governments in this country, the NDP doesn't see our natural resources simply as stock that we can sell off the shelf as fast as possible. We understand the true costs and the true benefits of our natural environment, and we understand its precious value and the value of managing it carefully.

I have a lot of respect for the Minister of the Environment. He's a strong environmentalist, and I'm happy that he has brought forward this bill—you know, 10 years after the government was formed, but I'm glad that he's here now. I think it must be hard to be an environmentalist with the Liberal Party, because they like to speak about their green brand. I think they want to be green, they wish they were green, but at the end of the day, they're always too beholden to their corporate interests.

Interjection: There's a song about that: "Wishing and hoping...."

Mr. Jonah Schein: Exactly. So what kind of green do they want to be? What kind of green do they want?

As we've seen debate this last week around who gets their priorities put first in this Legislature, too often it's the people with the most green, the most money. It becomes difficult for the Liberal Party, as government, to ever chart a clear environmental path, because they get taken off course. They cozy up with business, and that's what they've done in the last 10 years when it comes to this file. And so they have left industry to regulate itself, to set the rules, and we've seen what the costs have been to the consumers. Consumers are paying more and more for products, and some consumers would be okay to pay a little bit more for products, but what's unacceptable is that they have done absolutely nothing to actually protect the environment, and so waste reduction targets have stagnated and have not moved forward.

But in the long run, when I speak to the producers and to businesses, they don't actually enjoy this kind of governance that the Liberal government offers, because it's unpredictable, too. The Liberals themselves, I think, are internally divided about how to approach things. They want to be green, but they also want to leave things driven by the market.

Hon. James J. Bradley: It's like the Endangered Species Act.

Mr. Jonah Schein: I've got the attention of the minister.

When you talk to industry, they would rather know the direction that the government is going to move in, and they would rather know, "These are the rules," and that there is a predictable future ahead of them. Business is okay with enforcement, they're okay with having clear guidelines, but what they don't like is moving targets. They don't like to wake up and see that the government of the day is making a decision based on their own political interests. So they've changed the rules of the game, Speaker. They've stood up and created a good headline for themselves, but they have thrown business into chaos.

On the other side, you know, we have Conservatives in this country, and their approach is clear. Their approach is everyone for themselves; you know, come in, deregulate, plunder, and business obviously enjoys that for the time being, but this is not good for business in the long run.

An NDP approach is different. We support business. We want to make sure that this is a thriving place where people can make a living, but we also understand that we need strong rules in place to make sure that there are actually resources there in the future, and we have a role to see the big picture and to manage those resources. Business understands this too, and they just want to know what we expect and want to make sure that we stick to it. Rather than allowing business to run things themselves, we want to have a role. We want a say on behalf of the people of this province.

The people of this province want to make sure that we're not landfilling everything, Speaker. They want to

make sure that safe products are coming to market. They also want to make sure that they've got money left at the end of the day to take care of their families, and so they don't want to be paying the costs of companies producing waste. We think we have to set the targets, and I've clearly heard from business that if we set the targets, if we let them know that these products must be recycled, they will meet those targets. They are willing to do that.

I think that this is the approach that we have to take. We're blessed to live in this province. We're blessed to live in this country. We've got tremendous natural resources, but we can't just sell the store. Unfortunately that's what we are seeing with the federal government right now, where the store is open for business and they're selling it as fast as possible.

All of us are not going to be around forever. The government is not going to be the government forever. The opposition is not going to be the opposition forever. We won't be the third party forever, and we won't be on this planet forever. But we need to make sure that we're protecting our resources in the long run.

When it comes to the environment, we need to make sure that we provide the opportunity for individuals to do the right thing. As I said, in Davenport, individuals do want to do the right thing, but it's going to take more than individual action to protect our environment. It requires collective action; it requires a framework put in place by government that allows things to function.

I think that people would be absolutely dismayed; kids at St. Helen's would be absolutely dismayed; I think that my parent's generation, who have seen the introduction of blue box bins, would be dismayed to know that the work they do to take their recycling out to the curb and to buy more responsible products—that in fact so much of this is still going to landfill, and that even when they do their best, there has not been any regulation in place to make sure that industrial and commercial waste is being reused and recycled, Speaker. We are letting the people of this province down.

This bill—I'm really happy that we're talking about this here. It is of critical environmental importance, but it's also incredibly important to our economy. We will put seven people to work for every one person who's currently employed to throw out garbage, to reuse it, to recycle it. We are going to put people to work, and that's what we should be doing.

I think I've just about used up my time here today. I'm looking forward to debate on this. We've seen a number of issues take precedence here in this Legislature, and the ones that have been prioritized most have been ones that are most troubling to me, quite honestly, Speaker. Bill 115, which was horrible legislation, was forced through this House. That's the fastest I've seen anything move in this Parliament until I saw this bill around supporting one company.

Yet we have real issues that need to be brought forward, and this is one of those issues. I'm hopeful that this will be prioritized, that we'll have thorough debate, that we'll do our best to get this issue to committee, that we'll

continue to work with stakeholders, that these issues are not entirely left up to regulation, that people have a chance for input, and that we turn this around.

This is something that's manageable. There's no reason that our diversion rates should be stuck at 25%. There's no reason this has not budged since there was an NDP government 20 years ago, Speaker. This is not a pie-in-the-sky idea; this is something that we can take action on and that we should take action on.

This is waste squared. This is a waste of time. This has been a waste of energy. This has been a waste of garbage and a waste of potential for us to do far better and for us to create good jobs in the province of Ontario.

I'm going to end my remarks there, and I look forward to hearing comments from other folks around the House, Speaker.

0950

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

Hon. James J. Bradley: I want to commend the member on the extremely thoughtful and constructive approach that he has taken to this legislation, where he has dealt with the provisions that are found within the bill. I certainly appreciate that approach.

As I mentioned yesterday, I think it's an opportunity for all of us to work together as legislators on a specific piece of legislation, and where there is need for improvement, we will have that improvement.

Mr. Hargreave and Mr. Cook of the Ontario Waste Management Association are in the gallery today. They have been extremely helpful and constructive in their approach. I'm sure they don't agree with absolutely everything that's in the bill at this time, and they will make further presentation when it gets to committee.

I think, again, the approach that we want to take is one which is, at the same time, extremely effective and places the costs where they should be, in terms of those being on the producer as opposed to the grateful taxpayer.

One of the reasons that we chose a Waste Reduction Authority was that that authority, of course, would be financed by those who actually produce the waste in the first place, the products that eventually have to be dealt with in the first place. When you stick it with the grateful taxpayer—that is, if you have the Ministry of the Environment doing all of that—then you'll find that it's the taxpayer who is assuming that particular cost.

I think there are details that the member has appropriately pointed out that will be dealt with at the time of committee consideration. I'll be interested in both the parties' presentations at that time in committee, and their suggestions on how the bill can be improved, because I'm not aware of any legislation that has come forward that is absolutely perfect.

I think the approach taken by the critic for the New Democratic Party is one that we should have on much of the legislation that comes before the House.

I do want to challenge him on one part of it, and that was when he was talking about the NDP being environmentalists. I have noted, along with many in the environ-

mental community, that there has been a right turn for the NDP towards allowing populism to trump environmentalism. I know the member, within his own caucus, would be trying to encourage his colleagues to once again put environmentalism first and populism perhaps second or third.

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

Mr. Michael Harris: I too would also like to thank two important stakeholders who I know have been the driving force behind this: Rob Cook and Peter Hargreave, from the OWMA. I look forward to our continued relationship.

I do want to respond to the NDP's critic, as I feel the member seems to be getting the strategy and the bill mixed up. The industrial, commercial and institutional sector is not in the act; it's in the strategy. Disposal bans would be under the Environmental Protection Act, so the government doesn't need Bill 91 to introduce bans. I just want to get that on the record.

I hear the member's concerns about accountability and oversight. The member says that Waste Diversion Ontario is toothless and totally unaccountable. We agree with that. We agree that giving WDO a new name doesn't change the situation.

But, as the member noted, what is most troubling to see is that the government wants to concede enforcement powers to WDO, which would be called the Waste Reduction Authority under Bill 91. It makes no sense to hand over enforcement powers to an organization that operates like Ornge and eHealth. That's why we've called on the Liberals to establish a direct line of accountability between the government and producers. That means the Ministry of the Environment should regulate the industry, not an unaccountable agency.

In fact, the Canadian Environmental Law Association agrees with us. They don't agree with the NDP. CELA says enforcement and compliance of the industry must remain in the ministry's hands, because "enforcement of environmental standards is a core government function."

The member also says he's against eco taxes, yet he failed to notice that Bill 91 continues every single eco tax program. In fact, the member for Davenport didn't even talk about winding down any of these eco tax programs. The member seems all too eager to force Ontario consumers to foot 100% of the bill for the blue box program while promising no property tax offset. That means Ontarians will get no relief on their tax bills while having to pay for new costs when they go to the supermarket or local department store.

I'll conclude it there, and I'll look forward to speaking to this again.

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

Mr. Taras Natyshak: I want to applaud my colleague the member for Davenport, who is a passionate defender of the environment on all fronts and certainly within the context of Bill 91, the Waste Reduction Act. I think he spoke eloquently today about the need to actually put

something forward that offers stability not only to industry and producers, but also to the people who have to deal with our waste every day—municipalities, citizens—who are looking for a government that actually leads and promotes recycling and reducing waste in our communities.

I think he indicated that Bill 91 had some positive aspects to it, and potential pitfalls, which of course we know should be melded out in committee. We look forward to the testimony of various stakeholders who will come forward and tell us what the real and potential impacts of this bill will be.

But, ultimately, we know that over the last 20 years, Ontario has become the worst in terms of its record in waste reduction. Despite many attempts and overtures to actually deal with it in a tangible way, that's solely what it has become: overtures and sentiments. Kind as they may be, they have not had the positive impacts on our communities and waste reduction that we need to see.

I'm encouraged with, I guess, the producer responsibility aspect. In my area, in my riding of Essex county, there are some really innovative things happening with agriculture as it relates to waste reduction, using natural products that take the place of, I guess, the little Styrofoam popcorn things. I have a great friend, Joe Dama, who has invented a wonderful process that uses soy to make little what look like Cheetos to fill packaging. These are things that are innovative, that can be made right in our province here, and I hope this bill brings about that type of innovation and progress within our waste reduction strategy.

The Deputy Speaker (Mr. Bas Balkissoon): The member for York South–Weston.

Mrs. Laura Albanese: I'm pleased to add my comments to Bill 91, the Waste Reduction Act. I want to thank the member from Davenport for his speech. It was the leadoff speech for the third party, so it was rather lengthy.

The cornerstone of this legislation is, as we know, making the individual producers responsible for recycling the products that they sell, and also to help consumers make sure there are no surprises or extra fees that are added on the products at the checkout. Basically, the price that you see advertised will be the price that you pay. I've heard many people in my riding of York South–Weston comment favourably on that. That is what they want to see. It would protect consumers from having these surprise fees at the checkout.

Additionally, diverting this waste from the landfill to recycling, as we've heard in the main speech, will create extra jobs. It will generate new factories, new jobs, new Ontario-made products, so that's very important as well.

I'm very encouraged by the fact that the ministry has been consulting extensively with a wide range of stakeholders: environmental groups, municipalities, producers, retailers, consumers, service providers and industry funding organizations. I believe that consulting will lead to a better bill, and there is consensus, from what I understand, among the stakeholders on the need for a fundamental reform of Ontario's waste diversion framework.

So thank you, and I hope this will improve as the conversation continues.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Davenport, you have two minutes.

Mr. Jonah Schein: Thank you for the comments from members across the House.

Speaker, this is not about populism. This is about doing the right thing and doing it properly. The environmental approach that the NDP wants to take is one that will actually work, so fewer press conferences, fewer headlines; we want to make sure that it works on the ground. That is the long-term, sustainable policy environment that we need to create, one that doesn't change from election to election or month to month or scandal to scandal or day to day. We want to make sure we have a clear framework in place that will protect our environment and that will set clear rules of the game so that industry knows what their obligations are and that they can take the steps that they need to innovate.

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As long as we have fairness in place, then business can do okay. As long as they know that everyone's playing by the same rules, then they can do just fine, Speaker. That will in fact create the innovation that we need to see.

But we need to make sure that people in this province have options. This isn't environmentalism just for people who can afford it. We need to make sure that everyone has environmental options, and so we need to make sure that we set policy; that when it comes to transit, for example, we actually provide people with transit options. There are some people who would say, "Well, just toll everyone. Set road tolls for everyone." You're not going to punish people out of their cars when they don't have any other option.

We're looking at a government that has been here for 10 years; it has been 20 years since the NDP was here. We have seen no public infrastructure that will allow people to make a good environmental choice when it comes to transit, and yet we have the government scolding the third party as if it's our fault, Speaker.

We need to make sure, when it comes to this issue, that we get this right, that we get the details right, that we make sure it works for commuters across the province and that we support individuals to make the good environmental choices that they want to make.

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

Hon. Brad Duguid: I'm delighted to join in the debate this morning on a bill that I think is really important, and a bill—when you think about the fact that today many of us are celebrating our 10th year in election—I know, Mr. Speaker, you are, and many others are. Certainly, it's our 10th year in government.

You look back over the last decade, and you look at how many incredibly important environmental steps we've taken through the years. We've had similar debates, like we're having on this here today, because taking those steps is never easy. It's easy to talk about it; it's a lot harder to do it. This bill is another example of that.

What this bill is about is ensuring that we establish outcome-based individual producer responsibility for the recycling and diversion of waste from landfill and that the onus would go back to the manufacturer. I think that makes sense. I think Ontarians and consumers across the province and those who really care about our environment—and, frankly, others—would recognize the importance of doing that. The challenge is, as we make these changes, you can't do it for free, and at the end of the day there is a cost to somebody in the system.

We've been trying to work very, very closely with our business community in this province on everything, because they're very, very important to our economic future, and this bill is no different. We've worked very, very closely with our manufacturers. I think most of them recognize the importance of taking responsibility for ensuring that the products they manufacture end up, at the end of the day, where they belong: in landfill—not in landfill; to be recycled. Mr. Speaker, "out of landfill" is what I'm trying to say.

This is not just good in terms of environmental opportunities; it's also good economics. When you look at it—and I was surprised to learn this—recycling generates 10 times the amount of jobs as disposal. So this is good economics; it creates jobs. Every 1,000 tonnes of recycled waste supports seven jobs.

Mr. Speaker, you're from Scarborough, and you know very well Atlantic Packaging in Scarborough. Atlantic Packaging has been a leader in recycled material for over 60 years. The member from Davenport talked about the community being ahead of politicians on this, and I think, in many ways, he's right. This company has been ahead of just about everybody on this with the technology they use. They recycle; 100% recycled paper is what they create, corrugated products that are very, very good—top quality. They take recycling to heart. It's at the centre of everything that this company does. Their recycling includes everything from old corrugated paper to plastics to office paper, boxboard and old newspapers. They're a fantastic Ontario good-news story when it comes to environmental responsibility. On top of that, they employ almost 1,000 people. So this is a real-life, real-world example of why this kind of approach is really, really important. It is good economics.

But you're going to get those who are in favour. You're going to get those who are opposed, because it's hard to do. In this Legislature, when things are hard to do, this government never walks away from those decisions. We, in fact, embrace the opportunity to bring that kind of change. But the debates in this place are very similar.

When I think back to my days at city hall, one of the things I had the privilege of being involved in—Mr. Speaker, you were there too, and you were involved in that; Betty Disero was the works chair to get it going and then I had to be responsible for implementing it as works chair—was the green bin. I remember at the time everybody said, "It's not going to work; it's going to fail. People will never do it." I'll never forget the first day it

was implemented, doing a tour of the city with our works staff and seeing something like a 97% or 98% compliance on the first day. The member for Davenport is absolutely right on issues like that. Our constituents, Ontarians, the people, were ahead of us on that and ready to move into organic separation, and green bins are seen now across the province. We were the first, in Toronto, I believe, and we're very proud of that. People embraced that right off the bat, and they still do to this day.

I remember the debate on the greenbelt. Today, everybody talks about the greenbelt as being one of the great achievements of our generation when it comes to the environment, and this government worked very, very hard to implement that. It's going to make a difference for generations to come, not just the next generation but generations after that.

We had some support from the NDP, although they tried to poke holes in it every chance they got, but we welcomed that support. They worked with us a little bit on that. The PC adamantly opposed it as they are, I believe, opposing this bill. That's very typical of their approach. If you think about it today, they're not going to admit that they opposed the greenbelt today. They know how popular it is out there. It was the right thing to do, but we had to take some political heat for doing it. Mr. Speaker, it was the right thing to do. We soldiered on, and future generations are going to benefit from it.

I think about our efforts to eliminate coal. I think of how important that is to eliminating health care costs; it's something like \$2 billion in savings per year. You think of the smog days that have now been eliminated as we're just about at that threshold of completely eliminating coal. There are very few smog days in the GTA these days. Prior to our efforts—I'm not saying it's all about eliminating coal; there are other factors, but that's one of the main factors: very few smog days.

I think of the jobs that have been created in the renewable energy field in a number of different sectors. I think to date 35,000 jobs have been created by those efforts. That's a pretty good-news Ontario story, but it wasn't easy. There were challenges. If it was easy, other jurisdictions around the world would have tackled it and done it. Ontarians are the first jurisdiction in the world to be able to wean ourselves completely off of coal, the single largest climate change initiative in North America.

The PCs, the opposition, have opposed us every step of the way. They continue to oppose us, as they oppose and try to make hay on the challenges of bringing forward new energy sources, new renewable energy of all sorts. It's not easy to be environmentally responsible. It's not easy to change your economy to the new realities of the world to ensure that, in fact, the things we're doing are sustainable. But this government has had the courage to move forward with those initiatives. To this day the PCs, and in some cases the NDP, continue to talk about being environmentally responsible but stand in our way of doing that. I think the elimination of coal is a perfect example of that.

I think of things like public transit: how important that is to our environment, helping to give people the option

of getting out of cars. Is that easy? No, Mr. Speaker, it's not. It's damned expensive. It costs a lot to be able to move to public transit, but we know we need to do that because the cost of gridlock is so much more than the investments we plan to make in the coming years and decades in public transit. But somebody in this Legislature has to be straight with the people of Ontario to tell them you can't build public transit for free.

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Everybody is for public transit in this Legislature but only one party is standing up for the fact that you need to invest to be able to build public transit. Only one party, only one leader of all the three parties is standing up and being straight with the people of Ontario to say, "You know, we're going to have to find \$50 billion over the next 15 or 20 years to be able to fund these public transit projects." The other leaders and the other parties are pretending that you don't have to do that and that it's easy, that we can build public transit without paying for it.

It's another example of the fact that being environmentally responsible requires leadership. It's not easy, but it's something that has to be done. Our government is up to that and our government will get this done. We will do what we need to do to build the public transit that the GTA and the rest of the province needs to be able to ensure that over the next five or six decades we are going to be environmentally sustainable and at the same time economically prosperous.

I think of things like conservation targets. We have the strongest, most aggressive conservation targets in all of North America. I know the member from Etobicoke—I'll say her name, because I can't remember which Etobicoke—Donna Cansfield, back 10 years ago when we started here, was an absolute advocate for conservation and pushed us very hard to ensure that we have those targets. We still have work to do in that area, but we've come a very, very long way. Demand has been reduced significantly, both in consumers' homes and in businesses across this province.

Those initiatives weren't easy, either. In fact, we took a lot of heat from the other side for every penny that we put into conservation. They support the outcomes, they talk about being in favour of conservation, but when the rubber hits the roads, Mr. Speaker, when you have to pay for these programs that actually, in the end, pay for themselves, when you have to bring that upfront cost into the programs to get them going, we had heat from both parties on the other side for taking those challenging decisions. Were they the right thing to do? Well, we're a leader in conservation in North America; I'd say they were the right thing to do.

Today, there are not a lot of Ontarians who would disagree with the fact that while some of the stuff we brought forward was new, it was cutting-edge. In some cases we were the first in the world; for instance, to bring in smart meters. That's reduced peak demand in this province. That's enabled us to not have to produce as much power. That's helped ensure that every Ontarian has the opportunity to be able to participate in conservation.

It was controversial at the time, tough at the time. Opposition parties were up in arms about the fact that we were trying to take these challenging and courageous decisions and move forward and be leaders. Well, Mr. Speaker, at the end of the day, I think Ontarians can see it was the right thing to do. Conservation was the right way to go. We still have more work to do, and it's still going to be challenging. And I'll guarantee you that we'll be the only party in this Legislature that stands up to keep moving on conservation. The others will talk about it, but when it comes time to doing it, when it comes time to finding the investments to be able to put in it, they simply will not be there. They won't be standing up to be counted.

This bill is exactly the same. It's a hard thing to do because it's new; it's different. It does make some changes. There are adjustments that have to be made by some of the manufacturers in our province. We're going to do the very best we can to continue to consult with the business community to ensure that that transition happens in a fair and reasonable way. But at the end of the day, this will end up creating jobs, just like all the other measures that we've taken that are environmentally friendly do, because it ensures we're building our economy on a sustainable basis. We're seeing things for what they are, ensuring that when we produce waste, somebody has to be responsible for recycling it and making sure it is properly environmentally disposed of. Recycling is the best way to do that.

I talked about the Atlantic Packaging example. In the last few minutes I have here before this debate closes off for the time being, here's a company of 60 years, owned by the Granovsky brothers, whom I know the Speaker knows well. They're very quiet people, very responsible. Here's a company that employs a thousand people in Ontario. They wouldn't exist today were it not for this government and governments past that have dedicated themselves to ensuring that recycling of paper makes sense. At the time, I'm sure, it was controversial. At the time, I'm sure, there were challenges because it was new. Today there are a thousand people working in this great company, Atlantic Packaging, recycling paper in this province and doing it in a way that I think is boosting our economy and helping to create jobs.

Mr. Speaker, I see you moving there. You're starting to lean forward. I'm assuming that my time is up for now. I appreciate the opportunity to participate in this debate. I thank the members opposite for their contribution, but I do look for both parties to support this bill because, let's be frank here, this is the right way to move, the right way to go forward. It takes us in the right direction.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bas Balkissoon): The time being 10:15, this House stands recessed until 10:30.

The House recessed from 1015 to 1030.

INTRODUCTION OF VISITORS

Mr. Gilles Bisson: I realize I don't get an opportunity to do this often, because I represent a very far northern

riding, but I'd like to introduce to the House the person who was the success in my campaigns and also my constituency office, Helen Gerteis, who is here with her friend Felicia. Helen worked for me for over 20 years—can you imagine?—and actually got to retire. Welcome Helen Gerteis, please.

Hon. Tracy MacCharles: He's not here right now but he's at Queen's Park, and it's Roger Anderson, the chair of Durham region. We call him the king of Durham. We're just thrilled he's at Queen's Park today. Long live the king.

Mr. Todd Smith: We do have another visitor coming to see our great page from Prince Edward–Hastings, Ian Chapelle. His great-uncle Jack Chapelle is visiting this morning.

Hon. Michael Coteau: Joining us today at the Legislature is a school from my riding: Seneca Hill Public School. I'd like to welcome them to Queen's Park.

The Speaker (Hon. Dave Levac): On behalf of the minister responsible for seniors and page Efua Mensimah Kwofie, her aunt Dorcas Forson. We welcome her to the Legislature today.

ORAL QUESTIONS

PAN AM GAMES

Mr. Rod Jackson: My question is to the Minister of Finance. Under the finance minister, the TO2015 CEO's \$552,000 salary was reduced by \$75,000—only once we exposed this injustice. Similarly, the Pan Am Secretariat deputy minister was removed only once we exposed his \$361,000 salary. And only once the news of unlimited entitlement broke did the Liberals agree to stricter expense policies and repayment.

You only act once you're caught, Minister. Can you tell me exactly when the unlimited expensing will be remedied and the expenses in bad faith repaid?

Hon. Charles Sousa: I appreciate the question. I also appreciate the fact that the critic has long been apprised of the activities of the Pan and Parapan American Games since the outset, when we invited him back then to participate and to recognize what it is that's being done.

He knows full well that Deloitte and others are reviewing the reports that we have, monitoring on a quarterly basis. He's well aware that as a result of the outstanding work of Infrastructure Ontario and the work we've done establishing venues across southern Ontario and the province, we have now come in under budget by \$50 million for those capital expenditures. This is going to leave a tremendous legacy for future generations in Ontario.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Rod Jackson: I am well aware that the Pan Am budget is disingenuous at best. The only time a Liberal is spurred to action is by holding their feet to the fire. Yesterday, I asked the Pan Am minister about the real cost of Pan Am. He told me about chicken nuggets.

Since you previously held the portfolio, and as finance minister, the buck still stops with you. Perhaps you can tell us why you hid multiple budgets off the record of Pan Am? The ones I'm talking about specifically, Minister, are the recently discovered \$10 million for the secretariat party and paperwork, the \$709 million for another legacy venue and, no doubt, millions more for security and transportation.

Minister, how many Pan Am budgets have you approved, and what is the grand total cost of the games to the taxpayers of Ontario?

Hon. Charles Sousa: I find it passing strange that the member opposite is now asking a question about Pan Am when, yesterday in estimates committee, they had two hours to ask the minister responsible for Pan Am what it is that he's—the only question that the critic had to ask, the only question in those two hours, was the following. He said to the minister responsible for the Pan Am Games, "Minister, how are you?"

That was all they asked yesterday of the minister responsible for the Pan Am Games. The opposition are making a complete mockery of the committee process. They are using filibustering. They are delaying the issues. They had 10 senior officials of the ministry there yesterday to deal with the very issues.

He's talking about budgets. We've been very open from the outset as to what we are doing. He should read the budget. Maybe they would know then.

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

Mr. Rod Jackson: Give me a break. They've had two years and more to get this right, and since we discovered the hidden Pan Am budgets, the minister has been dodging responsibility for the games. In estimates committee, he pointed at the board of TO2015, then the deputy minister clarified that the minister's secretariat actually babysits TO2015. So the minister improvised and talked about the many Pan Am partners instead.

But at the end of the day, it is the Premier, you and the minister of the portfolio who are responsible, so why can't I get an answer about why there are so many Pan Am budgets not included in the pretend \$1.4 billion? Minister, how many budgets are there? How much will the Pan Am Games really cost the taxpayers of Ontario? What's the number? Tell me now.

Interjections.

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

Minister?

Hon. Charles Sousa: Mr. Speaker, here he is again, asking questions, and he should have been asking those questions yesterday in committee. He chose not to. More importantly, he knows the answers, because we gave them to him two years ago.

The budgets are very clearly stated out. We have over \$50 million in under-budget capital expenditures to date. We recognize the challenges that we face, and we have put it to the 2015 committee. But more importantly, I quote the following from today's editorial, and this speaks

to the essence of why we have taken, and we do take, responsibility for bringing these games to the province of Ontario.

It's as follows: "When properly done, such events energize cities—and a lot is being handled well here. Pan Am site construction is in progress and, so far, running about \$50 million under budget. That's to be commended." It further states, "Instead of fanning fake 'scandals' and tarnishing Toronto's games, critics should take comfort in knowing that existing problems are"—

Interjections.

The Speaker (Hon. Dave Levac): The member from Prince Edward–Hastings will come to order.

New question.

COLLECTIVE BARGAINING

Mr. Monte McNaughton: My question today is for the Minister of Labour. Recently, Minister, your Premier met with our leader, Tim Hudak, to seek support in passing nine hand-picked bills. One of the bills that your Premier presented was my bill, Bill 74, but yesterday your government acted like a coward, bowed to union pressure and announced you would no longer support this important bill.

Minister, why do you value your friendship with one union leader more than the thousands of good jobs, both unionized and non-unionized, that you have now put at jeopardy with your weak leadership and flip-flopping?

1040

Hon. Yasir Naqvi: I thank the member opposite for the question. As I referenced yesterday in the House during question period, late last Friday a decision was rendered by the Ontario Divisional Court as it related to the decision of the Ontario Labour Relations Board. The Divisional Court decision was on a judicial review application by EllisDon, and it's the subject of the same issue that is part of the member's Bill 74.

The Divisional Court, in its very thorough analysis, quashed the decision of the Ontario Labour Relations Board, which means that the company can operate under the status quo. The Ministry of Labour lawyers have advised us that this essentially achieves the same outcome as was intended by the private member's Bill 74.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Monte McNaughton: Back to the minister: EllisDon is a London, Ontario, company that is widely regarded as a community leader, including being named 2013's number two best employer in Canada and a platinum member of Canada's 50 Best Managed Companies. Minister, EllisDon is also an employee-owned company, with employees that number in the thousands.

Yesterday, your Premier said that my bill is no longer needed and that you would not be supporting it. Will you and your government resume your support of my important bill that stands up for Ontario, or does Pat Dillon call the shots around here?

Hon. Yasir Naqvi: Speaker, the Divisional Court has issued a very thorough decision. I'm sure the member op-

posite has read the decision. Essentially, what the decision does is, it maintains the status quo. It essentially does—and that's the advice that has been given to us by the lawyers at the Ministry of Labour—what is intended in Bill 74. So it's basically the status quo.

I also want to inform the member opposite and all parties that if a party wishes to appeal this decision, they must file an application with the Court of Appeal, seeking leave to appeal, by October 15 at 4 p.m.

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

Mr. Monte McNaughton: Back to the minister: It is unfair to expect an Ontario company to live by one set of rules while foreign competitors undercut them, putting at risk thousands of good jobs. My Bill 74 will settle this issue once and for all, but your colleague Pat Dillon has asked you to oppose it, and clearly, Minister, you have listened.

Minister, Pat Dillon has several government appointments, including as a member of the Workplace Safety and Insurance Board, as a member of the board of Infrastructure Ontario, as a member of the board for the College of Trades, and is also your key adviser on transit taxes. Coincidentally, Pat Dillon is also an ally of this government's influential Working Families Coalition, which spent \$10 million electing the Liberals.

Minister, do you think it's right to put an Ontario company and Ontario jobs at risk in favour of one union leader?

Interjections.

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

Minister.

Hon. Yasir Naqvi: Speaker, our government has a plan for the economy that builds people up and invests in things—

Interjections.

The Speaker (Hon. Dave Levac): I'm going to keep you guessing as to when I'm going to act.

Minister of Labour.

Hon. Yasir Naqvi: Stable labour relations is very much part and parcel of building a productive, healthy economy that attracts investment and creates jobs in our economy.

Speaker, I don't think this side of the House here, the government, is going to take any lectures from the members opposite, who have done nothing but bring our economy in Ontario down by proposing policies that are going to cut jobs in our province, that are going to reduce wages for both unionized and non-unionized workers by promoting policies like right-to-work-for-less. They are going to create havoc in the province. Even John Tory, their former leader, has given them advice not to—

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

COLLECTIVE BARGAINING

Ms. Andrea Horwath: My question is to the government House leader. The government House leader has

tabled a motion that will allow speedy passage of a bill designed by Liberal and Conservative lobbyists to help EllisDon, one of the Liberal Party's biggest donors. Yesterday, the Premier spun a very confusing tale about Liberal plans for the bill.

I have a pretty simple question: Is the government proceeding with their programming motion, or are they backing off plans to ram this bill through the House?

Hon. John Milloy: I don't know where to begin in correcting the facts. I'll begin with what was put forward. The fact of the matter is that no one is ramming through anything. We came forward with a motion to this House, which has eight bills as well as the formation of a Select Committee on Developmental Services. All the motion does is outline a reasonable schedule for debate, discussion and votes by this House on these bills. In some cases, they will be going to committee, and in other cases they will be coming here for third reading. That is the extent of it.

When I sat down with my fellow House leaders and showed them a draft of the bill, I certainly said that we would be willing to entertain any changes if people want a little more debate here or a different way of dealing with it in committee. The NDP did not want to have that discussion, so we came forward with this programming motion. Yes, we do intend to pass it and then go on to have serious consideration of these important bills as well as the formation—

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

Ms. Andrea Horwath: Yesterday we heard a lot of spin from the Premier, but what we didn't get was a clear answer. We've put forward an amendment to the government motion that would take the EllisDon bill off of the fast track. Will the Liberal members support that amendment?

Hon. John Milloy: I think that the Premier was very clear yesterday. She was speaking to one bill on that list of eight. That bill is intended to remedy a ruling by the Ontario Labour Relations Board. Since the discussions amongst the parties, we have had a court ruling which quashed the Ontario Labour Relations Board ruling, and the speaker made the very obvious point that the bill was no longer necessary. That is our position, under the assumption that there won't be an appeal. I think that the Premier put forward a very straightforward situation. That is our position at the moment. Over here, we look forward to debate and discussion in front of the committee. There will be an opportunity for hearings. There will be an opportunity for amendments and an opportunity, should it proceed through committee, for a final vote here.

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

Ms. Andrea Horwath: The Liberals can play hot potato with this bill as much as they want, but it doesn't change the fact that their hands have been all over it. Yesterday, the Conservative sponsor of this bill told reporters that they weren't the ones who put the bill on

the fast track. He claims it was the Premier who made the "delivering for EllisDon act" a priority. Will the government House leader confirm that it was in fact the Liberals and not the Conservatives who asked to fast-track this bill?

Hon. John Milloy: The bill in question is a private member's bill that was drafted by the member for Lambton-Kent-Middlesex.

What I find unbelievable is that the NDP, last spring, were all in favour of programming motions when it came to the Financial Accountability Officer and the passage of the budget. We worked very closely on it, and when it came to the issue of closure, they stood and voted with the government in terms of closure.

What I find incredible is that when it's a programming motion that they support, they're all in favour of it. When it's a programming motion with a number of very important bills that all parties in this House support, all of a sudden they've changed their tune. Let's have consistency in this Legislature. All we are doing is putting forward a motion which will allow for further debate and discussion on a list of bills that are important to the people of Ontario and in which there is a lot of interest here in this Legislature.

GOVERNMENT'S AGENDA

Ms. Andrea Horwath: My next question is to the Acting Premier. The people who make this province work every day have been looking for some help—help for their aging parents who are waiting for home care, help for their kids who are looking for jobs and help for their pocketbooks when it comes to their bills at the end of the month. But they're still waiting. Can the Acting Premier explain how the EllisDon bill which the Liberals are now scrambling to back away from became a priority?

Hon. Charles Sousa: The leader of the third party talks about something extremely important, and that's the work that we've done as a party for the last 10 years to help working families here in Ontario. I'm pleased to say that we've cut taxes for 93% of Ontario taxpayers. We've established a co-operative securities regulator, signed just recently with British Columbia. We've introduced a financial transparency and accountability act so that no other government can hide deficits as they did in the past.

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We reformed the Pension Benefits Act to modernize rules to assist employers and protect workers. We've reduced high business education tax rates. We introduced property and sales tax credits for seniors and low-to-moderate-income families. We've harmonized the sales tax, which none of them had the courage to do. We eliminated capital tax for business. We reformed the property tax system so that it's predictable for homeowners by phasing out property taxes, and more importantly, Mr. Speaker, we supported the auto sector and many others who have over—

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

Ms. Andrea Horwath: Well, Speaker, here's what people see when it comes to their needs, their health care, their jobs and the cost of their everyday lives: The government delivers a lot of conversation but not much result at all. But when it's time to move a power plant to win some seats, or deliver for a well-connected donor, the government can spring into action at a moment's notice. What does the Acting Premier think that says about the government's priorities?

Hon. Charles Sousa: As mentioned, Mr. Speaker, we've been working very hard for hard-working Ontarians, and we will continue to do so, regardless of what the others say they will do and never do. We have taken the initiatives to bring forward jobs strategies for working Ontarians that no others—that's why we've had over a 180% return of those jobs since the recession. That's why we'll continue to support and make transformations to health care, so that we're able to supply even more services to those who need it at more affordable rates.

In the end, it's about helping everybody. The member opposite is talking about one issue; we can deal with more than one issue at a time on this side of the House.

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

Ms. Andrea Horwath: People are waiting for government to make their challenges a priority. Instead, they see insiders expensing parking fees while they collect six-figure salaries, hundreds of millions spent moving gas plants, and well-connected insiders getting results in the Legislature while everyday people are stuck waiting. When is this government going to start delivering results for the people who make this province work each and every day?

Hon. Charles Sousa: So let's talk about those results. Since February of this year alone, we've increased investment in home care and community care by 1% annually. We've invested \$260 million in home and community care, \$185 million in home care for approximately 46,000 more seniors. We've made reforms to physiotherapy that will double the number of clinics and provide 200,000 more supports for seniors. We've invested \$2.5 million for enhanced breast-feeding supports and many other things to help families and their infants get a good start in life.

But more importantly, since 2003 we've done a tremendous amount of work to help reduce wait times, to provide for more hospitals, more nurses, more doctors, more medical schools, more youth employment, more support to bring forward a positive economic growth in our province, a province that all of us are very proud of, and we'll continue to work alongside those hard-working Ontarians who make it a success for us all.

ELECTION ADVERTISING

Mr. Rick Nicholls: My question is to the Acting Premier. Later today, we will be debating my bill, Bill 101, to put a cap on third party advertising, but we know why your government won't support my bill—because the

Working Families Coalition spent \$9 million keeping you in power. But what truly surprises me is this government's complete change in position. On April 8, 2013, when the Premier was asked about changing the rules around third party advertising, she said, "I'm very interested in looking at the recommendations and open to looking at changes that could be made." Moreover, the Attorney General John Gerretsen said this: "The notion of putting a spending limit on third parties certainly strikes me as something that's well worth looking into."

The Speaker (Hon. Dave Levac): Question.

Mr. Rick Nicholls: And oh, by the way, the leader of the third party also advocates changing the restrictions.

Acting Premier, why—

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

Interjection.

The Speaker (Hon. Dave Levac): Thank you. When I stand, you sit.

Acting Premier.

Hon. Charles Sousa: It appears to me that the member opposite just doesn't accept the results of various by-elections and the rejections that many have placed on the PCs and their activities. What's important, though, and as a result of past performances by that party, is that we on this side of the House have introduced transparency and more accountability. In 2005, we introduced real-time disclosure rules. This allows political parties and leadership contestants to file with the Chief Electoral Officer within 10 days. It also requires the Chief Electoral Officer to publish information about the—

Interjections

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

Hon. Charles Sousa: —contributions made on the Elections Ontario's website—

Interjections.

The Speaker (Hon. Dave Levac): Excuse me. When I mention the member from Renfrew's name, it should be the signal that says stop, not continue.

Mr. John Yakabuski: I never heard you.

The Speaker (Hon. Dave Levac): You never heard me? You know why?

Finish, please.

Hon. Charles Sousa: Thank you, Mr. Speaker. And, of course, we introduced more legislation in 2007. We introduced third party advertising rules in Ontario for the first time. All of these are encouraging and ensuring that we have more transparency and more openness, and the opposite party voted against those items.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Rick Nicholls: To the Acting Premier: The influence that the special interest groups have over this government is obvious, and quite frankly, it's quite alarming. A few months ago, the Premier and senior members of this government made it clear that you were open to changing the rules surrounding third party advertising, and today you have completely flip-flopped. How could you possibly go from being open to some-

thing just a few months ago to being completely opposed to something today? It just doesn't make sense.

Is there a reason why you've changed your position? Or did the Working Family Coalition boss, Patrick Dillon, write another letter to you, telling you not to support this bill?

Hon. Charles Sousa: Well, I think the member opposite is not accusing this side of the House inasmuch as he's insulting the public.

Interjections.

The Speaker (Hon. Dave Levac): I question why I have to get to this point where, every time the person stands up, I have to threaten people to be thrown out, and they just start yelling. It doesn't make sense to me, truly, and it's going to stop. If you push it, I'll throw you out.

Hon. Charles Sousa: The member opposite, in many respects, is underestimating and insulting the very intelligence of voters in the public.

Under current rules, third parties that spend \$500 or more on election advertising are required to register with the Chief Electoral Officer. We put that in place; they voted against that. Registered third parties must also report to the CEO on election advertising expenses. If election advertising expenses are \$5,000 or more, these reports must be audited. These rules ensure that there is transparency and free speech. These guys don't want to have free speech in this public democracy.

TRANSPORTATION INFRASTRUCTURE

Mr. Percy Hatfield: My question this morning is to the Minister of Transportation and Infrastructure. Good morning, Minister.

The independent report on the Herb Gray Parkway has made it clear that the girders installed by Freyssinet are not up to standard. To quote one portion of that report, "The only option is to replace deficient and non-compliant girders with new ones that are constructed in accordance with all the applicable requirements for design construction."

Minister, why are you not listening to the recommendation of the report and choosing, instead, to salvage instead of replacing these girders?

Hon. Glen R. Murray: I again want to thank the member for his very sincere concern about this. I think it's a concern we both share.

Mr. Speaker, I want to be very clear about this, because I was somewhat disappointed when I read some of the reporting on this, and I think a fundamental fact is missing. The independent expert review looked at this in detail for two months. The committee is still working today, and testing is continuing.

I made two very clear commitments, which I intend to keep. The first one was that we would not open a single structure until the chief engineer of the province, who always makes these decisions, in whom trust in his competency is placed by the people of Ontario, signs off on them. The second thing I said is that this would not be a

political decision. Whatever the chief engineer decided, based on his expertise, based purely on engineering—

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

Mr. Percy Hatfield: Minister, you mentioned the reporting. I don't know if you saw the editorial cartoon in the Windsor Star today that has the girder with band-aids slapped all over it, and that's an editorial comment unto itself.

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The report says that the test results around salvaging the girders did not address all the concerns related to durability of the girders made by Freyssinet. On July 22, in a press release, you said, "The girders in question will be removed unless the safety and durability can be assured and any compliance concerns are addressed." Minister, what made you change your mind?

Hon. Glen R. Murray: Mr. Speaker, the one thing I've gotten in Ontario is a much thicker skin. I don't think we should allow cartoonists to be making engineering decisions.

Second, who should make this decision? Should it be the Minister of Transportation? Should it be the member opposite? Should it be the Minister of Municipal Affairs and Housing? No. The decision must be made by the chief engineer.

The condition of some of those girders at this point is not adequate. If any of those girders are not up to the high standards of the highway code and the bridge code and cannot meet that threshold to be as safe as any other girders, they will not be installed, but they will be removed. That determination will not be made by politicians; it will be made by engineers, specifically the chief engineer of Ontario.

SOCIAL ASSISTANCE

Mr. Shafiq Qadri: I rise on behalf of my constituents of the great riding of Etobicoke North with a question for the honourable Minister of Community and Social Services.

Speaker, the mark of a just society is how that society treats its most vulnerable. Investing in people, their opportunities and their future is important to the conduct of any government. I know first-hand from my community that constituents who have relied on social assistance in a time of need appreciate that support for their loved ones. Even those members of society who do not avail themselves of social assistance value the fact that such a system is in place, on call, as it were, for those who may need it.

I recall that a part of our government's Poverty Reduction Strategy was to initiate the first review of social assistance in more than 20 years. The Commission for the Review of Social Assistance in Ontario published recommendations to better the system for all Ontarians. With the guidance of the commission, the government envisions a more improved system that is more account-

able and delivers services and supports. I ask the minister—

The Speaker (Hon. Dave Levac): Thank you. The Minister of Community and Social Services.

Hon. Ted McMeekin: I want to thank the member for his question. I know from conversations with all members of the House that we're all committed to working towards a fairer society. I'm pleased to report that our government will be investing some \$400 million-plus over the next three years to help make the prospects of some 912,000-plus people in Ontario just a little bit brighter.

Social assistance rates have been increased by 1% for families on Ontario Works and individuals with disabilities on the ODSP program. As well, single adults without children will receive a top-up of \$14 a month, for a total increase of \$20. These increases are kicking in this week.

Is there more for us to do? You betcha. But you know what? These changes are going to help.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Shafiq Qaadri: I thank the minister not only for his answer today, but for his ongoing commitment and sincere efforts on these files. The much-needed targeted rate increase will be welcome news for those in my riding and across Ontario for people who depend on Ontario Works and ODSP.

However, learning from recipients in my riding, I know that such supports, though important, are nevertheless not all that there is to social assistance. Social assistance, they tell me, is about more than a cheque. Other benefits include employment supports and skills training; child care support, so people can work and earn a better life for their families; and job placement supports for people with disabilities to achieve greater financial independence.

I ask once again, Speaker, through you to the minister: Can he inform the House what other changes have been made to social assistance, and what the plans are going forward?

Hon. Ted McMeekin: Again, the member is right, and I'm delighted to respond. New rules now allow social assistance individuals to keep up to \$200 of the money that they earn. This, of course, is going to allow them to gain a quicker foothold in the economy and affirm their efforts.

Ontario Works clients can also keep more assets so they won't have to give up everything they own before they're eligible for assistance.

As part of the Ontario government's economic plan to invest in people, invest in infrastructure and support a dynamic and innovative business climate, we're committed to helping more people find jobs.

In the past few months, my cabinet colleagues and I have been seeking input from people all across this province on what could be done through a renewed poverty reduction strategy. We have been listening, we have been learning, and we're committed to further action. I look forward to working with all members of the House to make things just a little bit better for—

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

HORSE RACING INDUSTRY

Mr. Randy Pettapiece: My question is to the Minister of Finance. At the Fort Erie Race Track, people are losing their jobs, all because of this government's deliberate destruction of the horse racing industry. The minister sat at the table when that callous decision was made. It was made without warning, without consultation and without even so much as an economic analysis.

Will the minister apologize today to the people of Fort Erie and the people of rural Ontario for not speaking up when he had the chance?

Hon. Charles Sousa: The Minister of Rural Affairs.

Hon. Jeff Leal: Mr. Speaker, our government believes in a strong, sustainable future for the horse racing industry in Ontario. Our plan is guided by the work being done by the Horse Racing Transition Panel. The panel is made up of three very distinguished people: John Wilkinson, John Snobelen and Elmer Buchanan. Premier Wynne has asked the panel to develop a comprehensive five-year plan for the industry. Their plan will present a road map for sustainability for the industry, including grassroots and larger tracks.

I'm confident that when the panel reports on its recommendations for the five-year plan, the industry will have the confidence it needs, and every track that wishes to conduct live racing will have the opportunity to do so.

The horse racing industry is vital to rural communities across this great province. Our government will continue to work with Ontario's great horse racing community to ensure that racing remains vibrant in this province for years to come.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Randy Pettapiece: Speaker, I did not hear an apology. Neither have we heard an apology from the leader of the NDP for her part in passing the budget that has already cost 9,000 jobs. Because of that deal with the NDP, the future of the 100-year-old Fort Erie Race Track is uncertain at best.

Fort Erie has suffered some devastating blows at the hands of this government. You've shut down their ER, and you've closed their tourism office, and now this.

If the minister won't apologize, let's put it this way: Why is it more important to hang on to a few dozen jobs for Liberal and NDP politicians than it is to hang on to so many thousands of jobs in the horse racing industry? Not even the priciest of panels can excuse him for that.

Interjections.

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

Minister.

Hon. Jeff Leal: Our government is committed to a vibrant and sustainable future for horse racing in the province of Ontario, and it is central to our plan going forward. As part of our future, our government commissioned a panel to develop a five-year plan for the

racing industry that's accountable, transparent, customer-focused and a net benefit for the taxpayers of Ontario.

Our friends across the floor can't have it both ways. They can't bluster one week that the Slots At Racetracks Program should be reinstated, then come here two weeks later and say it wasn't accountable. As we say in Peterborough, Mr. Speaker, that dog doesn't hunt.

I'll repeat again for the member across the way, because it seems he wasn't listening on any occasion—on three occasions. We've got a plan. We're going to bring a plan forward, and horse racing will be vibrant in the province of Ontario.

Interjections.

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

WATER QUALITY

M^{me} France Gélinas: Ma question est pour le premier ministre par intérim.

Today it was reported that water bottled in Ontario and sold at restaurants in Ontario was found to contain bacteria at levels that constitute a threat to public health. The ministry found out about this risk three months ago.

My question is simple: Why did the Ministry of Health not warn the public when it first learned about this health risk?

Hon. Charles Sousa: Yesterday, Dr. Arlene King issued a warning to consumers and businesses not to consume or serve bottled water manufactured by the Blue Glass Water Co. Ltd., also known as Caledon Clear Water Corp.

It is a federal issue, as the member opposite knows, but we take steps to protect our public. Samples of water taken from the company's products have been found to have some contamination with bacteria. As a result, we feel there is a potential health threat posed by these products. So, in accordance with Ontario's Health Protection and Promotion Act, Blue Glass Water Co. Ltd. was ordered to cease operations related to bottling, processing and distributing water.

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Inspections by public health units have identified the product in food establishments in Hamilton and Niagara, as well as the continued presence of some of the product in food establishments here in Toronto. The ministry is carefully investigating and monitoring the situation with public health units to ensure public safety.

The Speaker (Hon. Dave Levac): Supplementary?

M^{me} France Gélinas: Something is wrong when the Ontario Ministry of Health finds out that a product sold in Toronto, Niagara, Hamilton and elsewhere in Ontario is unsafe for consumption, yet it fails to warn the public. To protect the health of Ontarians is the Ministry of Health's primary mandate. Is it really ministry policy to wait until somebody gets sick or maybe even dies before letting the public know about contaminated water?

Hon. Charles Sousa: I appreciate the question and I know the member opposite shares the same concerns that

we all do in this House, and those are public safety, people's health and people's well-being, and to suggest otherwise or to infer that we are putting people's lives at risk is not, I believe, your intent, because I know that we all work together to do just that.

We rely on the advice of Dr. King. We have taken the steps necessary to work with our partners through the Ministry of Health, and we will continue to press and make those decisions as we find them out.

But, please, we're all in this together and we're fighting for the benefit of our public. No one has been hurt at this point. We intend that not to occur.

YOUTH EMPLOYMENT

Mr. Steven Del Duca: My question today is for the very hard-working Minister of Training, Colleges and Universities.

Applause.

Mr. Steven Del Duca: Absolutely; well-deserved kudos to the minister.

The parents and families in my riding of Vaughan are concerned about youth unemployment, the rate of youth unemployment in our province and the future of their children. As young people struggle to find good opportunities for employment, it is important for our government to listen and it's important also that we take action.

I am delighted to hear that the province has taken up the challenge and implemented the Youth Employment Fund to help youth find good jobs and experience in our growing economy. Can the minister please update the House as to how young people across our province and in my community of Vaughan can benefit from the Youth Employment Fund?

Hon. Brad Duguid: I want to thank the member for the question, obviously, but I want to thank him as well for his leadership in Vaughan, standing up for young people in that community, a fast-growing community; lots of youth in that area.

The member knows that our government has risen to the challenge of tackling youth unemployment in the creation of the Youth Employment Fund, and we'll continue to ensure that helping our young people is indeed a top priority.

I'm proud to report that after just one week, 535 youth have had active job placements—after just one week—with 126 more young people beginning placements that will happen in the very near future. Mr. Speaker, we're off to a very, very good start.

I'd also like to take this opportunity to thank the hard-working people at Employment Ontario and our service providers for putting this program out there in a very short period of time, getting it up and running. They are out there for our young people. I encourage all members from all parties, when young people approach them in their constituency offices, to refer them to their local service provider to help them find work.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Steven Del Duca: I thank the minister for his outstanding work on this file. The people of my riding

and the people of our province are very lucky to have him on the job.

I am thrilled to hear that this particular fund has been a huge success across this province. The unemployment rate amongst our youth is an issue that certainly deserves our government's attention. I'm pleased to hear that this program is accessible to youth across the province, although my primary concern is with the youth in my riding of Vaughan and in other important communities in Ontario like Niagara Falls. Youth unemployment is very apparent in communities, and many of our young people face great barriers each and every day.

Speaker, through you to the minister, I'd like to know exactly how the youth of Vaughan and the youth of Niagara Falls can benefit from the Youth Employment Fund.

Hon. Brad Duguid: That's an interesting question, Mr. Speaker. The Youth Employment Fund provides up to \$7,800 for each eligible youth for a flexible range of supports, including training and financial assistance, and to cover costs like transportation and tools. Youth and employers can apply for this fund by reaching out to their local Employment Ontario service providers.

I know for a fact, for instance, that youth in Vaughan can benefit from two Employment Ontario service providers: Seneca College of Applied Arts and Technology, which is located at 1490 Major Mackenzie Drive, and the Toronto District School Board, located at 4585 on Highway 7.

These service providers are out there in places like Niagara Falls, but are right across the province to ensure that our young people have access to this very important program. Putting young people to work is a priority for this government. We're going to ensure this program is delivered on time, on budget, and ensure that our young people get—

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

PENSION PLANS

Mr. Jim Wilson: My question is to the Minister of Finance. Minister, on September 18, I asked you in question period what the government is doing to resolve an outstanding split pension issue that has been unresolved for years concerning public sector employees who have been affected by past public sector divestments. Your response two weeks ago did not answer my question and was some nonsense about pensions in general, retirement planning and what your government was doing, all stuff we already knew.

I'm not sure if then you couldn't answer my question or what the problem was, but thousands of public sector employees want and deserve an answer. Minister, again today, I'll ask you the same question: What is your government doing to help thousands of paramedics, thousands of MPAC employees and thousands of other public sector workers who are affected by the split pension

issue? And why is it taking your government so long to fix this injustice?

Hon. Charles Sousa: I appreciate the question and I appreciate the concern the member opposite has in regards to pension and reform and the benefits necessary to protect workers, as well as employers. That's why we've taken initial steps, and they're outlined in our budget as well, around enhancement to CPP, for example. We recognize that's a broad-based initiative to help our workers in Ontario. We also included PRRPs, pooled registered retirement plans, to help those who aren't saving.

But to the point that the member opposite requests, we recognize that regulations are coming soon in the fall. We will continue to do our utmost to try to resolve issues going forward.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Jim Wilson: Back to the minister: I really don't think you give a damn at all about these people. I mean—

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

Mr. Jim Wilson: I withdraw, Mr. Speaker.

Minister, I don't understand. I've been at this issue for five years. Thousands of public sector employees are starting to retire. Their employer changed, through no fault of their own, because ambulance services moved to upper-tier government from hospital-based services. MPAC employees used to be property assessment people in your ministry, or the Ministry of Revenue, and they moved to MPAC, and yet their pensions didn't follow them, and they're adversely affected by this. Many of them will be out thousands and thousands of dollars that they paid for. This doesn't cost you money; this is their money.

Now I know the unions run the pensions. Are they running this government on this issue too because they don't want to take the time to transfer the money to the other pension plans run by other unions? I have learned over time, these unions don't get along. Are you in the unions' pockets again—

The Speaker (Hon. Dave Levac): Thank you. Stop the clock. Before any other members get themselves into water that they don't want to be in, I'm going to just tell the member that I'm not happy with his last part and that I would hope we would race to the top and not to the bottom with the kinds of comments that I'm hearing. I'm going to offer the minister an opportunity to answer the question.

Hon. Charles Sousa: Thank you, Mr. Speaker.

It's unfortunate that the premise of the question now is about bashing labour and bashing the very people who are hard-working Ontarians in our province, who are in need of support with their pensions, and that's what we're doing.

Many public sector employees whose pensions are affected by past government-initiated restructuring want consolidation with their split pension entitlements in a single plan. We get that. We've made reforms to the Pension Benefits Act. We've taken regulatory provisions

that are necessary to be initiated before those reforms are implemented. We posted draft regulations in February 2013, consulted up until April 15, 2013. On July 12, 2013, we posted draft regulations on the regulatory registry regarding asset transfers, and we've made consultations that closed in September.

After comments are received and appropriate changes are made, both regulations will be presented to cabinet, and that will happen in the fall of this year.

1120

BEAR CONTROL

Mr. John Vanthof: My question is to the Minister of Natural Resources. Last weekend, a Peterborough woman was out walking her dogs when she was attacked by a black bear. Thankfully, due to the actions of her dogs, she survived. This is the latest in a series of human-annoyance bear encounters across the province. Will it take a tragedy before this government reconsiders its short-sighted decision to scrap the Bear Wise program?

Hon. David Oraziatti: I appreciate the question from the member opposite with regard to this particular issue. I think we're all very relieved that the incident in question that we're speaking about, and that the member is speaking about, didn't result in something more serious. Obviously, our thoughts are with the individual.

As the member pointed out, there has been a number of nuisance bear issues this spring, in particular, and throughout the summer that have been particularly challenging in many northern communities. As a northerner, I take this issue very seriously. Public safety is paramount when it comes to the safety of individuals in northern Ontario and throughout the province of Ontario, for that matter. We are working with our ministry officials to develop a plan that will see a more effective response when it comes to nuisance bear issues in the province of Ontario, as this issue has been raised by members opposite as well as members in our caucus. There are members on this side of the House, as well, who are very passionate about the issue and that care—

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

Mr. John Vanthof: My supplementary is also to the Minister of Natural Resources. The people of Ontario, including northerners, need more than a plan. We need action. The government didn't seem to have a problem with ignoring the safety concerns of northerners or downloading the responsibility of dealing with rogue bears onto the police and northern municipalities. But this latest attack happened just east of Toronto.

Bear attacks are getting harder and harder to ignore, as the minister has acknowledged. Will it take a bear on the south lawn of Queen's Park to force the ministry to do its job and manage wildlife?

Hon. David Oraziatti: As the member knows, when the bear hunt was cancelled in 1999 by the party opposite in the Conservative government—our government took action by extending the fall hunt for bears, and in fact

helped to increase the harvest numbers of bears in the province of Ontario. We know the numbers are relatively stable, but we did help to increase the number of bears harvested across the province by increasing and expanding the fall hunt.

But I certainly take the member's point. This is not an issue that we have been neglecting. This is an issue that we take very seriously, and we are developing a plan. I look forward to the member's support on the plan that we bring forward that will help to more aptly address nuisance bear challenges.

I have to say, Speaker, that with the communities in northern Ontario, the member is well aware that there are not incidents occurring all—

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

RESEARCH AND DEVELOPMENT

Mr. Kevin Daniel Flynn: I've got a question this morning for the Minister of Research and Innovation. Our government recognizes, and I think all members would agree, that our capacity as a province to compete in the global knowledge-based economy depends in large part on how well the province is able to harness its resource strength. Our track record is quite good. As a country, Canada ranks sixth in the world for the quality and the impact of its research; Ontario comprises nearly half of that expertise.

Supporting research and innovation is fundamental to a competitive economy. Ontario businesses invest \$6 billion in research and development every year. That's almost half of Canada's total. Through you, Speaker, to the Minister of Research and Innovation, what is the provincial government doing further to support and advance research and development in our province?

Hon. Reza Moridi: I would like to thank the member from Oakville for that question. Mr. Speaker, Ontario's research and development initiatives have always been in the forefront and a most important priority for this government. Research and innovation creates good-value jobs and also it's the engine of the economy for tomorrow.

Our government has committed \$557 million to recent projects through the Ontario Research Fund—Research Excellence program. This program and the recipients of this program have leveraged \$1.2 billion in funding from private and institutional sources. We have also committed \$760 million to Ontario Research Fund—Research Infrastructure program. This program has leveraged \$1.4 billion of investment from other sources. Through this program we are funding 1,600 research projects across the province for their infrastructure and equipment costs.

Mr. Speaker, I am proud that our government's investment in research and innovation has kept us at the—

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

Mr. Kevin Daniel Flynn: I'm glad to hear that our government is continuing to invest in the research and

development initiatives right here in the province. I think we'd all agree in this House that we know that's going to help create jobs and spur the economic growth that we all want. It's going to allow us, if we do this, to continue to build an economic climate that offers the right conditions the businesses are asking for to grow and create those jobs.

We provide the necessary resources and support for researchers. We know that that's critical to the economic prosperity of this province, in both the short term and the long run. We know we want to support world-class research and we need to commercialize those technologies from the research stage, but through you, Speaker, to the Minister of Research and Innovation: What other specific government programs are in place that will support enhanced research and development in this province?

Hon. Reza Moridi: Again I want to thank the member from Oakville for that question. Our government recognizes the importance of supporting necessary means for researchers and businesses to move their ideas and innovations from the labs to commercialization.

One of the initiatives of our government is the Early Researcher Awards program to help newly appointed researchers at our research institutions build their team. The recipients of this initiative and this program have trained 13,000 highly qualified researchers for the province of Ontario.

Another initiative which we have been following is to assist the Ontario Institute for Cancer Research to create 1,600 high-quality jobs. Actually, yesterday I had the pleasure, with the member from Whitby–Oshawa, of visiting the Ontario Institute for Cancer Research. They are conducting world-class research. We are so proud of the work they do in order to cure cancer and to manage this very dreadful disease. We are glad to report that we are in the forefront—

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

ABORIGINAL LAND DISPUTE

Mr. Toby Barrett: To the Acting Premier: On July 12, under the authority of the Health Protection and Promotion Act, an illegal burger shack in Caledonia was ordered closed. Then, on July 22, a cease-and-desist order was issued by the Ontario Superior Court of Justice.

This burger shack is on MTO property, and the court order names your Minister of Infrastructure, but you have not closed this burger shack.

Acting Premier, it's been two and a half months since the court order was issued. Why do you feel your government is above the law in disobeying this court injunction?

Hon. Charles Sousa: The Minister of Aboriginal Affairs.

Hon. David Zimmer: Thank you for that question. As the member opposite knows, those issues regarding the burger shack are before the court today, as we speak—in front of the Superior Court on both issues. Until the court deals with that today and renders its decision, it would be

inappropriate for anyone in this House to comment on that.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Toby Barrett: Acting Premier, this is to you: a condemned burger shack next to an illegal smoke shack; it's on government land adjacent to provincial Highway 6. There's no potable water, no sink to wash your hands, no refrigeration and intermittent power. It's clearly a threat to public health.

Now, as we know, the Haldimand-Norfolk Health Unit is trying to get a contempt-of-court ruling against your Minister of Infrastructure. I think you would agree it's unusual for a medical officer of health to have to get a contempt-of-court ruling against a minister of the crown.

What will it take for your government to apply the rule of law? Acting Premier, will you ask your minister, who is now and could be in contempt of court, to step aside until this gets resolved?

Interjections.

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

Minister?

Hon. David Zimmer: The member opposite knows full well that when issues of this importance are before the court, it's inappropriate for anyone to comment on the case. Those issues—

Interjections.

Mr. Gilles Bisson: EllisDon is before the courts.

The Speaker (Hon. Dave Levac): I didn't get things quiet for you to have another heckle.

Finish, please.

1130

Hon. David Zimmer: As we speak, this very moment, those issues are being heard before the Superior Court of Ontario, by a judge of that court, and you are being disrespectful by trying to raise those questions in the middle of a court hearing over in Brantford today. The member opposite knows better than that.

Interjections.

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

New question.

ENVIRONMENTAL PROTECTION

Mr. Peter Tabuns: To the Acting Premier: City leaders from Hamilton to Kingston are raising serious questions about the safety of Enbridge's proposal to reverse its Line 9 pipeline and pump tar sands crude right across Ontario. The Ontario government also has concerns. This summer, the Ministry of Energy asked Enbridge some important questions—questions about the risks posed by a Line 9 reversal to wetlands, shorelines and the drinking water of millions of Ontarians.

Unbelievably, Enbridge refused to answer those questions. How can the government ensure that Line 9 will be safe when it can't even get answers from Enbridge?

Hon. Charles Sousa: Minister of Rural Affairs.

Hon. Jeff Leal: We all have an interest in the transportation of energy resources and economic benefits that follow. In Ontario, we have a number of expectations around these kinds of projects. We expect that the highest safety and environmental standards will be met. The duty to consult with First Nations and all peoples must be met. Communities must be consulted in an open, transparent and accessible fashion.

Pipelines that cross provincial boundaries are federal decisions under the jurisdiction of the National Energy Board. Ontario has actively intervened in these hearings to ensure that the best interests of Ontarians are protected, including our safety, environment, jobs and economy.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Well, when matters affect the environment that Ontarians depend on, Ontario has the power and responsibility to act.

Three years ago, an Enbridge pipeline spilled millions of litres of heavy crude into the Kalamazoo River in Michigan, causing over \$1 billion worth of damage.

The National Energy Board process concerning Line 9 doesn't examine all of the environmental aspects, and the Ontario government can't even get basic safety questions answered by Enbridge. Quebec has set up its own public consultations. Why won't the Liberal government stand up for Ontarians' drinking water and their watersheds, and call your own full environmental assessment on the pipeline reversal?

Hon. Jeff Leal: Pipelines that cross provincial boundaries are under the jurisdiction of the National Energy Board. The National Energy Board has a very rigorous process to ensure that safety and environmental standards are met. We expect the NEB to give careful consideration to all of the facts and presentations prior to making any decisions.

As we have in past hearings, Ontario has participated to stress the importance of aboriginal and public consultations. All governments have a duty to ensure that decisions made regarding large infrastructure projects, such as pipelines, include appropriate and meaningful public discussion. We continue to closely monitor the process and the health, safety and environmental impacts of this project. I would suggest that Mr. Mulcair in Ottawa may want to ask some questions on behalf of Ontario.

MINISTRY GRANTS

Mr. Grant Crack: My question is to the very dedicated Minister of Aboriginal Affairs. We all agree that communities across this province need funding for capital projects that enable and support social and economic development, and this includes our aboriginal communities. Investing in aboriginal communities is a priority for our government, and creating an opportunity for everyone in Ontario is a benefit to all of us.

One program that is a good example of our government's efforts to invest in aboriginal communities is the Aboriginal Community Capital Grants Program. This

program is bringing funding to communities across the province, and is leading to more opportunities and more jobs in aboriginal communities across the province.

Speaker, could the minister tell us about the capital grants program and the benefits it is providing to our aboriginal people here in Ontario?

Hon. David Zimmer: This is an important question. Our government's Aboriginal Community Capital Grants Program helps First Nations and aboriginal organizations build or renovate community centres or small business centres. These centres support community development and new business opportunities, and can provide employment opportunities and tools that improve job skills and wellness for aboriginal people.

In 2013-14, my ministry will invest approximately \$3 million in infrastructure projects through this grant program. Since October 2003, the Aboriginal Community Capital Grants Program has provided more than \$30.7 million to aboriginal communities through 112 major and minor capital grants programs and feasibility studies.

We continue to support community capital grant development for First Nations and aboriginal—

The Speaker (Hon. Dave Levac): Answer.

Hon. David Zimmer: These are just examples of the range of programs that are available through this capital grants program. It's a way in which the province is demonstrating that it wants to work with aboriginal communities to provide jobs.

VISITORS

Hon. Charles Sousa: Mr. Speaker, I'm hoping that members of this House could join me in welcoming Yeama Thompson, Sierra Leone country director for Journalists for Human Rights, Canada's largest media development organization, who is joined by Kathryn Sheppard here in the House today.

DEFERRED VOTES

TIME ALLOCATION

The Speaker (Hon. Dave Levac): We have a deferred vote on the motion for allocation of time on government order number 8.

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

The division bells rang from 1136 to 1141.

The Speaker (Hon. Dave Levac): On October 2, Mr. Milloy moved government notice of motion number 23.

All those in favour, rise one at a time and be recognized by the Clerk.

Ayes

Albanese, Laura	Hardeman, Ernie	Milloy, John
Arnott, Ted	Harris, Michael	Moridi, Reza
Bailey, Robert	Holyday, Douglas C.	Munro, Julia
Balkissoon, Bas	Hudak, Tim	Murray, Glen R.
Barrett, Toby	Hunter, Mitzie	Naqvi, Yasir
Bartolucci, Rick	Jackson, Rod	Nicholls, Rick

Berardinetti, Lorenzo	Jaczek, Helena	O'Toole, John
Bradley, James J.	Jeffrey, Linda	Oraziotti, David
Cansfield, Donna H.	Jones, Sylvia	Ouellette, Jerry J.
Chudleigh, Ted	Klees, Frank	Pettapiece, Randy
Clark, Steve	Kwinter, Monte	Piruzza, Teresa
Colle, Mike	Leal, Jeff	Sandals, Liz
Coteau, Michael	Leone, Rob	Scott, Laurie
Crack, Grant	MacCharles, Tracy	Sergio, Mario
Damerla, Dipika	MacLaren, Jack	Shurman, Peter
Del Duca, Steven	MacLeod, Lisa	Smith, Todd
Delaney, Bob	Mangat, Amrit	Sousa, Charles
Dhillon, Vic	McDonnell, Jim	Thompson, Lisa M.
Duguid, Brad	McKenna, Jane	Walker, Bill
Dunlop, Garfield	McMeekin, Ted	Wilson, Jim
Elliott, Christine	McNaughton, Monte	Wong, Soo
Fedeli, Victor	McNeely, Phil	Yakabuski, John
Flynn, Kevin Daniel	Meilleur, Madeleine	Yurek, Jeff
Fraser, John	Miller, Norm	Zimmer, David
Gravelle, Michael	Milligan, Rob E.	

The Speaker (Hon. Dave Levac): All those opposed will rise one at a time and be recognized by the Clerk.

Nays

Armstrong, Teresa J.	Hatfield, Percy	Sattler, Peggy
Bisson, Gilles	Horwath, Andrea	Schein, Jonah
Campbell, Sarah	Mantha, Michael	Singh, Jagmeet
DiNovo, Cheri	Marchese, Rosario	Tabuns, Peter
Fife, Catherine	Miller, Paul	Taylor, Monique
Forster, Cindy	Natyshak, Taras	Vanthof, John
Gélinas, France	Prue, Michael	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 74; the nays are 20.

The Speaker (Hon. Dave Levac): I declare the motion carried.

Motion agreed to.

VISITORS

Mr. Rob E. Milligan: A point of order, Mr. Speaker: I just want to welcome St. Mary's Catholic Elementary School from the fine village of Grafton, from my great riding of Northumberland-Quinte West, here at Queen's Park today.

The Speaker (Hon. Dave Levac): There are no deferred votes. This House stands recessed until 1 p.m.

The House recessed from 1145 to 1300.

MEMBERS' STATEMENTS

LEONARD PARTRIDGE

Mr. Randy Pettapiece: Throughout Perth-Wellington, there are people whose dedication to their community shines through in all that they do. Leonard Partridge was one such person. Leonard died on September 4 at the age of 91.

Year after year, he worked hard to the benefit of his family, his neighbours and those who needed a hand. He wore many hats: farmer, electrician, fisherman, Lions Club president, Sunday school teacher, husband and father, to name just a few.

I knew him through the Lions Club. In addition to his service as president, he was a member for some 38 years. Leonard was legendary as a champion ticket seller for the Lions. He would routinely sell an incredible one third of

the roughly 1,200 tickets sold each year for the Lions yearly fundraiser. He continued to sell tickets late in his life, even after a stroke a number of years ago made him unable to speak.

He was the first Monkton Lion to receive the Melvin Jones award, the organization's highest honour, in recognition for his humanitarian work.

To his children and grandchildren, he will be missed. To his community and all the people whose lives he improved, he will be missed.

WINDSOR RESIDENCE FOR YOUNG MEN

Mr. Percy Hatfield: Last night at the Caboto Club in Windsor, more than 500 people came out for a tasty pasta dinner in order to help raise money for the Windsor Residence for Young Men. They also celebrated the first anniversary of this wonderful community asset in the Windsor-Essex county area.

Until a year ago, Windsor was the only major city in Canada without a facility dedicated to homeless young men who wished to get their lives back on track, be it through school or employment. We were fortunate to have three such facilities for women in our area but, until then, our young men were left out in the cold.

It took 11 years and the tireless dedication of my friend Greg Goulin, a well-known criminal defence lawyer in Windsor, to achieve this goal. We have about 100 homeless young men trying to stay in school while couch surfing. Greg saw the need, he met the challenge and made it happen. Twelve young men woke up this morning in a safe, warm environment.

During the first nine months, the residence took in more than 50 homeless young men between the ages of 16 and 20: 25 were attending school; four had employment of some sort; nine more found jobs while in residence; 19 have gone on to independent living; and 12 have returned to family but not necessarily their previous home.

The Windsor Residence for Young Men works because of the many volunteers who spend time there assisting staff. The Windsor Residence for Young Men is meeting a need that could use more support from the various orders of government. I urge the province to find out more about this great organization.

I applaud Greg Goulin for his leadership and the dedication of his many volunteers who have made the Windsor Residence for Young Men a true success story in our community.

KOREAN NATIONAL FOUNDATION DAY

Ms. Soo Wong: I'm pleased to rise today to speak about Korean National Foundation Day. October 3 is recognized nationally as Korean National Foundation Day. It celebrates the founding of Korea. It is also the 51st anniversary of the establishment of diplomatic relations between South Korea and Canada.

Almost half of all Koreans in Canada call Ontario home, and I'd like to thank all the Koreans for all the hard work they do in our communities and our province. The many ways in which this community contributes to the greater fabric of our province both in an economic and cultural sense should be applauded.

Ontario has sent trade missions to South Korea and hosted many delegates from the great country, forming bonds of business and friendships that produce real benefits.

In 2012, Ontario's goods exports to South Korea of \$446 million were concentrated in metals, synthetic rubbers, machinery and parts. Ontario imported over \$4.3 billion from Korea in 2012, a significant part of which was in the motor vehicle sector. This highlights the mutually beneficial relationship we share with these valued trade partners, particularly in the automotive manufacturing sector.

To our Korean friends, we want to say thank you and wish you the best day today as you celebrate Korean National Foundation Day.

NORFOLK COUNTY FAIR

Mr. Toby Barrett: The 173rd edition of the Norfolk County Fair starts October 8. Speaker, I know your family has attended in the past. It carries through to October 14. It's the largest rural fair in Ontario: 107,000 people came out last year.

Following on a sold-out show of 36,000 people for Mumford & Sons at the fairgrounds, this year is offering some fantastic music: Canadian music sensation Carly Rae Jepsen and country music stars Big & Rich. More in my generation, there's a lineup performing under Sail Rock, including stars like Christopher Cross; Gary Wright, the Dream Weaver; and John Ford Coley. The grandstand also features a demolition derby, a monster truck show, tractor pulls, and there's a daily Wild West show.

The grandstand creates the buzz; however, the fair doesn't forget its roots. It's the Norfolk County Fair and Horse Show: goat and cattle shows; sheep—I know I present a trophy at the sheep show; horse hitching; cow milking and sheep shearing. You will also see at the fair a collection of pumpkins that are well over 1,000 pounds, and I'm going to try to load one of them on my 1953 Chev truck.

The Speaker (Hon. Dave Levac): Good luck.

EVENTS IN ALGOMA-MANITOULIN

Mr. Michael Mantha: Not only is Algoma-Manitoulin a beautiful place to live and explore but we are home to some of the province's most accomplished artists.

Last week, we hosted the Sylvan Circle tour. Over 47 artists and artisans participated. The complete tour spans 100 kilometres, from Bruce Mines to Echo Bay, and is held in various community centres, studios, backyards, barns—and the list goes on. The event drew visitors from

across the province who discovered what it means for artists to live and work in their communities.

Also, this past weekend, Elliot Lake hosted their annual Arts on the Trail event, which was extremely well attended. Over 21 artists displayed their work, including paintings, stained glass, wood carvings and photography. I was impressed with the talent I saw.

However, one artisan particularly caught my eye. Conrad Bobiwash is an educator and designer and was influenced by Tom Thomson and the Group of Seven. He was one of the few aboriginal artists that formally exhibited with A.J. Casson in the 1970s. It was while in conversation with this elder of Canadian art that he realized that one must be true to his heart and creativity. One of his pieces is now hanging in my office, and I welcome you to all come and see it, along with many other pieces of art from Algoma-Manitoulin.

If you are looking for something to do this weekend, I invite you all to the Taste of Manitoulin. This is a fun-filled, colourful festival highlighting, sharing and celebrating Manitoulin's cultural diversity, including unique island culinary delights.

Not only do these events highlight the island, but you are all welcome to enjoy them.

COMMUNITY HEALTH SERVICES

Mr. Lorenzo Berardinetti: I rise today to speak on the funding announcement that the Ontario Trillium Foundation made on behalf of the government on September 30, 2013, in Scarborough Southwest at the AccessPoint on Danforth on the occasion of the launch of Community Health and Wellbeing Week.

Mr. Speaker, I had the opportunity to represent the Minister of Health and Long-Term Care at this event, and I am pleased to say that the funding of \$199,200 to the Association of Ontario Health Centres will increase the capacity of Ontario's health centres and aboriginal health access centres to develop a community health and well-being strategy incorporating measures used by the Canadian Index of Wellbeing.

The AOHC works to promote public policy that supports health and well-being and that emphasizes health promotion and illness prevention through a strong focus on the social determinants of health. The AOHC also helps to eliminate systemic barriers to health and to champion health equity.

We know that a sustainable health care system means that we must focus on improving wellness and enhancing support in the community. That's why we're taking action to ensure that our youngest Ontarians get the best start in life and that our oldest Ontarians have access to critical fall-prevention classes and physiotherapy services.

1310

HORSE RACING INDUSTRY

Mr. John O'Toole: Durham region is the legendary home of the horse racing industry in Ontario, both thoroughbred as well as standardbred horses.

The Ontario horse racing industry reported last week that 9,000 jobs have been lost since the Wynne government cancelled the successful Slots at Racetracks partnership. The association points out that job losses in the industry are double the worldwide job loss forecasts for BlackBerry, all because of a poorly considered decision to cancel the program.

When BlackBerry layoffs were announced, the Wynne government quickly responded by extending the contract of a specialized job action centre and promised to stand with BlackBerry and its workers. Indeed, it is important to help laid-off workers get back on their feet as soon as possible. However, not the same courtesy is being given to these hard-working, dedicated people.

It is important, as I said, and I urge this government to make some effort, to help rural Ontario workers who don't have jobs to go to today because of the unilateral decision to cancel the partnership program. At least 3,000 horse owners have left the industry, and that's a loss of investment of over \$1 billion.

On behalf of the entire horse racing sector in Ontario, I urge this government not to ignore the dedicated hard workers who have lost their livelihood because of this thoughtless and careless decision to cancel the horse racing program. Furthermore, please make a decision before—

The Speaker (Hon. Dave Levac): Thank you. Members' statements.

SENIORS' FUN FAIR

Mrs. Amrit Mangat: I'm pleased to share with this House that recently I had the opportunity to attend the 12th annual Seniors' Fun Fair. The fair is held every year in my great riding of Mississauga–Brampton South.

The name of the fair, Seniors' Fun Fair, is a bit of a misnomer. In fact, the fair is attended by not only the seniors; it is a family fun fair. It is attended by almost 5,000 seniors, young men, ladies, boys and girls from the cities of Mississauga and Brampton, who take part in different sports, such as shot put, tug of war, musical chairs, spoon race, three-legged race, sack race, kabaddi etc. Local businesses support the fair.

What an exciting event, especially when our seniors take upon themselves the task of advancing the mental and physical health of our communities.

The Indian International Seniors Club deserves kudos for organizing such a community event, which is growing every year.

CHRONIC OBSTRUCTIVE PULMONARY DISEASE

Mrs. Julia Munro: I rise today in the House to speak on an issue that is affecting Ontarians across this province. Chronic obstructive pulmonary disease, or COPD, is one of the leading causes of death in our province. Usually caused by smoking, COPD includes chronic

bronchitis and emphysema, and frequently affects people in the most productive years of their lives.

In Ontario, over 853,000 people live with COPD, and the number of individuals with COPD is only increasing. COPD is expected to become the third leading cause of death in Canada by 2020. One in four people in our province is likely to be diagnosed and receive medical attention for COPD in their lifetime.

Recently, at the Southlake Regional Health Centre, which services many of the people in my riding, they had to cut their respiratory rehabilitation program, which was available to COPD patients. My constituents are dependent on these services and looking to the development of alternatives to provide care.

What is equally concerning is that while other diseases like diabetes have funding available from the establishment of single-disease strategies, there is no such strategy in place for COPD. It is clear that the establishment of a strategy will help reduce the burden and suffering which COPD patients experience every day.

The Speaker (Hon. Dave Levac): I thank all members for their comments.

NOTICE OF DISSATISFACTION

The Speaker (Hon. Dave Levac): Pursuant to standing order 38(a), the member from Haldimand–Norfolk has given notice of his dissatisfaction with the answer to his question given by the Minister of Aboriginal Affairs concerning health and safety relating to an illegal smoke shack in Caledonia. This matter will be debated next Tuesday at 6 p.m.

PETITIONS

PHYSIOTHERAPY SERVICES

Mr. John O'Toole: I'm pleased to be able to speak on behalf of my constituents in the riding of Durham. This petition reads as follows:

"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 1, 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 100-150 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 5-10 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 fall risks;

“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 service providers.”

I’m pleased to sign it and support it and send it with Katherine.

TAXATION

Ms. Sarah Campbell: I have a very important petition here which reads:

“To the Legislative Assembly of Ontario:

“Whereas the cost of living in northwestern Ontario is significantly higher than other regions of the province due to the high cost of necessities such as hydro, home heating fuel, gasoline and auto insurance; and

“Whereas an increase in the price of any of these essential goods will make it even more difficult for people living in northwestern Ontario to pay their bills and put food on the table;

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

“To reject any proposed increase to the harmonized sales tax, gas tax or any other fees or taxes in the northwest; and instead investigate other means such as increasing corporate tax compliance or eliminating corporate tax loopholes in order to fund transit in the greater Toronto and Hamilton area.”

I fully support this petition, will affix my signature and will give it to page Ravicha to deliver to the table.

FISHING REGULATIONS

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

“Whereas the Ontario Fishing Regulations Summary is printed each year by the Ministry of Natural Resources and distributed to recreational fishermen throughout the province to inform them of all the relevant seasons, limits, licence requirements and other regulations; and

“Whereas this valuable document is readily available for anglers to keep in their residence, cottage, truck, boat,

trailer or on their person to be fully informed of the current fishing regulations; and

“Whereas the MNR has recently and abruptly drastically reduced the distribution of the Ontario Fishing Regulations Summary such that even major licence issuers and large fishing retailers are limited to one case of regulations per outlet; and

“Whereas anglers do not always have access to the Internet to view online regulations while travelling or in remote areas;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately return the production of the Ontario Fishing Regulations Summary to previous years’ quantities such that all anglers have access to a copy and to distribute them accordingly.”

I affix my signature in support.

1320

GOVERNMENT SERVICES

Mr. Michael Mantha: “To the Legislative Assembly of Ontario:

“Whereas northern Ontario will suffer a huge loss of service as a result of government cuts to ServiceOntario counters;

“Whereas these cuts will have a negative impact on local businesses and local economies;

“Whereas northerners will now face challenges in accessing their birth certificates, health cards and licences;

“Whereas northern Ontario should not unfairly bear the brunt of decisions to slash operating budgets;

“Whereas regardless of address, all Ontarians should be treated equally by their government;

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

“Review the decision to cut access to ServiceOntario for northerners, and provide northern Ontarians with equal access to these services.”

I support this petition and present it to page Sean, who will bring it down to the Clerks.

ONTARIO COLLEGE OF TRADES

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

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

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

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

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

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

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

As I am in agreement, I have attached my signature and given it to page Efua.

HYDRO RATES

Ms. Sarah Campbell: “To the Legislative Assembly of Ontario:

“Whereas home heating and electricity are essential utilities for northern families;

“Whereas the government has a duty and an obligation to ensure that essential goods and services are affordable for all families living in the north and across the province;

“Whereas government policy such as the Green Energy Act, the harmonized sales tax, cancellation of gas plants in Oakville and Mississauga have caused the price of electricity to artificially increase to the point it is no longer affordable for families or small business;

“Whereas electricity generated and used in northwestern Ontario is among the cleanest and cheapest to produce in Canada, yet has been inflated by government policy;

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

“To take immediate steps to reduce the price of electricity in the northwest and ensure that residents and businesses have access to energy that properly reflects the price of local generation.”

I support this, will affix my signature, and give it to page William to deliver to the table.

HEALTH CARE FUNDING

Mr. John O’Toole: Thank you very much, Mr. Speaker, for this opportunity to present a petition from the riding of Durham, which reads as follows—this may be outdated, too:

“Whereas the Ontario Ministry of Health and Long-Term Care unilaterally introduced cuts to the ophthalmology funding for physician services and diagnostic testing, retroactive to April 1, 2012; and

“Whereas the legislated cuts to the funding for ophthalmology diagnostic tests are up to 80%; and

“Whereas these cuts were implemented without consulting physicians about the impact such cuts will have on the health care of patients” in Ontario;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to protect ophthalmology services and consult with the physicians before making cuts” to other health care programs in Ontario.

I’m pleased to sign and support it and present it to Peyton, one of the finest pages here.

ALL-TERRAIN VEHICLES

Mr. Michael Mantha: Here we are in hunting season; this is a very important petition.

“To the Legislative Assembly of Ontario:

“Whereas these vehicles are as safe as any motorcycle carrying a passenger since all of the manufacturers of the ‘2-up machines’ have redesigned their original models by extending the wheel bases, beefing up their suspension to allow the carriage of passengers on the machine safely and providing a rear seat, many with handholds;

“Whereas the privilege to ride on secondary highways and trails with two people on a recreational vehicle is denied to off-road vehicles (ORV) operators but is granted to snowmobiles;

“Whereas the definition of an all-terrain vehicle (ATV) in regulation 316/03 no longer reflects the majority of ATVs being marketed and sold in Ontario;

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

“Amend the definition of an ATV to include those that are: (a) designed to carry a passenger; (b) with more than four tires and designed to carry passengers; (c) without a straddle seat; and (d) carries passengers and has a steering wheel.”

I agree with this petition and present it to page Pratah to bring it down to the Clerks.

AIR QUALITY

Mr. Jerry J. Ouellette: “Whereas Ontario’s Drive Clean program was implemented only as a temporary measure to reduce high levels of vehicle emissions and smog; and

“Whereas vehicle emissions have declined so significantly from 1998 to 2010 that they are no longer among the major domestic contributors of smog in Ontario; and

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

“Whereas the current government has ignored advances in technology and introduced a new, computerized emissions test that is less reliable, and prone to error; and

“Whereas the Auditor General identified that Drive Clean has had little to no impact on the reduction of emissions in Ontario and that the program’s pass rate has exceeded 90% every year since 2004; and

“Whereas the Auditor General’s No. 1 recommendation is for the government to ‘formally evaluate the extent to which the Drive Clean program continues to be an effective initiative’;

“We, the undersigned, petition the Legislative Assembly of Ontario to take immediate steps to begin phasing out the Drive Clean program.”

I affix my signature in support.

COMMUNITY HEALTH CENTRE

Ms. Sarah Campbell: “To the Legislative Assembly of Ontario:

“Whereas the Mary Berglund Community Health Centre is recognized as one of the leading primary care providers in northwestern Ontario, providing essential services to those living in not only Ignace, but across northwestern Ontario; and

“Whereas a 2010 rent increase by the government of Ontario has threatened the long-term viability of the health centre’s operations; and

“Whereas the rent being charged to the Mary Berglund Community Health Centre is much higher than rent being charged to similar operations in other communities and far surpasses ‘market rent’ for a small community in northwestern Ontario;

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

“To immediately rectify the situation and ensure the long-term viability of the Mary Berglund Community Health Centre by either reducing rent, transferring ownership of the building to the Mary Berglund Community Health Centre, or through capital funds to build a new facility that better suits the community’s needs.”

I support this petition and will affix my signature and give it to page Ravicha to deliver.

PHYSIOTHERAPY SERVICES

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

“Whereas the Ministry of Health is planning to delist OHIP physiotherapy clinics as of August 1st, 2013, which represents cuts in physiotherapy services to seniors, children and people with disabilities who currently receive care at designated OHIP physiotherapy clinics; and

“Whereas people who are currently eligible for OHIP physiotherapy treatments can receive 100 treatments per year plus an additional 50 treatments annually if medically necessary. The proposed change will reduce the number of allowable treatments to 12 per year; while enhancing geographical access is positive, the actual physiotherapy that any individual receives will be greatly reduced; and

“Whereas the current OHIP physiotherapy providers have been providing seniors, children and people with disabilities with individualized treatments for over 48 years, and these services have been proven to help improve function, mobility, activities of daily living, pain, and falls risk;

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

“To review and reverse the decision to drastically cut OHIP physiotherapy services to our most vulnerable population—seniors, children and people with disabilities; and to maintain the policy that seniors, children and people with disabilities continue to receive up to 100 treatments per year at eligible clinics, with a mechanism

to access an additional 50 treatments when medically necessary.”

I affix my signature in support.

LONG-TERM CARE

Mr. Michael Mantha: Of course, this summer I collected another couple of hundred signatures on this particular issue.

“To the Legislative Assembly of Ontario:

“Whereas Ontario ranks ninth of 10 provinces in terms of the total per capita funding allocated to long-term care; and

“Whereas the Ontario Ministry of Health and Long-Term Care data shows that there are more than 30,000 people in Ontario waiting for long-term-care placements and wait-times have tripled since 2005; and

“Whereas there is a perpetual shortage of staff in long-term-care facilities and residents often wait an unreasonable length of time to receive care—e.g. to be attended to for toileting needs; to be fed; to receive a bath; for pain medication. Since 2008, funding for 2.8 paid hours of care per resident per day has been provided. In that budget year, a promise was made to increase this funding to 4.0 hours per resident per day by 2012. This has not been done; and

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“Whereas the personal support worker program has no provincial governing body that would provide provincial standards and regulation to assure the best care for residents who are being admitted with higher physical, psychological and emotional needs. Currently, training across the province is varied, inconsistent and insufficient;

“We, the undersigned, petition the Legislative Assembly of Ontario to:

“(1) immediately increase the number of paid hours of nursing and personal care per resident per day to 4.0 hours (as promised in 2008);

“(2) develop a plan to phase in future increases so that the number of paid hours per resident per day of nursing and personal care is 5.0 hours by January 2015;

“(3) establish a licensing body, such as a college, that will provide registration, accreditation and certification for all personal support workers in the province.”

I certainly agree with this petition and present it to Peyton to bring it down to the Clerks.

PRIVATE MEMBERS’ PUBLIC BUSINESS

ARCHIVES AND RECORDKEEPING AMENDMENT ACT, 2013

LOI DE 2013 MODIFIANT LA LOI SUR LES ARCHIVES PUBLIQUES ET LA CONSERVATION DES DOCUMENTS

Mr. Tabuns moved second reading of the following bill:
Bill 102, An Act to amend the Archives and Recordkeeping Act, 2006 to impose penalties for

offences relating to public records of archival value / *Projet de loi 102, Loi modifiant la Loi de 2006 sur les Archives publiques et la conservation des documents pour imposer des peines en cas d'infraction relative aux documents publics ayant un intérêt archivistique.*

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

Mr. Peter Tabuns: Speaker, today, I put forward a bill to impose penalties for destruction of public records. To be honest, I never thought I'd have to put forward such a bill. I thought that such matters would have been taken care of.

But a few months ago, I was surprised to find that not only were public records being destroyed, but indeed there was no penalty for destroying them. My Liberal colleagues on the justice committee, in the course of the gas plant scandal, have made strong arguments that, really, almost every record should be destroyed unless it is specifically identified as one that should be kept. I've taken a leaf from the NDP government of Manitoba to propose that public records should be protected and that there should be a penalty of up to \$50,000 for intentional destruction of records that should be turned over to the Archives of Ontario.

The bill is not long; it's one page—not an awful lot of detail. My guess is that everyone in this room can read it at a very good clip. I'm going to get back to that detail later in the speech.

What I want to talk about is how we got here today. In 2006, the Liberal government passed Bill 152, which, amongst other things, updated the Archives Act, and then that government promptly forgot about the existence of the bill. Legions of ministers came and went. Legions of political staff went in and out of those ministers' offices. The law that was proclaimed so loudly back in 2006 was forgotten about, mouldered away in a digital vault, forgotten.

So, Speaker, once you go back to that act, why was it brought forward? There were three purposes given for the act:

“(a) to ensure that the public records of Ontario are managed, kept and preserved in a usable form for the benefit of present and future generations;

“(b) to foster government accountability and transparency by promoting and facilitating good record keeping by public bodies; and

“(c) to encourage the public use of Ontario's archival records.”

The central purpose is the one that is most important to us here today: to foster government accountability and transparency by promoting and facilitating good record keeping by public bodies. If there are no records, and given that human memory can be fallible—and frankly, on this committee I've found a great deal of fallibility and weakness in human memory—then you can spread a blanket of darkness over the activities of a government. None needed that blanket more than this government

because of the activities it engaged in that didn't serve the public well and in fact undermined the public interest.

So I move on to the story of the gas plant scandal and how that has illustrated the total need for penalties, to ensure that records aren't destroyed.

In 2005, the government of Ontario directed the newly formed Ontario Power Authority to sign a contract with Eastern Power Developers for a plant in Mississauga. In 2008 the Liberal government directed the OPA to secure a power plant in Oakville. In both cases, the Liberals ignored prominent and substantive warnings, both in this chamber and in the general public, that they were making substantial mistakes.

In fact, in the Oakville case, within six months of signing that contract, the Liberal government was looking for all kinds of ways to cancel it. Within six months of putting yourself on the hook for potentially up to \$1 billion in costs, they were looking desperately for ways to get out.

Within a year of contracting that Oakville plant, they cancelled that contract, opening the people of Ontario up to all kinds of liabilities. A contract was broken; an election was coming. To tell you the truth, Speaker, when you have that situation, you have a whole bunch of people who don't particularly want to have the door opened, a light shone in, and public understanding.

In 2011, even closer to the election, Eastern Power Developers got financing and a building permit and went ahead to build a power plant in Mississauga. From the records that were left, that weren't deleted, it was clear this generated quite a fair amount of frenzy in Liberal ranks. One of the options that was being looked at was allowing the plant to be built and, frankly, to just ensure it was never called on to produce power. But I assume that would have looked a bit too tawdry, so they abandoned that one.

We all know where this story leads. The Liberals saved enough seats to become a minority government but didn't get enough seats to block an inquiry. That is where this story leads.

In 2012, there was a fight in this Legislature, a tough fight of filibuster and delay, to ensure that records didn't get released—a very tough fight. Now that we've had a chance to look at what was there, I understand why they fought so hard.

The Liberals in 2012 were directed by this Legislature to produce correspondence and records, electronic or otherwise, from the Minister of Energy's office, from the Ministry of Energy and from the Ontario Power Authority. As you may well remember, when those documents first came out, there were many, many holes, but most interesting of all is that there was not a single document from the Minister of Energy's office—not one. Zero. None.

Within a few weeks of that first release of documents, it was very clear that there were these huge holes. In fact, the government's position became indefensible. They went back. They disgorged tens of thousands more documents, but still not a single document from the office of the Minister of Energy or his staff—none.

A committee was to start examining this matter in October 2012, and within days of that committee going to start, this House was prorogued. Frankly, from having read numerous emails and numerous communications, it's clear that the gas plant scandal was central to that decision to prorogue.

When the House came back, we started to question staff about what had happened and the records that they were supposed to provide. One of the most interesting was Mr. Craig MacLennan, the former chief of staff to energy ministers Duguid and Bentley. He came before us to testify. I have to say, in a man so young, it was tragic to see such early loss of memory. You would think he was a much older man, to have had such difficulty in recalling everyday events.

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I have to say, most startling to me, Speaker, was his response to my question about his emails, because I did ask him, "Mr. MacLennan, you provided nothing," and his response was, "By the sheer volume of documents that I get, I tend not to save emails, based on the capacity of my email account, but I know that the ministry legal counsel and the OPA does save them. I myself don't, and regularly delete emails." I was a bit surprised, Speaker.

"So you archive nothing? Everything is gone?" I asked him, and he said, "Correct. I don't know how to archive anything. I don't know what that means."

Well, you've got to give the guy a gold star for honesty. You've got to notice that here's someone who stood up and said, "I cleared the decks. It's all gone."

What was a puzzle to me was how he could be the chief of staff in such a critical position with such a bad memory and no written records at the same time.

Interjection.

Mr. Peter Tabuns: Not at the same time.

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): Minister of Training, Colleges and Universities, would you come to order, please?

Mr. Peter Tabuns: Speaker, I seem to have stirred some interest on the Liberal benches; there's a fair amount of noise coming from over there. Often, Thursday afternoon is a very sleepy time, and I appreciate the fact that my legislation has created so much interest.

When I went to read the Archives and Recordkeeping Act, because I knew there were laws governing this, it was pretty clear that Mr. MacLennan and his colleagues were supposed to be saving those records. The letter of the law is pretty clear: "For the purposes of this act, a record is a record of archival value if ... it relates to ... the development or implementation of a law or of a policy or decision of a public body, a legislative body or any other person or entity...."

But there is no penalty in this statute—none. So I filed a complaint with the Information and Privacy Commissioner because she is our safeguard for freedom of information. She has an interest in these matters. She assessed the situation, and I'll quote her comments from

the Toronto Star: "It's clear they didn't want anything left behind in terms of a record on these issues," Information and Privacy Commissioner Ann Cavoukian said Wednesday." In fact, the Star reported, "Top Liberal staffers—even in former Premier Dalton McGuinty's office—illegally deleted emails tied to the \$585-million gas plant scandal...."

"[D]espite breaking the Archives and Recordkeeping Act and 'undermining' freedom-of-information legislation, the scofflaws will not face penalties because there are none, said Cavoukian.

"That's the problem," she said, noting the inadequate legislation was passed by the McGuinty Liberals. "It's untenable. It has to have teeth so people just don't engage in indiscriminate practices."

Speaker, you know, from time to time, I'll hear a Liberal say, "Well, people weren't trained; the act was confusing." The act is pretty straightforward. You need to leave a clear record, other than transitory things that have nothing to do with the matter at hand. It's clear that training programs will come and go. What we need to do in this Legislature is put in place a penalty that will catch the attention of ministers and political staff for decades to come, reminding them that you can get in trouble for destroying public property, and our records, our collective memory, are our property.

Speaker, I urge everyone in this House to support this legislation.

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

Mr. Kevin Daniel Flynn: It's a pleasure to join the debate today on Bill 102, a motion that has just been brought forward by the member for Toronto—Danforth.

I think in there, there is some good intent, and there's a little bit of politicking going on as well. I think there's a good intent here in the bill, as technology has changed. Certainly, the amount of records that are kept in an organization the size of the provincial government is something that would probably outdo most organizations. Because it's a public body, I think it needs to be accountable. I think it needs to archive the work that it has done. And I think that, for the most part, it needs to be as transparent as it can possibly be.

I believe that's the more noble intent behind the bill that's being introduced to us today, Bill 102. It's to ensure that the government in the future, whether it's led by any one of the parties, has very clear rules and understanding as to how it should manage its records. I don't think anybody could argue with that. I think that's something we'd like to see in any organization today.

The pace of change in technology is something that is challenging a number of us. If I go back, I remember I was taught how to write with a fountain pen. Now we're operating with BlackBerrys. Simply, that would be 48 years ago, or 58 years ago, when you see the change from the fountain pen to the ballpoint pen to the Selectric typewriter to computers, and now on to BlackBerrys and tablets and everything else.

Hon. James J. Bradley: I still have one.

Mr. Kevin Daniel Flynn: Mr. Bradley still has a fountain pen, he claims.

But it just seems to me that the rules, on an ongoing basis, have to keep up with the changes that are happening in that technology, because people have a right to be able to go to their government and to get a clear understanding as to what's happening currently and what has happened in the past, and they need to be confident that what's going to happen in the future will be kept track of in a way that other generations, future generations or even themselves at a future time will be able to go back and retrieve that information.

I think it came to light as a result of some of the investigations that have taken place around what happened, something that all three parties agreed should happen: the cancellation of two of the 19 power plants that were built in the province of Ontario and the relocation of those power plants to safe locations.

I think that—

Hon. James J. Bradley: The government did what the two opposition parties wanted done.

Mr. Kevin Daniel Flynn: Exactly. Mr. Bradley says we did exactly what the people of Ontario wanted, and we did what all three political parties wanted to be done. As the MPP for one of the affected ridings, I certainly wanted the power plant moved. I know the people in my riding are very thankful it got moved. I know that Mr. Chudleigh did, because he was sending letters to the Premier asking for that as well.

That brings us back, however, to the content of the bill. The understanding of the bill is that we would set out clear rules, set out clear penalties, set out clear expectations to the members who are both employed by the civil service and by the government directly as to how they should conduct themselves when they're involved in any sort of undertaking on behalf of the government that involves the keeping of records or the sending of correspondence. I think that is eminently fair. I think that is something that should be supported by all members of this House.

Certainly, our House leader's office has taken it very, very seriously, is talking with the information and privacy officer on an ongoing basis as to how they can make things better, as to how our staff can be instructed. I would hope that other staffs of the other parties are availing themselves of that opportunity as well, because if we can make improvements in this area, it simply is going to serve the people of Ontario in a much better way.

So I thank the member for bringing forward—

Mr. Rosario Marchese: Are you supporting the bill?

Mr. Kevin Daniel Flynn: The member for Trinity-Spadina has asked me if I'll support the bill. I believe that was the first thing I said, and I'm sorry if you missed that. So I am supporting the bill, but maybe not for all the reasons that were espoused by the member from Toronto-Danforth.

Hon. James J. Bradley: I want the emails from Highway 407.

Mr. Kevin Daniel Flynn: There are a lot of emails we'd all like to see that took place in the past.

But certainly, on a go-forward basis, I think what this has proven is, we're able to improve things. We're able to do things in a much better way. We're able to make sure that people who are employed in these roles understand what the rules are.

Deleting emails—I mean, I delete emails at home on an ongoing basis. If I didn't, my inbox would be completely unmanageable. So I think it's a routine thing. I get junk mail. I get mail—

Hon. James J. Bradley: The Conservatives burnt out the shredders when they left office last—

Mr. Kevin Daniel Flynn: Yes. I guess when there was a change of government in the past, it was quite common to see all the shredding machines and the garbage trucks move in, and every office was cleaned out in a physical way. Now, perhaps, that's done electronically. I don't know. It's not something that I engage in myself.

But I want to get back to the intent of the member. What I think the member was trying to say was that we need clear rules moving forward, that we need to establish those rules, we need to establish a set of consequences and we need to move forward on that. That is something, as I said right from the start, that I think I can support. Certainly, I think that's going to meet with favour with most members of this House. It's a reasonable expectation and one that I think should go forward to committee.

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I'm not sure if I agree with the penalty. The penalty looks like it's a little severe when you look at the fines for some other offences. For example, possession of a restricted weapon with ammunition gets you a \$5,000 fine. However, the member is suggesting that this should carry a \$50,000 fine. Assault causing bodily harm or with a weapon carries a \$5,000 fine. Making mescaline, LSD or psilocybin gives you a \$5,000 fine. For some reason, this has been earmarked at \$50,000. I think that's something the committee might want to look at. Possession of drugs for the purpose of trafficking—that seems to be a pretty topical issue around the city of Toronto these days: That's a \$5,000 fine as well.

So certainly the fine needs to be reviewed, but the intent of the act, I think, is a good one and it should be supported by all members.

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

Mr. Rob Leone: I'm very pleased to rise in support of my friend from Toronto-Danforth, who I know has been a staunch advocate for accountability and transparency, particularly with the gas plant file. I served with him for many months on the gas plant committee. He has brought forth a bill, I think, that is worthy of consideration by all members of this Legislature.

Before I begin my remarks, I do think that we have to pause and reflect upon what the member from Oakville just said. He just said that when there is a change of government, the shredding machines come.

Mr. Kevin Daniel Flynn: Your shredding machines.

Mr. Rob Leone: Well, you just said that the shredding machines come when there's a change of government, so therefore this all makes sense, Mr. Speaker. The deletion of emails and the shredding of documents is just par for the course from when Dalton McGuinty left office to when Kathleen Wynne came to office. We all now have answers to the questions that we've been asking. They are now admitting out loud that this is an ongoing practice of their government.

The funny thing is that when we looked, over the last number of months, at trying to obtain documents, we realized that the government couldn't find the print button on their computer. We waited months and months and months to actually get the documents; they just couldn't find that print button. But when it came to actually finding the delete button, well, that one was easy: They found that delete button. Thousands of documents are gone and others just simply weren't able to be printed.

They instituted an archiving and recordkeeping act that essentially means that they have to keep evidence that may be important for investigations much like the one we are undertaking here in this Legislature with respect to the contempt motion brought forward last year and earlier this year. So this is a very serious matter, and the OPP have now been called in to investigate whether there is criminal activity with respect to the deletion of evidence for a legislative committee to undertake. These are very serious times that we haven't actually seen in the province of Ontario. It's okay to not know where that print button is, but when it comes to deleting emails, that's par for the course. Liberal witness after Liberal witness after Liberal witness proudly boasted that it was simply okay to delete emails. "Why wouldn't we delete emails?"

I think it's very important to understand, in the scope of this, that people outside of this Legislature who elect us want the kind of accountability and transparency that seems to be failing this government. They don't have it. So what we have here is a bill that's actually going to establish some penalties for failing to live up to the act that they actually introduced. It's about time that we had these penalties legislated, and that's why I support this bill.

We have lots of witnesses that have come before us, and there has been a seemingly selective amnesia. They always say—this is the pattern in committee—"We don't know what you're talking about unless you can prove otherwise." It's selective amnesia. That's why we need these documents. Honesty right off the top would mean that they would answer those questions, but we always have to go toward extraordinary measures in order to get a little bit of accountability and transparency from this government.

That's why I think this Legislature must endorse this bill absolutely and strongly, because it's exactly what we need today.

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

Ms. Sarah Campbell: In Ontario today, we have a lot of very serious issues in this province that aren't being addressed. To be fair, the issues of importance that aren't being addressed aren't being addressed for a number of reasons. But I think one of the most galling reasons and the reason certainly that people in Kenora–Rainy River have a hard time dealing with or accepting is that we aren't getting action on a lot of things, whether it's our cost of living, health care, transportation in the northwest, or jobs, all because of government mismanagement.

In the northwest, it's not uncommon for us to be told that there just isn't the money for the kinds of things that we need, especially when it comes to vital infrastructure projects, and that in order for us to have movement on these important issues, we have to submit a business case. It's a really tough pill to swallow when people in the northwest see that we're being denied opportunities and investment that we need when we see money that hasn't been costed out being funnelled, all in the best interests of the Liberal party.

Recently, it's no surprise that we've seen the government acting in its own self-interest by cancelling gas plants in southern Ontario without even knowing the true cost. And we've seen those costs escalate. They've ballooned from what we thought might have been tens of millions of dollars to hundreds of millions of dollars to potentially over \$1 billion. What that has done is, that has eroded the public trust. It further eroded the public trust when Liberal staff and other staff members destroyed records regarding the gas plants.

I think the solution is, there are really only two ways to keep a government in check: There are strict rules and consequences, and also getting people involved in participatory democracy; that is, essentially, restoring the public's faith in our electoral system so that people engage in the system. So simply put, what we need to do is we need people to believe in our system and to get involved again, because the perception is that politicians are only in it for themselves and that they're on the take. What we need to do is, we need to show very clearly that this is not the case. By putting these stricter rules in place and these consequences for violating these rules, we're going to restore that faith that people have in our political system, and it's going to benefit us all. I think that is exactly what this bill is going to do.

This would be a step in the right direction because it's going to stop people of any political stripe from destroying information. It's going to close loopholes identified by Ontario's Information and Privacy Commissioner. It's also going to increase accountability by creating real penalties for people who are destroying records that should be kept. This act, as was mentioned earlier, will impose a \$50,000 penalty for destroying public records and will really put some teeth in the legislation that already exists in the Archives and Recordkeeping Act. Again, I think that it's going to help us not just in the sense that it's going to create some actual consequences, but it's so, so important that we restore the public's faith in our electoral system. For that reason, I am pleased to

support this bill. I commend my colleague for bringing it forward.

The Deputy Speaker (Mr. Bas Balkissoon): I just want to bring to members' attention that we have a former member of the Legislative Assembly in the members' gallery this afternoon. I'd like to welcome Mr. Bart Maves, the member for Niagara Falls in the 36th and 37th Parliaments. Welcome.

Further debate?

Hon. David Zimmer: I'm pleased to speak in support of this bill, but I do want to add a couple of cautions about what I see as an unintended consequence that I've thought about and that the privacy commissioner, Ann Cavoukian, has raised.

The bill is a very simple one; it's got one paragraph in it. It says that if you don't save your stuff and get it off to the archives, it's going to cost you. You're going to get fined up to \$50,000. That's an enormous chunk of money.

I just want to put it in perspective, and then I want to tell you what I think the unintended consequence might be when you put in fines of that magnitude. I appreciate where the member wants to go with this and I'm all in favour of all of the various rules relating to the saving of records and so on. They should be strictly enforced and so on.

1400

But here are some other fines for some other very serious matters in Ontario: stunt driving, where you risk getting killed, \$10,000; doing something under the Dog Owners' Liability Act—that is, you've got a pit bull that might kill or injure someone—\$10,000. Then you work your way down to breaking and entering, \$5,000; animal cruelty, \$1,000; possession of drugs for the purpose of trafficking, \$5,000; fraud, \$5,000; theft and forgery of credit cards, \$5,000; carrying a concealed weapon, \$5,000; pointing a firearm, \$5,000; possession of a restricted weapon with ammunition, \$5,000; threatening to cause death or harm, \$5,000; assault, \$5,000; assault causing bodily harm, \$5,000; assaulting a police officer or resisting arrest, \$5,000; production of amphetamines, mescaline or—and I can't pronounce it but another long name for a drug—\$5,000; failure to comply with a bail condition—now, that's a serious one—\$5,000; impersonating a police officer, \$5,000.

When we flip to this legislation, if someone—an MPP, a staff person, anybody who is covered by the act—doesn't store their records properly, a \$50,000 fine.

Now, here's what Ann Cavoukian said about that issue. She said that legislation that levies a large fine on those who mismanage records acts as a deterrent to better record creation habits and specifically works against the spirit of the bill, as staff or people who are required to save the materials maintain a fear of being fined, and it drives them to not keep a written record, email record, that sort of stuff, but drives them to an oral culture, where they're sort of picking up the phone and doing all of their business on the phone because they are so fearful of this enormous fine of \$50,000.

I support the member's bill, but I think, following Ann Cavoukian's concern here, that if the maximum fine, like all of these other serious things, was \$5,000, that's enough to act as a deterrent, but it's not overkill in the sense that somebody who is doing emails and letters and so forth is going to be so petrified of slipping up and making a mistake and accidentally deleting something that, rather than run that risk of that enormous penalty, it's going to have the unintended consequence of driving them to do all of their business by oral communications. That's the unintended consequence of the bill.

I think the bill, if it was more reasonable in the maximum fine, something along the line of all these other fines that I've raised, would achieve the intent of what the member is trying to do, to put a penalty on there, but it wouldn't make people so fearful that they're afraid to communicate other than orally. So I would hope that the member would take that into consideration and perhaps amend that part dealing with the maximum fine.

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

Mrs. Jane McKenna: I am pleased to rise to speak to Bill 102, An Act to amend the Archives and Recordkeeping Act. Bill 102 is a much-needed piece of proposed legislation, but it is a sad comment on this government that measures have had to appear in a PMB rather than a government bill.

Any time someone wilfully destroys public documents, destroys archival records, there should be stiff and serious penalties, and this bill speaks to that. I sincerely hope the Liberals support this through second reading, through committee and on into law. If they are serious about learning from their mistakes and sincerely wish to honour the spirit of the ARA legislation, they will give their legislation real teeth.

Amid great fanfare, the Liberals passed the Archives and Recordkeeping Act in 2006. They passed it, and then they bypassed it. They maintained what staff in their Premier's office described to the Information and Privacy Commissioner as a "verbal culture." Staff were encouraged to talk through things face to face rather than writing anything down. The Premier's office had daily meetings where no notes were ever taken.

Even on power plants, the only written legacy of a meeting was often the email proposing a get-together date. When staff wrote things down, projects were given code names, and what little documentation there was never benefited from the Archives and Recordkeeping Act. The only constant seems to be that everybody figured somebody else was being responsible, and whatever made it through all of those filters was often deleted or destroyed. In the absence of evidence to the contrary, I have to assume that this was commonplace throughout the government and that it was true for every embarrassing episode of full-blown scandal of the last six years.

The Liberals have worked hard and long to escape responsibility and rewrite history. All of this was in defiance of a law the government itself created, and all of

it in disrespect to the elected members of this House and the people of Ontario—an insult to our democracy.

In her Deleting Accountability report, the Information and Privacy Commissioner notes: “In the case of the former Minister of Energy and the former Premier’s office, the Archives of Ontario template schedules were never adopted. Nor did these offices prepare alternative records retention schedules that would have been approved by Archives of Ontario, in accordance with the ARA. Therefore, contrary to sections 11 and 12 of the ARA, the former minister’s office and the Premier’s office did not prepare records schedules for submission to the archivist for his approval. In fact, I was advised that despite having been provided with copies of relevant templates, these offices operated in the absence of approved records retention schedules.”

This vast blank spot fundamentally undermines this government’s accountability and raises many serious questions about the record-keeping practices in all ministerial offices. Sadly, the possibility of broader deletions cabinet-wide cannot be ruled out until such time as the government offers credible proof to the contrary.

I am happy to support Bill 102, and I hope that it will meet with unanimous support here today.

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

Mr. Rosario Marchese: I’ll be supporting this bill. It’s a good bill, presented by my colleague from Toronto–Danforth.

What it says is that we have a law in place, and it seems as if somehow the previous speaker from Oakville, when he says, “We need clear rules”—it confused me a little bit because we do have clear rules, and the clear rules are around Bill 152 that your government introduced. They’re very, very clear. They say:

“(a) to ensure that the public records of Ontario are managed, kept and preserved in a useable form for the benefit of present and future generations”—couldn’t be clearer. It could not be clearer. It’s not as if you need another bill to make it clear because it’s very transparent.

“(b) to foster government accountability and transparency by promoting and facilitating good recordkeeping by public bodies....” It couldn’t be clearer than that.

“(c) to encourage the public use of Ontario’s archival records as a vital resource for studying and interpreting the history of the province.”

These were the objectives of your Bill 152 that you presented in this Legislature in the year 2006. So we don’t lack clear rules. What we lack is a penalty that can act as a deterrence when people actually don’t obey the law.

So when the member of Oakville—I don’t know. I want to tell you that if the Tories were involved in this imbroglio and you were in opposition, you would love such a bill, and you probably would have supported the \$50,000—in fact, you might have said it should be \$100,000 because you know how bad they are, right? I suspect you would have said that, and I suspect most Liberals would have supported this bill without any

hesitation, and they wouldn’t want to even negotiate the amount, I suspect. I could be wrong.

So I think this is a good bill. To the Minister of Aboriginal Affairs: He makes an interesting point. He lists a whole number of penalties that people are subjected to when they break the law in different bills that we have in this province, and he says maybe we should negotiate this amount from \$50,000 to something lower. I suspect that might make sense. I think a fine of \$10,000 or \$15,000 or \$20,000 would be a deterrent, because if I’m a staffer and I’m involved in something as illegal as the destroying of vital information, then if I knew that I had to pay \$20,000, I’d be very careful. Even \$10,000 would be a big amount.

1410

But let’s talk about that amount. As we send that to committee, people might come forth and say, “Yes, \$50,000 may be a whole lot and \$25,000 might be okay. That might be a good deterrent.” I understand the argument the privacy commissioner makes that if it’s a huge amount, where we might consider it as a deterrent, it could in effect act against deference; I understand the logic. The point is that the current law has not deterred anybody, which has led the member from Toronto–Danforth to say we need to remind government members and their staff, when they break the law, that they’re subject to a penalty as a way of making sure they remember and not press delete rather quickly, as they have done with the cancellation of contracts they made on the gas plants in Oakville and Mississauga.

That was a huge imbroglio. You guys paid dearly for that. Actually, we pay, and all the citizens of Ontarian end up paying a huge amount of money: \$600 million, which I guess for Liberals is chump change and nothing to worry about. But it’s a whole lot of money we’ve got to worry about, and I think this penalty that the member suggests is a good one. It will act as a deterrent.

And yes, in committee we can determine whether that amount is just a little bit too high and maybe we should lower it.

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

Mr. Ted Arnott: I’m pleased to have this opportunity this afternoon to speak for a few moments about Bill 102, an Act to amend the Archives and Recordkeeping Act, 2006 to impose penalties for offences relating to public records of archival value. This bill comes to us standing in the name of the member for Toronto–Danforth. I want to compliment the member for Toronto–Danforth first of all for the fine gentleman that he is; and secondly, for the thoughtful, articulate and knowledgeable approach that he brings to this House. He chooses his words very carefully, and I think of the word “erudition” when I think of him. But he is a New Democrat, so I have to stop there.

At the same time—

Mr. Rosario Marchese: You’re a nice guy too.

Mr. Ted Arnott: Thank you very much. It is a good bill. I think the members who have spoken so far have

contributed to this debate in a positive way. I think that the member for Trinity–Spadina made some good points.

I'd just like to reiterate quickly—of course, this comes from the report from the Information and Privacy Commissioner, Ann Cavoukian, *Deleting Accountability: Records Management Practices of Political Staff*. In her report she says that the Archives and Recordkeeping Act has several important purposes:

“(a) to ensure that the public records of Ontario are managed, kept and preserved in a usable form for the benefit of present and future generations;

“(b) to foster government accountability and transparency by promoting and facilitating good recordkeeping by public bodies; and

“(c) to encourage the public use of Ontario’s archival records as a vital resource for studying and interpreting the history of the province.”

Of course, I think we all understand in this House how important government records are, and the fact that they should be maintained in the public interest. But as we know, and it has been a matter of public record now, I guess, in and of itself, certain political staff and various government ministers made an effort to delete emails that would have shed more light on the deliberations and discussions that led up to the cancellation of the gas plants in Oakville and Mississauga. As we know, those decisions, one of which was announced, actually, during an election campaign, cost the taxpayers and electricity ratepayers of the province at least \$585 million.

This bill is very timely, of course, because as we know, the government announced yesterday that, I believe, on the 8th of October, the Auditor General’s report, which will give us more information about the true cost of the cancellation of the Oakville plant, will finally be released. This is something that we have awaited for some months. We knew it was coming. The government, I think, has dragged its heels on the release of that report, unfortunately, but they can’t delay it forever. Of course, next week, we’ll have a chance to see what the Auditor General has to say about it.

I think that it’s also important to point out that the rationale for this bill, really, is to respond to the Liberals’ efforts to conceal documents pertaining to the decision-making process around the cancellation of the Mississauga and Oakville gas plants during the 2011 election. It follows our caucus’s request for an OPP investigation, which I understand is still under way, and an NDP complaint to the Office of Information and Privacy Commissioner of Ontario.

The member for Toronto–Danforth alleged that staff in the office of the Minister of Energy had deleted emails about the gas plant cancellations, and we know that’s true now. The scope of Dr. Cavoukian’s investigation was expanded when she learned that in January 2013 political staff in the office of then-Premier McGuinty had approached the Secretary of Cabinet about how to permanently delete email and other electronic material. In the report that the Information and Privacy Commissioner presented to this Legislature in June, she indicated that

there needed to be legislative changes to exact serious penalties on political staff who wilfully destroy emails that should be maintained and archived for the public record.

As I say, Mr. Speaker, this bill is timely. It is in the public interest. It responds to a recommendation of the Information and Privacy Commissioner. It’s a good bill. I believe that we should all support it. I think that it’s necessary. It’s in the public interest, and I would encourage all members to vote for it when the vote comes this afternoon.

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

Mr. Taras Natyshak: I’m pleased to join members of my caucus, and it seems as though there’s somewhat of a consensus here that this bill will be approved and see its way through to committee. I want to thank my colleague the member from Toronto–Danforth, whom I had the honour and pleasure of sitting on the justice committee with investigating the gas plant scandal for a couple of weeks.

I recall the deep frustration that we had, that all committee members shared—maybe not all, but certainly those on the opposition shared—when looking into the issue and trying to gain access to the vital information that would have given us the answer as to how we got here in the first place.

If necessity is, of course, the mother of all invention, then this bill certainly is born out of the necessity to close this loophole that has been identified by our privacy commissioner, Dr. Ann Cavoukian, who states quite clearly that the rules as they are in place today don’t go far enough to act as a deterrent for members of the crown, elected members or their staff in terms of making sure that everyone knows that these are not private documents. They are public documents. What that means is that they don’t belong to you or me or anyone in this building. They belong to the people of the province of Ontario.

That’s the message that I have heard loud and clear, along with the need and the real desire of the people to see somebody either monetarily punished—I know many members have heard that somebody should be going to jail because of what happened here, the massive amount of dollars that were lost and vaporized due to the cancellation of the gas plants in Oakville and Mississauga. This is really the least, I think, that we can do.

This comes, again, as a practical, pragmatic approach, a piece of legislation brought forward by the New Democratic Party similar to another piece of legislation that was born out of the same scandal, the need for a Financial Accountability Office. That, really, is the reason we put forward this very practical bill: to ensure that the people knew that the government’s expenditures were identified, looked at and audited by an independent third party prior to any money being spent. That’s something that has a lot of foresight and a lot of progressive aspects to it, and one that, again, the government had the good sense to adopt.

We hope, and I sense, again, that there is at least tacit approval by the government side to take this bill on and to make it a measure of law. Should the \$50,000 penalty for destroying documents stand or not? That will be a question we deal with at committee. I can tell you that many members in my community of Essex county would like to see it be more than \$50,000; they probably would like to see a \$100,000 threshold, something that absolutely, completely, ultimately deters members of the crown and elected members from ever destroying public documents as it relates to the interests of the public.

1420

This is a good bill. It's one that I applaud. I certainly support it. I know the member from Toronto–Danforth has put a lot of thought into it, and it's one that makes good sense here.

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

Mr. Steven Del Duca: I've had the chance to listen to a lot of the discussion here this afternoon—fascinating discussion—and I think I do understand what the thrust of this particular proposed bill is.

There are a couple of things that I did want to highlight for the House, some of the very serious actions that have been taken by the Ontario Liberal government with respect to these details that we're discussing here this afternoon.

To date, this government held an all-staff meeting back in April to provide general information about recordkeeping obligations. Chiefs of staff have been designated now as being accountable for proper records management in their offices. We've developed further mandatory training for all political staff in consultation with the archivist for Ontario, and with the assistance of the Information and Privacy Commissioner and the Integrity Commissioner.

There has been a directive that's been issued from the Premier with respect to the importance of proper record-keeping. We've also held small group training sessions with the majority of ministers' offices. This training should actually be—

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. The member for Toronto–Danforth has two minutes in response.

Mr. Peter Tabuns: Thank you very much, Speaker, and my thanks to all those members who spoke to address the bill today. There are some things that I think need to be clarified and then I'll make a pitch.

Mr. Flynn and Mr. Zimmer both talked about other penalties for other crimes and noted that the fine for carrying a concealed weapon was about \$5,000. But if you actually go and look at the Criminal Code, you can get up to five years in jail. The fine and six months in jail are part of a lesser charge, so the comparison they made was not an accurate comparison.

The other thing that I want to point out—Mr. Flynn spoke to this and I've heard this many times; I heard it from former Premier McGuinty, under whose watch the Archives and Recordkeeping Act was put into law, that

the act was unclear, confusing and needed to be sorted out. I actually think the act is pretty straightforward. Once you grasp the spirit of it, everything else flows from that, and Peter Wallace, the head of the civil service, made that very clear when he testified before our committee.

There isn't a question here of a lack of clarity. There is a question of people realizing that they can break this law with impunity. There are no real consequences beyond embarrassment, and, frankly, that has to change. I know that issues come and go. This Legislature, this government and future governments will be seized by other crises—no question. Training sessions will come into being; they'll go out of fashion.

Frankly, Speaker, anyone who comes in here as a minister or ministerial staff in senior positions needs to know they can get in trouble for destroying public records. If they knew that, everything else follows.

The Deputy Speaker (Mr. Bas Balkissoon): We'll take the vote on this item at the end of private members' business.

SPECIAL INTEREST GROUPS
ELECTION ADVERTISING
TRANSPARENCY ACT, 2013

LOI DE 2013 SUR LA TRANSPARENCE
DE LA PUBLICITÉ ÉLECTORALE
DES GROUPES D'INTÉRÊT PARTICULIER

Mr. Nicholls moved second reading of the following bill:

Bill 101, An Act to amend the Election Finances Act with respect to third party election advertising / Projet de loi 101, Loi modifiant la Loi sur le financement des élections à l'égard de la publicité électorale de tiers.

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

Mr. Rick Nicholls: It's with great pleasure that I rise today to speak to my bill, the Special Interest Groups Election Advertising Transparency Act.

This bill seeks to amend the Election Finances Act to make sure that special interest groups play by a fair set of rules. What we see today is a true disservice to our democracy. While individuals have limitations placed on the amount that they can donate to parties and parties have strict election spending regulations, special interest groups have been able to fly under the radar. These parties, such as powerful union groups or corporate interests, are able to spend millions of dollars on smear campaigns against individual candidates or parties. The opinions of voters in a parliamentary democracy should be based on the platforms of the respective parties, not on expensive attack campaigns from unaccountable groups.

Queen's University professor Jonathan Rose weighed in on third party election advertising. Here's what he said: "Some limitations are necessary in order to have a level playing field and in order to ensure that the

participants in an election are political parties and citizens.” Unfortunately, the playing field is by no means level.

Ontario Chief Electoral Officer Greg Essensa’s 2012-13 annual report called for legislative changes to third party advertising. In the report, he suggested that imposing caps on third party spending be considered, noting that the Ontario election laws do not specifically ban collusion between political parties and third parties.

Mr. Essensa also feels that special interest groups, who do not have to run a candidate on the ballot, should not be allowed to take over the democratic process. Instead, he believes in reforms such as introducing a cap on the amount they can spend on election ads.

The Chief Electoral Officer’s greatest concern, however, is the exponential rate at which unrestricted special interest advertising spending is growing. From the 2007 general election to the 2011 election, the amount spent by third party interest groups tripled to almost \$7 million. In fact, in the 2011 election, the biggest third party advertising group spent more than the NDP’s total advertising budget.

Let’s let that sink in for just a moment: A special interest group, a group that did not run a single candidate on the ballot, outspent the NDP on political advertising during an election. They actually outspent 19 of the 21 registered political parties combined. That, Mr. Speaker, is simply not right. It erodes our democratic process and sets a dangerous precedent. This bill is about doing the right thing and safeguarding our democracy.

Ontario is currently heading toward an American style of elections, where massive unions, corporations and special interests spend tens of millions of dollars to have their issues heard above all others. In the past two general elections, a message has been sent to the rest of Ontario that democracy in this great province can, in fact, be influenced by those with the deepest pockets. Ontarians who cannot afford a million-dollar ad campaign are forced to watch large interest groups drive the discussion.

I quote the leader of the NDP in a National Post article in April of this year. She said, “What we don’t want to see though is that small voices totally get drowned out by big voices, and so we have to find some balance in that regard.” She goes on to say, “We’re one of the provinces that hasn’t done any of that real reform when it comes to election finances, and I think it’s time that we look at it.”

Speaker, the leader of the third party, Ms. Horwath, is right. Ontario is well behind the curve on this issue. Quebec, British Columbia, Alberta, New Brunswick and the federal government have all adopted controls over third party advertising. Federal legislation was actually introduced by the Liberal government in 1999. British Columbia’s legislation also places a total cap of \$150,000 and an additional riding limit of \$3,000. My bill, Bill 101, is also in line with the limits found in federal legislation.

There was once a time when Ontario would lead the way in our Confederation. Today, we find ourselves trying to catch up to jurisdictions across the country. This did not have to be the case.

1430

In 2011, my colleague the member from Wellington–Halton Hills put forward a motion to end third party collusion with political parties. Sadly, the Liberal government of the day voted against transparency. I look forward to him providing his insight in this debate.

While Kathleen Wynne voted against transparency in 2011, she appears to have now realized the importance of protecting our democracy. I quote the Premier in a National Post article dated April 8, 2013: “I’m very interested in looking at the recommendations and open to looking at changes that could be made.”

In the same article, the Attorney General, John Gerretsen, went a step further by stating, “The notion of putting a spending limit on third parties certainly strikes me as something that’s well worth looking into.”

In a rare example of agreement, the leaders of all three major parties expressed their willingness for reforms back in the spring, and I quote from a Toronto Star editorial dated April 11, 2013: “NDP leader Andrea Horwath also favours a look at third party spending limits as part of a wider examination of election finance rules, and Premier Kathleen Wynne has said she is willing to consider Essensa’s recommendations.

“Given all that, there’s no acceptable excuse to maintain the status quo. Queen’s Park needs to turn off the lights and declare the party over when it comes to unfettered third party election spending.”

Seeing that all three major parties have publicly expressed the need to address unchecked third party election advertising, I hope we can find some common ground today.

To those watching at home: We must ask ourselves every day in this House, what province do we want to live in? The decisions that we make each time we stand up and vote can have a tremendous impact on the future of our province. What is more important than safeguarding our democracy, the very backbone of our political system in Ontario?

Right now, massive special interest groups have the ability to outspend major parties, with almost zero accountability or transparency. They are able to influence the political agenda of this province without being accountable to voters or putting any names on the ballot.

An example is the Ontario English Catholic Teachers’ Association—OECTA, as they are so well called. Their executive forced, in the last election, \$60 per teacher so that they could raise a \$3-million war chest, and they did this without even getting the consent from their membership. No union or business should be spending millions to influence elections. Is this the Ontario that we want? Most certainly not. Instead, we must strive for an Ontario that offers a level playing field.

This is why this bill calls for an overall cap of \$150,000 for a general election and \$3,000 for an individual riding. The modest amount still allows for groups to have their say—which is an integral part for the health of any democracy—without being able to control discussion through million-dollar ad campaigns.

To stop massive interest groups from breaking the law, you have to make the penalty a real deterrent. That is why the penalty for going over spending would be a fine equal to 10 times the amount, the full amount of the expenses incurred, not just the amount in excess of the applicable limit. These third party advertisers are used to operating with millions of dollars in their election advertising budgets. Any lesser fine would simply be a slap on the wrist to them.

Yesterday in question period, Premier Wynne stated that the members opposite are free to make their own decision about my bill. Speaker, I sincerely hope that this is the case. Allow them to vote their conscience, doing what is right and what must be done to defend and protect our democracy.

Limits on third party spending have been brought forward by Liberal, NDP and PC governments across the country. While we certainly have our differences, there are times when we must forget the partisanship games in favour of solid policy. Anything else would be a disservice to our constituents.

If the government wishes to keep the Premier's promise to tackle the issue of unchecked third party election spending, they must support this bill. If there are any issues that the Liberals or the NDP have with Bill 101, let's take the collaborative approach and let's strengthen this bill in committee.

I urge you to pass the second reading of this bill, and let's get it into committee.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Parkdale–High Park.

Ms. Cheri DiNovo: A point of order, Mr. Speaker.

The Deputy Speaker (Mr. Bas Balkissoon): A point of order.

Ms. Cheri DiNovo: I just want to introduce Runnymede school, who are here—thank you for coming—and a volunteer from my office, Gabriel.

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

Mr. Taras Natyshak: As always, it is an honour to stand here today to debate bills that come before us in the House on behalf of our constituents—in my particular case, the wonderful riding of Essex, the wonderful people of Essex, who I'm sure have great interest in this bill and many others that we see.

I thank the member from Chatham–Kent–Essex, who is in the neighbouring riding, for bringing forward this important bill, one that I think is, interestingly enough, quite timely, and I wonder about the timing of the presentation of this bill. I wonder if it doesn't seek in some perverted way to capitalize on what we've seen happen over the last couple of weeks in this House, and in the last couple of years, I think.

At its core, the bill amends the Election Finances Act to expand third party advertising to include “any issue within the legislative competence of the Legislative Assembly of Ontario.” Further, the following limits are imposed on third party advertising: \$150,000 during a

general election, and \$3,000 per riding in a general election or during a by-election.

I don't know, Speaker. I'm not up on the current market value of what it costs to put an ad forward; I truly don't know. I certainly know, during the context of an election, that we all do advertising. It comes out of our budget. We are limited, through our election finance laws, in terms of how much we can spend; it's capped. I believe that's great, in fact.

We saw a similar move at the federal level that was born out of AdScam. Jean Chrétien enacted campaign finance reform where it did then cap donations to federal parties and, of course, I think it capped spending limits during elections. Of course, those are things that we always have to keep our eye on, because private interests, special interests, are always looking to infuse their agenda into those of political parties, and individual members, I might add, on some occasions—as we saw, and as we believe potentially could have been the motivating factor for the introduction of Bill 74, what is now widely known as the EllisDon bill, that found its way buried into an omnibus bill, a programming motion, that seeks to fast-track its way through this chamber without debate, without full scrutiny, and without fully knowing the ramifications of that bill, although we do know that it will singularly help one special interest, one massive corporate interest. So we're seeing that happen.

1440

This bill speaks to campaign advertising, and I think, again, at the heart of it is an attack on what is known as the Working Families coalition. That's what this bill is attempting to do: limit that organization's ability to have third party advertising during election campaigns.

I understand the frustration of the member and of their caucus. They make no bones about the fact that they are no friends of working families, or at least they are no friends of the Working Families coalition. But they've singled out that organization as being the impetus of the need for this legislation. In a sense, I guess I agree that, yes, there is a war there. They've specifically targeted the Progressive Conservative Party. I can tell you that I, as a New Democrat, have not benefited from any actions on the part of the Working Families coalition, nor have I been hindered by them. So I really don't know. They don't really appear in southwestern Ontario, at least in my riding. But, again, give it time.

But I do know that they are one of many special interest groups that find their way, either overtly or covertly, into the agendas of political parties, and I'll bring it back to Bill 74, which is a bill that seeks to aid one, singular company, EllisDon, a \$2-billion-a-year company that certainly is a large component of our economy but one that I don't think necessarily needs the assistance of this Legislature to further its profit margin, to say the least.

I would say: How far do we go here? How far does this bill go in terms of limiting free expression and limiting free speech? The member from Chatham–Kent—is it still Chatham–Kent–Essex, until we change

that, which I know the member is looking forward to changing?

Mr. Rick Nicholls: Chatham–Kent–Leamington.

Mr. Taras Natyshak: Oh, Chatham–Kent–Leamington—let’s not forget the great community of Leamington, which is an important community in our region.

At what point does this bill start to infringe on the free expression of thought and the rights and ability for people to come together and pool their resources to deliver a message? Again, I don’t know if the cap limits the ability to spread that message, whether it be on normal traditional media or new media. But I think the member from Chatham–Kent–Essex states that the Ontario English Catholic Teachers Association pooled their resources to deliver a message. I’ve seen that the Ontario Nurses’ Association do the same thing, I’ve seen the Ontario Pharmacists Association; I’ve seen a whole host of associations that pool their resources to deliver a message, whether it be through, again, all various sorts of media.

I wonder at what point that message, which I think the general public needs to hear and is a part of the electoral process, gets limited through this bill. I wonder if we ought not in this House, in this chamber, to try to identify what our parties stand for ultimately, to indicate, as they do in the United States—they identify that those broadcasts, those advertisements are responsible and are acknowledged and are approved by either the leader or the party. We do it on our signs; we do it on all of our election literature. Maybe we need a vocal prompt, an audible prompt, to let people know that this is a political advertisement that is approved by either one of the party leaders or the party officials. We’ll see.

I’m being told by my gracious whip that I should wrap it up. I do appreciate the time to discuss this bill, and I look forward to hearing debate from other members.

The Deputy Speaker (Mr. Bas Balkissoon): I’d like to take this opportunity to draw members’ attention to the gallery, where we have a former member for Kitchener Centre and Kitchener in the 36th and 37th Parliaments, Mr. Wayne Wettlaufer. Welcome.

Further debate?

Mr. Steven Del Duca: Mr. Speaker, I’m very happy to have this opportunity to stand in my place here in the House today and provide some of my comments and my thoughts with respect to Bill 101, the Special Interest Groups Election Advertising Transparency Act, 2013, which I understand the member from Chatham–Kent–Essex has brought forward. I did listen very closely to the comments made by the sponsoring member, and, of course, also to the comments made by the member from Essex. I know there will be other members who will be speaking in the course of the afternoon, and I look forward to hearing what a lot of them have to say.

This is a very interesting topic, and I think it is the kind of topic that should from time to time be discussed here in the Legislature because it does impact how we conduct what takes place during election campaigns.

Before I delve into where the system in Ontario currently finds itself, there are a couple of things that I do

want to talk about. Actually, I did notice that in the member from Chatham–Kent–Essex’s original debate points, he did use the phrase—at least once that I heard, possibly more than once—“common ground.” He did kind of emphasize when he was using those words, he said, “We need to find common ground.” He kind of underscored the importance of that concept.

Speaker, if I could, just for a quick second, say that I think that’s a very important concept, not just as it relates to this particular bill or any bill that we discuss here in this House, but I can tell you, as someone who’s recently taken on the volunteer position of helping my party deal with something that’s as important as platform development outreach, that we’ve actually undertaken a very interesting initiative using that very concept as the foundation—the notion of finding common ground.

That idea of common ground goes right to the very heart of the leadership style of Premier Kathleen Wynne and this Ontario Liberal government. It has for the last number of months; it has for the last 10 years. Common ground is very, very important.

I can report to this House, for whatever it’s worth, for those who are interested in trying to find common ground to move the province forward, that for folks who want to actually participate in that platform development process I referenced a second ago, you can visit our party website and get on board. Whether you’re a party member or not, Speaker, you can actually participate to find that common ground that the member from Chatham–Kent–Essex talked about a second ago. It’s very easy to access the Ontario Liberal Party’s platform development process by visiting our website and participating, because finding common ground is very crucial if we’re going to move the province forward.

I will note that that is remarkably different from the way in which certain other parties, particularly the Ontario PC Party, have gone about seeking to produce ideas to put in the window for Ontario’s residents and Ontario’s businesses. Spending two years at the Albany Club and elsewhere, spending energy, time and resources putting out 14 white papers on various policies and then going into a policy convention and sort of hiding those, putting those away in a drawer, and talking about 24 resolutions that are completely different—that speaks to an information-gathering process that doesn’t seek to find common ground. That is consistent with the behaviour—it kind of goes to the DNA of that party, a party that hasn’t sought to seek common ground on all of the other important issues that have come before us here in this House over the last number of years. Whether it’s budget deliberations when their leader and their party announce, before a budget is even really thought about, before a budget is even really developed—

Mr. Rick Nicholls: A point of order, Speaker?

The Deputy Speaker (Mr. Bas Balkissoon): Stop the clock. A point of order?

Mr. Rick Nicholls: I would appreciate, Speaker, if the member from Vaughan would actually speak directly to Bill 101, as opposed to speaking around other topics.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you for the point of order.

To the member: Carry on, and I hope you bring that back into the bill.

Mr. Steven Del Duca: Absolutely, Speaker. I appreciate that, but I was in my own unique way trying to pay tribute to that member from Chatham–Kent–Essex for bringing forward the bill today, who in seeking so enthusiastically to locate and land on common ground—I applaud him for that because that sets him remarkably apart from everyone else with which he serves on that side of the House.

If I can just say, as I was saying a second ago, that from our standpoint, the leadership style of Premier Kathleen Wynne and the folks who are serving on this side of the House are all about making sure Ontario moves forward in the most productive, prosperous way possible, especially with respect to our economy. That's why we are seeking common ground, so that we can keep investing in people, so that we can keep investing in infrastructure and so that we can support a dynamic and innovative business climate to keep moving our province forward.

So here on Bill 101, I think it's important to make sure the record does reflect that over the last number of years here in the province of Ontario, we have worked very hard to create the kind of system around what governs the behaviour in the course of election campaigns. There are a number of things that I'd like to call to the attention of the House with respect to the existing framework around the Election Finances Act, and how these things are regulated.

From our standpoint, of course, we on this side of the House are always extremely open to finding ways and engaging in conversations on ways to improve Ontario's democratic process. I know that's what we're doing here today, but I just want to underscore for the members opposite and for the folks watching at home, be they folks living in my community of Vaughan or your community of Scarborough, people who might live in places like Niagara Falls or whatever the case may be—for anybody watching at home—we are determined to engage in conversations and have constructive dialogue about what's taking place in Ontario's democratic process.

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It's also important to note, Speaker, that from my perspective, Ontario already has important rules in place that do help to ensure that really important balance is struck between transparency and free speech in the course of our election campaigns. Our government actually introduced third-party advertising rules in Ontario for the very first time in 2007 with respect to reforms to election legislation.

So while I understand that those may not have gone far enough for the member from Chatham–Kent–Essex, I just think it is important to note that, given where these rules sat when we first came to office back in 2003—and as I said in the House yesterday, yesterday was the 10-

year anniversary, as the Ontario Liberal government, of our first election win back in 2003.

From our standpoint, be it Premier Wynne or former Premier McGuinty, the yardsticks with respect to finding that balance between transparency and free speech moved. The ball moved on that back in 2007. Significant reforms were brought forward. While I do appreciate that the sponsoring member may not feel that they have gone far enough, I think it is important to make sure that the record reflects that under current rules, third parties that spend \$500 or more on election advertising are in fact required to register with the Chief Electoral Officer.

Those registered third parties must also report to that same Chief Electoral Officer on their election advertising expenses. If those same election advertising expenses that they have reported to the Chief Electoral Officer exceed \$5,000—if they go beyond the \$5,000 mark—these reports must be audited.

Again—because I said it a second ago, but I really do believe that it bears repeating—it's extremely important, when we're discussing something like election campaigns and spending that takes place by third parties, that we don't inadvertently go out of our way to kind of tamp down or eliminate free speech. Free speech is something that is fundamental to what we're doing here in this House. Free speech is also something that's fundamental to the health of our democracy. But at the same time, I think that these rules, these reforms that were brought forward in 2007 by our government, do reflect that it's important to find that balance, to strike that balance between the transparency and free speech components.

A couple of other things that I want to stress: The Election Finances Act already distinguishes between advertising expenses incurred by third parties and advertising expenses incurred by political parties, constituency associations, candidates and others acting on their behalf. It's also important to note that, under the existing legislation in the province of Ontario, advertising promoting a party or a candidate and undertaken with the knowledge and consent of the party or candidate is considered a contribution and therefore already subject to applicable rules and limits. And there are other elements that exist in the current framework around the rules that govern the activity that we're discussing here in the House today.

I'm not standing in my place to suggest that the system is necessarily currently perfect. I'm not sure of any regime or system that is perfect on any of the topics that come before us for deliberation in this House.

Part of our job is to make sure that we keep improving upon circumstances, that we keep improving upon the condition in which we find things, so I understand, and I do respect that the member has brought forward these suggestions. I'm just not quite sure that these particular suggestions are proportionate with the problem that he believes exists with respect to this particular existing legislation. I think it's an issue with respect to proportionality.

I said at the outset of my comments today that though I do respect the fact that he himself at least, that par-

ticular member, has spoken very clearly about the need and the desire to strive for common ground, and how that sets him so remarkably apart from so many of his colleagues in that caucus, I'm not quite sure that I really and truly can accept the motivation from which this particular bill springs. That's actually not the best and most eloquent statement that I've delivered in the House so far, that particular sentence, but I will say that I'm not 100% sure that the motivation behind this is quite as pure as some of the comments that members on that side of the House have made thus far.

Having said all of that, I think we're in a place in Ontario today where, by virtue of initiatives, by virtue of the reforms that have come forward in this House, brought forward by our government back in 2007, like I said a second ago, we have managed to find balance. Again, I want to stress that it doesn't mean that improvement can't always be brought to bear. It doesn't mean that we can't always strive to make sure—the balance may need to be finely tuned.

I just believe in this case, Speaker, that the proposed legislation here in Bill 101, the Special Interest Groups Election Advertising Transparency Act, 2013, is not necessarily the solution that's needed in this particular case. I think, again, it speaks to the issue of proportionality. It speaks to the issue of, is there an ulterior motive? Frankly, even listening to the comments from the member for Chatham–Kent–Essex that were sort of interspersed in those comments that were being made, some thinly veiled references to certain organizations, I'm not 100% sure, again, that the motivation is pure on this one.

Having said all that, I do look forward to the rest of the debate that we're going to see over the course of the afternoon, hearing from other members of the PC caucus and the NDP caucus, and I look forward to the vote that will take place.

I just want to say again—I'd say this to any member bringing forward a private member's bill, and I know I was very proud to bring forward my first back in the spring. I think it takes a great deal of initiative, and I respect that the member has brought this one forward at this particular point in time. Again, I look forward to the debate that's about to continue to take place. But I think on this one, the reforms and the regime that exist currently in Ontario do strike the right balance between transparency and free speech, so, Speaker, I won't personally be supporting Bill 101.

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

Mr. Ted Chudleigh: I would disagree with the former speaker on Bill 101, the act to amend the Election Finances Act. I think it is the right piece of legislation. It was the right piece of legislation in BC. It was the right piece of legislation in Alberta. It was the right piece of legislation in Quebec. It was the right piece of legislation in New Brunswick. And it was the right piece of legislation for the government of Canada. I don't know how Ontario would differ from those jurisdictions. I think

this is the right piece of legislation, and it was long overdue.

In Ontario, I would say, from my personal experience and the experience of everyone in this House, each candidate in the province of Ontario is limited as to how much money he can spend during an election. Why would that be? That is so that everybody who has their name on the ballot has a fair chance at getting elected. You can't spend more than your election limits.

Every party in Ontario, the Conservatives, the Liberals and the NDP, along with the other—what is it?—56 registered parties in Ontario, have provincial guidelines that allow them to only spend so much money in the province of Ontario during a writ period. Why is that? It's so there is an element of fairness, so that only the policies of the parties that are running can be judged. You cannot buy an election in Ontario.

Those spending ceilings, spending limits, are very important to democracy in this country. In the last three general elections in Ontario, third parties—not registered political parties but third parties in Ontario—have distorted those three elections.

Chief among them, I would say, was the Working Families coalition, which incidentally has nothing to do with working families and has everything to do with big unions. They spent millions of dollars. In the 2011 election, according to the Toronto Star, they spent \$2.3 million. According to other people that I've heard estimates from, it was \$5 million or \$6 million. I've heard one estimate as high as \$9 million. If indeed it was \$9 million that the Working Families coalition spent in the 2011 election, that would mean they spent more money than the Liberals, the NDP and the Conservatives combined. Even if it was only \$2.3 million, that is as much as any one party spent during that election. It has a huge influence on the outcome of the election, and yet that third party has no limit as to how much they can spend.

1500

I would suggest to the government, if they don't wish to support this bill, then they should take the spending limits off individual candidates and registered parties in the province of Ontario so that we can all spend as much as we want and we can buy elections in Ontario, similar to what they do south of the border, where limits are so high as to be unusable. I understand that Mr. Obama in the last election spent just under a billion dollars to win the presidency of the United States.

Mr. John O'Toole: Where did he get the money?

Mr. Ted Chudleigh: He had to raise that money.

Mr. Rick Nicholls: How is he doing so far?

Mr. Ted Chudleigh: How is he doing so far? Not so well, I would say.

I would like to support this piece of legislation. I would like to say it's long overdue in Ontario. Third party advertising is distorting our political system. It is having a negative influence on democracy in Ontario, and I would like to see it end.

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

Mr. Rosario Marchese: It's good to have the opportunity to speak to this issue. I want to speak to what I hear on a daily basis from the Conservative Party. Their attack is really on the Working Families coalition. Daily you hear this name Pat Dillon, who, I'm sure, doesn't mind having his name being pronounced in this chamber on a regular basis. That's probably true. The Conservative Party spits out venom against the Working Families coalition and Pat Dillon daily. It's a virulent attack against Pat Dillon and the Working Families coalition daily. It's vitriol. It's vituperate. It's everything that begins with a V. They do this daily. I say to myself, why that hate for this group? It's because they don't support the Conservative Party. I understand that.

But I have to say, I know a whole lot of these people in the construction trades including the teachers' federations because I was a critic for a long time and a former teacher. I know a lot of these folks. Many of these federations did not support many of my colleagues either. So it's not as if they have been friends to us during the elections, because they have been good friends of the Liberal Party, by and large. God bless. I understand.

Is this the way to get at the problem, is one question. And secondly, is this hatred for unions, which the member from Chatham-Kent-Essex—and not just he but the leader of the Conservative Party and all the other members have a hatred for unions, which they describe as a powerful special interest group.

Interjection.

Mr. Rosario Marchese: The union bosses. Often the Liberals will say that as well.

Mr. Rick Nicholls: There's no hatred. Don't put words in my mouth.

Mr. Rosario Marchese: Virulence.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Chatham-Kent-Essex, come to order. The member for Trinity-Spadina, will you please address the Speaker.

Mr. Rosario Marchese: Through you, Speaker, "hatred" is too strong; you're absolutely right.

Mr. Rick Nicholls: I totally reject that.

Mr. Rosario Marchese: Okay. "Hatred" is too strong. I took that back. I withdraw that word. It's a bit too strong.

But if you hear the member from Chatham-Kent-Essex and his leader and others, they talk about massive special interest group influence on the political and democratic process.

Now, I want you to see the flip side of this, Speaker, through you, to the member. But a short while ago, they and they had a special coalition called, as the member from Vaughan talked about, common ground, which sounds to me like this—common ground. That's what the member from Vaughan was saying, and but a short while ago, you had an understanding. You had a deal, as I understood it. And they were a bit heartbroken—

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): Minister of the Environment, please keep the props down.

Mr. Rosario Marchese:—that the Liberals, through their leader, the Premier, backed away from that deal, that common ground that you had. And that common ground was around a powerful special interest group, and I don't know whether you might agree with me or disagree with me. Who are they?

Ms. Cheri DiNovo: EllisDon.

Mr. Rosario Marchese: EllisDon. Now, they have, in profits—

Interjection.

Mr. Rosario Marchese: Minister, they have \$3 billion in profits. It's not chump change. It's not small, little pecunia. We're talking big, big pecunia, big, big money that has incredible influence on the political process and the democratic process of this country.

Oh my God, time is running out. I put to you this: From 2004 to 2011, here are the Liberal Party top donors: EllisDon—God bless—Toronto-Dominion Bank, Bank of Montreal, Bruce Power, Ontario Medical Association, Rogers Group.

The Conservative Party: Toronto-Dominion Bank—

Mr. Rick Nicholls: Point of order.

The Deputy Speaker (Mr. Bas Balkissoon): Stop the clock.

Point of order, the member for Chatham-Kent-Essex.

Mr. Rick Nicholls: Speaker, he seems to be a little confused. He's not speaking to Bill 101. He's referencing another bill that they so admirably call the EllisDon bill. We're not here to debate that bill. We're here to debate Bill 101 and the powerful meaning behind what 101 is all about.

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

Mr. Ted Arnott: Mr. Speaker, it's an honour for me to rise in the House this afternoon. I'm privileged to represent the people of Wellington-Halton Hills, and it's also an honour to have the chance to speak in support of Bill 101, An Act to amend the Election Finances Act with respect to third party election advertising, standing in the name of the member for Chatham-Kent-Essex. At the outset, I want to compliment the member for Chatham-Kent-Essex for the outstanding work he's doing in this House.

My wife, Lisa, grew up in Dresden, Ontario, and some of her family still live in Chatham. As such, I have visited Chatham over the years and try to keep up with the goings-on there. I know that we've had some great MPPs from Chatham. I think of Darcy McKeough and, more recently, Jack Carroll. But the name Rick Nicholls now stands with those dedicated parliamentarians from that great part of southwestern Ontario.

Rick Nicholls' presence in this 40th provincial Parliament strengthens it greatly. Rick Nicholls is one of the most positive people I have ever met. He approaches life seeing and believing the best in people. As the old saying goes, he sees the glass as half full, never half empty. For those of us who have been here for a while, he's a breath of fresh air. He's sincere and passionate, and he speaks eloquently and with conviction. He's

absolutely right when he says the election finance laws need to be reformed to level the playing field for all political parties in Ontario elections.

Bill 101 would amend the Election Finances Act to restrict so-called third party election advertising to \$150,000 and \$3,000 for individual ridings. It would impose serious fines on organizations that would seek to flout its provisions. This would, to say the least, trim the sails of some of the organizations that have spent millions of dollars on negative advertising, attacking one political party in the past three provincial elections.

For example, in the provincial election in the fall of 2011, the Working Families coalition, an amalgam of unions—the elementary teachers' union, the Catholic teachers' union and a number of other groups—spent something like \$6 million on political advertisements, mostly attacking our leader and our party. In comparison, our party spent \$5.1 million, I'm told the Liberals spent a similar amount and the New Democrats spent about \$1.8 million.

It's worthy of note that the provinces of British Columbia, Alberta, Quebec and New Brunswick, from west to east across the country, as well as the government of Canada, have all adopted controls over third party election advertising. In this country, and in our beloved province of Ontario, there has long been a consensus that there should be limits on campaign expenditures in the interests of fairness and of having a level playing field for all candidates and parties in the public interest. No one that I know of in this House would seriously propose to open this up so that the richest party could flood the airwaves with negative campaign messages, knowing their effectiveness in altering voter intentions is at least partially based on repetition.

The integrity of our system of parliamentary democracy rests on a number of assumptions. One of them is fairness. Another is that big money should not be permitted to buy an election. This is why candidates and parties can't just spend whatever they're able to raise on campaign expenses. There are firm limits as to what can be spent and serious consequences for those who ignore the law. If we accept the principle that there need to be limits on the campaign spending of candidates and parties, which I believe we do unanimously in this House, how can some members publicly defend the idea that there should be no limits on the campaign spending of pressure groups whose involvement is motivated by self-interest alone?

1510

I want to demonstrate the same optimism as the member for Chatham–Kent–Essex. I do not want to be cynical about the outcome of this vote. I hope the Liberal MPPs will carefully consider this matter on its merit.

I don't dispute that Liberal MPPs have consciences; I know that some of them do. Forgive me, Mr. Speaker, for observing that it just seems that when they leave their ridings and come to Queen's Park, some of them seem to leave their consciences at home. I hope today that that will not be the case.

I think it's important to also recognize that the only logical answer is that the Liberals believe they now have a competitive advantage because of this loophole in the election finances law, and that's why they say they're going to oppose this bill. They have their friends in the Working Families coalition. They have nurtured, cultivated and perpetuated this friendship with favourable consideration when it comes to policy and spending, and they'd like to keep things the way they are, thank you very much.

The only thing they've forgotten is that eventually—always—the truth comes out, and when the vast majority of Ontario voters become aware of this dirty little secret of the past 10 years of Ontario politics under the McGuinty and now the Wynne Liberals, Liberal MPPs will be forced to explain what has gone on, and they won't be able to do so.

When this happens, the verdict of the voters will not be kind to those Liberals who turned a blind eye to this cozy Working Families scheme during this lost decade of Liberal misrule in Ontario.

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

Mr. John O'Toole: It's a pleasure to stand in respect to the member from Chatham–Kent–Essex on Bill 101. I think the bill, the private member's bill, and his motive for doing it says a lot about the member himself. The member himself is a person—I believe my colleague Mr. Arnott said it very well too—who is a very genuine, sincere, trustworthy person. I think he's trying to look at the fairness principle as paramount to the whole discussion here today.

That was stated very much by Mr. Chudleigh as well, to say that we as members—every member here is allowed to spend a capped amount on the provincial election. A capped amount, whether it's federal—election spending is an important part of this whole discussion.

I think governments around the world have tried to deal with election spending. If it's fair for one, it's fair for all; I think that's important. The parties themselves are limited to an amount they can spend on media and other resources that they need in an election.

I look at it as fairness. All parties would agree, I believe, that outside pressure groups, whoever that happens to be—it could be EllisDon or anybody; it could be the teachers' unions or whatever—should not have unlimited spending limits. I think they have the right and freedom of speech to advertise and do their things, whether it's on condominiums or development issues or whatever. But at the end of the day, there should be a cap, and it should be publicly stated, what the spending is, so we know that it's more or less an attempt to influence the outcomes of an election.

That has clearly happened in a couple of the last elections. I've been here for 18 years. I was first elected in 1982—not provincially; I've served a number of years municipally as well. I believe that we are all accountable. At the end of the day, I believe Mr. Nicholls has the

absolute single focus here about the integrity of the process itself as being undermined.

We know how the social media and other aspects of it today—how things can go viral. In fact, if you looked at the social media in the election of Barack Obama—not against him personally, but it just was a groundswell, often, of misinformation or information.

So let's look at this carefully. It's about fairness in elections, so that everyone is treated fairly and there's no undue influence on the outcome of an election. I thank him for the genuine nature of his bill.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Chatham–Kent–Essex, you have two minutes.

Mr. Rick Nicholls: Again, I'd like to thank the members who spoke regarding this bill: the members from Essex, Vaughan, Wellington–Halton Hills, Trinity–Spadina and, of course, Durham.

There seems to have been a little bit of confusion with regard to this bill initially, because people were talking and confusing it with the EllisDon bill, which is all about corporations and their contributions to political parties. This bill is purely, strictly and solely about third party advertising during an election campaign.

I don't like saying that election campaigns are being bought. We, the PC Party, are really and truly the true supporters of real working families in Ontario. That's what we do.

The member from Vaughan had commented on the fact that it was his party, back in 2007, that had brought in some of the reforms to the Ontario Election Act. Well, what they did is they put in minimums, and that was it. I believe he was saying that if they pay \$500 or more, they have to be registered, and if they spend over \$5,000, then of course they have to be audited by Elections Ontario. That's fine. But what they didn't do is put a cap on it, which means you can run it to the moon, and that is just not right.

We in this Legislature are elected members. We are held accountable by our constituents, whereas these third party interests, be they corporations or unions or whoever, have no accountability. They are not elected. They do not have anyone on the ballot.

To run up the bill, to me and to my way of thinking, is just not right. We have to do something about it. Let's cap it.

I encourage all parties: Let's get this bill into committee after second reading.

The Deputy Speaker (Mr. Bas Balkissoon): We'll vote on this item at the end of private members' bills.

ENERGY CONSERVATION

Mr. Phil McNeely: I move that, in the opinion of this House, in an effort to protect and inform homebuyers, energy labelling related to the energy efficiency of new and existing houses at time of sale should be enacted by the end of 2014.

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

Mr. Phil McNeely: I'm pleased to stand in this Legislature today representing my riding of Ottawa–Orléans and to introduce this motion on home energy labelling. I have long been an advocate for improving the lives of Ontarians, first as a city councillor in Ottawa and now as an MPP. As a city councillor in the city of Ottawa in 2001, I worked alongside my colleagues trying to improve the energy ratings of our homes. Then in 2008, I tried again to improve the energy ratings of our homes, through my private member's bill the Home Energy Rating Act, which received all-party support. Again, in 2009, energy labelling for homes was on the table; this time it was incorporated in the Green Energy Act.

Today I rise to bring awareness of the need for home energy disclosure. I will continue to champion this cause so that all Ontarians are protected when purchasing their homes. As members of this House know, Ontario consumers are informed of the energy ratings for most of their household appliances, and the same goes for their cars. Yet there's no energy rating information for the largest purchase that Ontario consumers make: their home.

I'm humbled by the support I have received during my work on this motion. Today in the gallery, there are visitors who have been tireless advocates for the people of Ontario and our environment, and I urge the members of the house to listen to them. They include: Stephen Koch from Ottawa, a consultant and energy efficiency expert; Vladan Veljovic, president and CEO of Green-Saver, the oldest residential energy efficiency not-for-profit organization in Ontario; Chris Chopik, sales representative and chief agent of change at Sage Real Estate Ltd. Brokerage, and managing director of Evolution Green; and Stephen Hamilton from the Ontario Home Builders' Association. They know we all contribute greenhouse gases to this atmosphere. They know we can do better. We must take action to meet our carbon reduction targets in Ontario. That's why they are here to promote home energy efficiency disclosure.

We know that human influence has been the dominant cause of the observed warming since the 20th century. We know that just this summer, the carbon level passed 400 parts per million in our atmosphere. It's rising faster and faster. We cannot sit back and continue to emit greenhouse gases the way we do and the way we harm our environment.

We know that climate change is having a drastic impact on people's lives. People now have real financial and safety concerns. We all read about the Jersey storm about a year ago that resulted in over \$60 billion of damages.

Just last week, the Intergovernmental Panel on Climate Change stated, "Continued emissions of greenhouse gases will cause further warming and changes in all components of the climate system. Limiting climate change will require substantial and sustained reductions

of greenhouse gas emissions.” It is time we take bold action and do our part.

1520

The government of Ontario has been exemplary in protecting our environment, but we can always do more. We have reduced our dependence on coal, and we will be out of coal-generated electricity next year. I'd like to thank all members of this House and all Ontarians for their support of that action. Ontario is the only sub-national government to get out of coal-generated electricity; we have to be proud of that.

The government of Ontario introduced the Ontario building code in 2006 that set out a road map for energy efficiency to be implemented in new houses and large buildings. The Ontario building code was fully implemented by 2012. It is time that the rest of the housing stock in this province catch up. Home builders are already doing their part by building homes for Ontarians to the highest standards; we must encourage that standard for older homes, too.

Families purchasing homes that were built before the new building code came into force may be faced with decades of high energy bills that could be reduced. Vladan Veljovic agrees with this initiative. He says, “With a history of helping over 60,000 Ontario homeowners with their energy efficiency needs, GreenSaver can authoritatively say that this initiative will help homeowners reduce their energy bills and empower them to make their own choices.

“It also deserves continued multi-partisan support, because it will protect consumers across the province, by providing basic information about their most expensive asset, something that is sorely lacking” in the market today.

In his 2009-10 annual report, the Environmental Commissioner of Ontario, Gord Miller, proclaimed, “Energy audits can help home buyers choose a more energy-efficient dwelling.” Again, in 2011, Miller claimed, “The intent of this commitment was to make the energy efficiency of a home transparent through a rating provided prior to the sale. This helps buyers understand a home's energy use and ongoing operating costs.”

Both of those reports, I have with me. The first was called Building Momentum—2012, actually, the last report—and Restoring Balance was the other one; it's good reading for anyone in this province. He goes on and states that inaction on energy efficiency labelling is harming the public interest.

In his most recent publication, the Environmental Commissioner of Ontario writes, “Were the government to act on this promise, it would instantly increase homeowner interest in participating in a municipal retrofit program. The mandatory audit process would make clear to potential purchasers the significant difference in operating energy costs between homes that had undergone deep retrofits and similar homes that had not been retrofitted, and this information would likely become incorporated into the home's market value.”

I think it is time to listen to the Environmental Commissioner of Ontario. The good news is that doing

this benefits the people of our province. The really good news is that these retrofit costs will generally be paid back through energy savings in 10 years or less.

The energy labelling of homes at time of resale has other benefits, too. Homeowners who have taken steps to retrofit their homes will now be rewarded for their investment. Cosmetic investments in homes, like new floors and new countertops, give added value to the home; why shouldn't it be the same for energy conservation upgrades, which generally you cannot see?

When we buy a car or an appliance, we know the energy efficiency of that product. Mileage and cost of fuel have always been a large consideration when buying a car. Why not for the purchase of a home, the largest purchase you will make in your lifetime? Families need to know the energy efficiency of a home at the time of purchase. This is consumer protection on the largest purchase most families will make.

Realtors pushed back and stopped the requirements for energy efficiency information when this was last proposed in my private member's bill in 2008 and when included in the Green Energy Act in 2009, in part claiming that this initiative would punish those with inefficient homes. With only 10% of homes in this province having undergone any efficiency upgrades, this will reward that 10% of Ontarians and incentivize others; it won't penalize the 90% who have inefficient homes. As I stated, this motion is simply to promote the disclosure of more information to the consumer.

I must ask myself, why doesn't the real estate industry want that? Bill Johnston, broker and manager at Bosley Real Estate Ltd. and former Ontario Real Estate Association board member, says this:

“The real estate brokerage community has resisted the notion of making energy audits mandatory at time of sale. Among the concerns is the thought that the audit would be an added expense in the selling process and the audit results, if poor, could be used as a bargaining chip by buyers in the negotiation.

“The same opposition was levelled at the concept of property inspections when they were introduced to the Toronto market in the early 1980s.

“Real estate professionals thought that the extra expense was unwarranted and the report would be used to beat up sellers in the negotiation process. As it turned out, inspections became common practice in short order, because they made so much sense.

“Why wouldn't a buyer want to have professional advice concerning the physical condition of the property he or she is buying?

“And what buyer wouldn't appreciate having professional input regarding the ‘running costs’ of his or her biggest asset? Energy audits and energy-saving retrofits benefit homeowners and governments, because reduced energy use leads to reduced infrastructure costs and future generations have less pollution.”

Other jurisdictions all over North America, Europe and Australia are well on their way to energy-retrofitting their housing stock. Ontario can use existing legislation

to move this forward. We also have a plan to help Ontario families pay for the home improvement if they wish to make their homes more efficient.

The legislation in Ontario has been changed to permit the local improvement act to facilitate the home energy efficiency retrofits. This means that individual property owners can get help in carrying out their energy improvements, obtain the financing, and the municipalities can then collect back the same as taxes, as the Environmental Commissioner has laid out in his recent report, *Building Momentum: Provincial Policies for Municipal Energy and Carbon Reductions*.

“The inclusion of a home energy audit into the information that would be made available to all prospective homeowners would be instrumental in building market awareness and transformation and allow for the fair and objective comparison of ongoing utility costs associated with that property.

“It would also be a key component of a comprehensive energy efficiency program that could be delivered as part of LIC financing amendment made by the province of Ontario in October 2012 that would not only make our housing stock more efficient but will also greatly foster a local energy-efficient economy base and retain energy dollars in our local communities.” This was said by Gabriella Kalapos of the Clean Air Alliance.

Local businesses, contractors and labourers will see the benefits from energy upgrades. Tens of thousands of jobs will be created. Certified energy auditors can perform faster, lower-cost energy labelling through new systems under development. The Minister of Energy can phase in the energy efficiency disclosure so that owners selling their homes or purchasers buying the home will not be held up in their transactions.

Ontario, in a few years, can have most of our homes energy-efficient. It would lower the cost of home ownership, and at no additional cost. I ask the members of this Legislature to support this motion. The home purchaser, the consumer, will be protected. Our air quality will be improved. Good jobs will be created. Our homes will be more comfortable. Retrofits will pay for themselves through energy savings.

I believe in the ability of this House to put aside partisan politics and do the right thing. I believe that we can move forward with a culture of conservation in this province. I believe that we all share the same commitment to the people of the province, and I do not believe that one organization should set environmental policy. I challenge the Ontario Real Estate Association to meet with the Minister of Energy and other stakeholders and protect home buyers as well as sellers.

I invite all three parties to support this important motion so we can protect and inform consumers, save Ontario families money and protect the environment for our children and grandchildren.

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

Mr. Michael Harris: I'd like to share a few points about motion 44, which was moved by the member for

Ottawa–Orléans. In fact, I had a good opportunity to travel recently—last year—with the member for Ottawa–Orléans to the Great Lakes environmental legislators' conference, where we had a good time, got to know each other a bit better, and I definitely know his sense of commitment to the environment.

Although I share the member's concern for conserving energy, unfortunately I do not share his view on how to make that happen. That's because I believe Ontario homeowners are responsible and environmentally aware. They understand the importance of energy conservation when it comes to both managing personal expenses and protecting our environment, so they shouldn't be blamed for 10 years of government failure on energy conservation. Instead, Ontarians should be commended for making the right choices and rewarded for their efforts. Unfortunately, the Liberals do not share this view. What's the reason? They actually think Ontarians are not concerned with the energy consumption of their home.

1530

On this side of the House, we know that's not true. In 2010, the Liberals reneged on their commitment to provide half the funding for the federal government's ecoEnergy Retrofit program. They made this decision despite the program's broad-based success. In just a five-year period, one in every 20 Canadian households applied to receive a rebate. I, in fact, was one of those households. Let me tell you, I got a home energy audit, not because anyone was twisting my arm, but because I wanted to reduce my energy footprint and ensure I was living sustainably, both financially and environmentally. That was the motivation of all Ontarians who used this program.

Unfortunately, the Liberals have chosen to ignore this fact. Instead, they think all Ontarians should be forced to conserve energy with overly expensive hydro bills, smart meters, time-of-use pricing, and a bunch of other regulatory schemes. But they haven't stopped there. Now they want to make home energy audits mandatory, first using this motion and then proclaiming section 3 of the Green Energy Act. I shouldn't have to remind the Liberals that Ontarians rejected this section four years ago. They were outraged to learn that the government was about to force them to spend hundreds of dollars on an energy audit and thousands of dollars on repairs just to sell their home. That's why section 3 was never proclaimed into law.

The member should know that prospective buyers can already request to see the utility bills for a property at no cost to the homeowner. Unlike an efficiency rating, this approach provides the best snapshot of a home's overall energy costs in real dollars and cents. But if the prospective buyer wants to know the efficiency rating, he or she can make an offer conditional on the results of an energy audit. Clearly, there's no reason at all for the Liberals to strong-arm Ontario home sellers into spending hundreds of dollars on an energy audit when simple, more effective solutions already exist within the marketplace at no cost to the home buyer or owner.

What also concerns me are the unintended consequences of this motion. In fact, more than 61% of

Ontario homes were built before 1980—just slightly after I was born—well before energy efficiency guidelines were part of the code. That means this hastily conceived motion will pave the way for forcing three million Ontario homeowners into getting a home energy audit. Many of these homeowners are seniors relying on equity in their property for their retirement. This policy change could have devastating effects on many of our seniors' retirement plans.

I would ask the member to clearly rethink this motion and encourage him to put the faith back into Ontarians, because obviously we, on this side of the House, know Ontarians do a better job of protecting our environment than useless government bureaucracy.

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

Ms. Sarah Campbell: In my riding of Kenora–Rainy River, the price of residential electricity and home heating is probably the single biggest issue that I hear when I'm knocking on doors, I'm out at trade shows, or even at my constituency offices. People are extremely concerned about being able to afford to pay their home utility bills and to have money left over to put food on the table.

While this bill may be beneficial to consumers who are looking to buy a new home, it does nothing to help those who are looking for homes or who already live in their homes and are looking to sell.

If passed, this would penalize individuals and families with modest incomes and seniors who already feel the squeeze and already feel that they don't have the money to keep paying their day-to-day living expenses, never mind being able to afford to conduct energy efficiency upgrades or audits. It's just completely unaffordable.

This government does claim to be concerned about the well-being and the independence of seniors, but it continues to spend billions of dollars on new gas plants and nuclear plants instead of coming up with a cost-effective energy efficiency strategy and by doing away with the programs that have actually served to help people and keep them in their homes. When it comes to keeping seniors in their homes longer, making independence affordable is probably the single biggest thing that this government could do. Another thing that this government could do is similar to what Manitoba currently does, which is offer no fewer than nine programs and loans to increase the energy efficiency of residential homes.

Quite simply, this motion puts the cart before the horse. It would penalize good hard-working people who are struggling to keep up. I have yet to meet a person living in Kenora–Rainy River, or, really, anywhere in Ontario, who isn't interested in energy efficiency or with lowering the price of their energy bills. But again, this bill doesn't do anything to help people get there, and that's where our focus needs to be.

But that said, Speaker, I intend to support this motion because I believe that much can be gained by having an in-depth discussion on ways that Ontario can help

homeowners to improve the energy efficiency of their homes, and for that reason, I will be voting to continue this discussion at committee.

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

Hon. Linda Jeffrey: I rise today with great pleasure to support the member from Ottawa–Orléans' motion, and I want to commend the member for raising the issue of home energy audits and energy labelling again. He's very persistent on this issue, because he's raised it before. In 2008, he brought forward the home energy act, and the Green Energy Act was introduced a year later, which incorporated many of the good ideas that were contained in his private member's bill. Clearly he's committed to this cause, and I am proud to stand alongside him in supporting this effort today.

I'm also proud to stand in this House and say that our government has led the way on home energy efficiency for new home construction. I have some personal knowledge of that because my son and his fiancée are actually days away—I think they have a countdown going—from moving into their new home. Their new dream home has, under the building code's new efficiency standards for homes built since January 1, 2012, some new standards, and they've been paying attention to that.

What does it mean to the average consumer? It means that the contractor building the house will have several features that help it meet the new building code for a standard of energy. For example, home builders can choose to use insulation to keep the heat from escaping the home and reducing the amount of heat they need to use. The builder can install windows that have the same effect of keeping the heat from escaping the home and also they can use a high-efficiency furnace, which also helps reduce the home heating fuel bill for homeowners.

The new guidelines mean that a new home will be at least 40% more efficient than the home my son grew up in. But we're not stopping there. Our new home efficiency targets will mean that new homes built after 2017 onward consume 50% less energy than they did before 2006. The requirements that we've put in place and those that are coming solidify Ontario's leadership in new home energy efficiency when compared to other North American building codes. Mr. Speaker, that's going to save my son and other Ontario families money on their energy bills. That is why I'm supportive of this motion. We need to find ways to encourage all Ontarians to use energy efficiency whenever possible, particularly in existing homes.

The energy labels have the potential to incentivize energy efficiency improvements, which could transform our housing market and stimulate the demand for energy-efficient homes and the products that support that. That will result in savings to homebuyers on their home energy bills. People who have made improvements to their homes since the initial construction can be credited for their actions and their investments. Buyers can't see behind the walls, and energy labelling will provide a measure of this and make it easier for consumers to compare.

I want to commend the member from Ottawa–Orléans for his continuing advocacy on increasing consumer education and improved energy efficiency programs. I think this is something that is worthy of conversation, and I'm happy to support it going to committee.

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

Ms. Lisa M. Thompson: I'm pleased to join this debate today on the member from Ottawa–Orléans' motion. I find it very interesting. We have to take a look at history because history is a predictor of future behaviour. I feel that we're going around the circle again. The ill-conceived Green Energy Act has just caused issue after issue.

I find it pretty interesting that if you take a look historically, the Ontario Real Estate Association convinced the Liberal government to actually not proclaim section 3 of the Green Energy Act. That could bring a whole host of discussion items to the floor today. Why did the Liberal government choose to listen to the Ontario Real Estate Association in 2009 but they choose not to listen to 70-plus unwilling host communities that are standing up against the actual invasion of industrial wind turbines in communities where they're not wanted?

1540

As I said, this discussion could go in many different directions. I want to say that I really appreciate the spirit in which the member from Ottawa–Orléans brought this motion to the floor, but sadly, we can't support it, because if you take a look at the realities, it's another tax. In Ontario, we just can't afford the manner in which the Liberal government is leading us down a path of no return. I have had numerous emails and conversations with people who are encouraging myself and the PC caucus to say no to this private member's motion. The realities are, we should not be further facilitating a nanny state. That's what we have had this last decade. It's a lost decade. People do not have the confidence in this Liberal government because they continue to hammer down and tell us exactly what we have to do and what we can't do.

To the member for Ottawa–Orléans, I'd like to suggest I totally agree in conservation. I was told once, and I thoroughly believe it, the greenest kilowatt is the kilowatt that's never used. We're talking about conservation, but people have to be trusted to choose that path. We shouldn't have to subject them to a nanny state. It's absolutely ridiculous.

I think about the additional regulations and the additional employees the Ontario government might have to hire to fulfill this private member's motion, because there is no exact science behind auditing. I'm afraid that there would be private firms choosing to interpret the regulations one way or another, causing added chaos to an environment that the Liberal government has completely failed in, in terms of energy conservation and the energy picture overall in Ontario.

I think about the people who are going to be selling their homes over the next few years. I think about my mother, who—oh, I'd better not say her age; I almost did.

I think about my mother, who could very well be selling her house in a couple of years.

I think about my grandmother, who would have been 97 this year, and her house was sold. You know what? The seniors throughout Ontario are calling constituency offices very concerned that they cannot afford their energy costs. And now these seniors are going to be faced with selling their home, but before they can do so, they have to spend thousands of dollars in upgrades.

This whole motion just further props up ill-conceived green energy notions. While I appreciate the spirit in which was suggested, it's all wrong. We need to be reducing regulation and getting our province back on the path to prosperity through focusing on the economy and jobs instead of this.

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

Mr. Jonah Schein: It's Thursday afternoon; it's time for private members' business. Welcome, Grandma Grace, to our show this afternoon—to let her know that we're debating a motion by the member from Ottawa–Orléans around energy conservation.

I want to start by commending the member. I know that I have spoken to him personally. He is a member who cares deeply about the environment—one of the few members, unfortunately, that I've heard talk about the issue of climate change. But it is key to note, Speaker, that the member, who is the parliamentary assistant to the Minister of the Environment, has had to bring this issue forward as a private member's motion rather than as a government initiative. That's unfortunate, because the issue of climate change and the issue of energy conservation is something that should take priority, and that's actually not what's happening here today. In fact, the record shows the Liberal government has dropped the ball when it comes to energy efficiency and it really refuses to pick it up.

As we all know, energy conservation is the cheapest way to meet electricity and energy demands, but as the Environment Commissioner has pointed out time and time again, this Liberal government has not done very much when it comes to conserving energy in Ontario.

Let's take a look at the Liberal government record on conservation and energy efficiency over the past few years. Back in 2009, the government defeated NDP amendments to the Green Energy Act that would have required the government to pursue all cost-effective conservation before seeking new supply. This government has ramped down energy efficiency targets over the life of its 2010 long-term energy plan. It set goals of 4,500 megawatts of conservation over the first five years, but then only 2,500 megawatts over the next 15 years. It cancelled the home energy savings program in 2011, and although the cost of saving a kilowatt of energy is less than half the cost of obtaining a new kilowatt through renewable or nuclear energy, Ontario's 2010 long-term energy plan still proposed spending six times more on electricity supply than on energy efficiency. The dollars are going in the wrong place.

Worst of all, this government has allowed OPG to proceed with over \$1 billion in spending on the refurbishment of the Darlington nuclear power plant before considering cheaper energy conservation alternatives.

The government knows that conserving energy is cheaper than building new power plants. In the summer, the Minister of Energy released a discussion paper for consultation entitled *Conservation First*, but we know the title of the paper does not reflect Liberal priorities. We've seen enough discussion papers, panels and conversations, but actions speak louder than words. And the action we see from this government is putting nuclear expansion first—putting it before conservation and before saving for the province.

There's only one way to put conservation first, and that's to reduce the Liberal government's arbitrary commitment to keeping nuclear power at 50% of the grid for decades to come. There are cheaper and better ways to do this.

It's ironic that the member is introducing this motion, given that his government cancelled the initiatives that would have helped homeowners comply with energy labelling and refused to make conservation a viable policy option in this province. A concern with this motion is the potential cost to homeowners. Potentially, this initiative could penalize modest-income seniors—my colleague has made this point already this afternoon—who don't have the funds to conduct energy efficiency upgrades or who live in older and less well-insulated homes. These homeowners would be more able to conduct these upgrades to their homes if the home energy savings program had not been cancelled by this government.

Having said that, the labelling of homes upon sale is a good step, and despite the comments by the official opposition, the government does have a role to play. It's not about the nanny state; it's about the function of government and what we do together to encourage better public policy. As it is, homeowners are often hesitant to invest in energy efficiency improvements because the payback on investment often exceeds the time they think they will be in their home.

Energy labelling provides an incentive for homeowners to make energy efficiency improvements, because their investments are more likely to be recouped when they sell their homes. For example, a comprehensive study in California found that energy-efficient-labelled homes typically sold for nearly 9% more, relative to non-labelled homes. Labelling will also provide more transparency about the condition of a house for homebuyers, obviously, and encouraging these audits will create green jobs across this province.

Because of the potential benefits of energy labelling, I will support this motion, but let's be clear: The benefits are small considering the way this is coming forward. We know where the real action needs to happen. If this government were serious about conservation, it would take the steps I talked about earlier and get serious about conserving energy. It would set more aggressive energy

efficiency targets, it would re-examine its obsession with nuclear power, it would stop its expensive privatization schemes and it would find ways to help people pay for home energy audits and retrofits.

I want to leave some time for my colleague to say some words. Thank you.

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

Mr. Kevin Daniel Flynn: It's a pleasure to join the debate. It gives me an opportunity to pay tribute to a colleague of mine, the member from Ottawa–Orléans, certainly in our caucus and in this House a gentleman who reminds us quite often, on a regular basis, of what impact we have on the environment. Sometimes, when we seem to ignore some of the warnings that are staring us in the face about what's happening out there in global warming and climate change, it's Mr. McNeely who often brings us back on track and gets us talking about something we should be talking a lot more about.

When you look at it from a very practical perspective, what the motion is saying is that when consumers are making what is probably going to be the biggest purchase of their entire life, we could do better, as a government and as a society, at warning people, telling people what the operating costs of that big purchase are going to be in the future. More often, when I think of that, when I develop an image of whom this motion might help, I think of a young family that's out shopping for their first home. They're either in Toronto looking at a condo or they're out in Oakville looking at a subdivision. They see a house they like, and they think they can afford that house. What they don't often think of in the excitement of the new purchase, raising a family, the move and everything else, is that there's going to be ongoing operating costs associated with that home.

1550

It would seem to me that, if you were interested in adding a layer of protection to the interests of the young homebuyers in the province of Ontario, you would simply put on a label, a tag, a standard or an index quite similar to what we do with refrigerators, what we do with stereos, what we do with ovens and what we do with automobiles, for example. When you buy a car, you look at the mileage, and it's the law that the manufacturer of the automobile has to tell you what the mileage is so that when you buy that car, you know that the expense to operate that car is going to be X dollars per mile. It seems to me that we could apply that same standard to people who are buying homes. We could tell people up front what the anticipated operating costs of the biggest purchase in their life are.

People who have lined up to support this initiative from the member from Ottawa–Orléans include Bill Johnston—he's a broker, manager and legal counsel of Bosley Real Estate, and he's the former president of TREB and an OREA board member—and organizations such as Building Knowledge Canada; the Canadian Energy Efficiency Alliance; the Clean Air Partnership; Evolution Green; Green Communities Canada; Green-

Saver; the Ontario Home Builders' Association; Peter Love, somebody we all know, who is an associate professor at York University; and the Toronto Atmospheric Fund. That seems to me to be a very comprehensive group of organizations that have, I think, an awful lot of expertise and a lot of knowledge that they'd like to share with other people. What they're saying by lending their support to notice of motion number 44, which is before us today from the member from Ottawa–Orléans, is that this would be a good idea.

We just had a report issued by the Environmental Commissioner of Ontario; it's called Building Momentum. On page 29 of that report, it outlines the annual per capita residential greenhouse gas emissions for the GTA. There are some areas that look pretty green, that look like they're doing a pretty good job. There are a lot of areas, however, that are in the red. That's primarily as a result of either transportation, residential electricity use or building fuel. So that's what's contributing to the degradation of air quality in the GTA. I think the initiative that has come forward from the member for Ottawa–Orléans goes a long way towards being able to help to mitigate it. But at the same time, it's a very practical bill that allows for consumer protection when those consumers in our society are making, as I said, what is probably the biggest purchase of their life.

I think the member from Ottawa–Orléans should be commended for continuing to bring this type of information forward, and I would ask all members of the House to support him.

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

Mr. Jim McDonell: I rise to take a stand for homeowners and tenants in this province who see their incomes and pensions chiselled away by this current government. Climbing hydro bills, set to rise another 50%, according to the Auditor General, have made independent living almost or completely unaffordable for many of my constituents.

Smart meters, a measure touted as a cost saver, have instead resulted in an extra, never-before-announced charge being tacked on Ontarians' bills. Time-of-use billing has imposed a government-approved schedule on our daily activities. People on a fixed income, especially seniors, can no longer make ends meet, and they are forced to choose between putting food on their table or heating their homes—truly, a sad state of affairs.

I have some news for the government side: No matter how much or how strongly they wish for a utopian energy dream to come true, it takes sound policy, not wishful thinking and government force, to make good things happen. Energy audits, as envisioned in this motion, are just an arbitrary measure of a home's energy efficiency. The rating will never tell a prospective buyer how their energy consumption habits will affect the bills when they move in.

There is a reliable, simple and free answer to the problem. Prospective homebuyers can simply review the utility bills of their future property, which will provide a

clear picture of the energy consumption patterns in both winter and summer.

This motion also displays a very flawed approach that this government has taken towards the jobs file as a whole. We've heard that mandatory audits will supposedly make work for energy auditors. This isn't jobs, or concern for the environment, or even sanity. It's just more government jobs driving up costs to the consumer.

If the answer was as simple as what the government has been practising for the past 10 years, creating thousands—even hundreds of thousands—of more government jobs, then tax Ontarians to pay for them, then the jobs crisis would have been solved and we wouldn't have 600,000 Ontarians looking for a job today.

Speaker, you cannot create wealth by robbing Peter to pay Paul. This motion would just create a cost from which the government would skim 13% HST. Ontarians are already being taxed, nickelled and dimed at every moment. They would tell the member from Ottawa–Orléans, "No, thank you."

If the government truly cared about energy conservation and protecting the environment, they would make it easy for innovators to set up shop in Ontario and supply new, energy-efficient materials to our market at great prices.

This Liberal government has talked energy but has only delivered costs and misery. If you really want to cut the costs for our suffering homeowners, I would suggest you might harvest some of the hot air from the other side and use it to heat our homes.

More rules, regulations and costs may be the only politics this government understands, but it has only served to drive up costs to a point where businesses can't compete and our consumers can't afford the prosperous life that they've worked so hard for and that we used to be used to.

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

Ms. Cheri DiNovo: It's a pleasure to get up. First of all, right off the bat, I'm going to say we're supporting this bill. Now I'm going to tell you what the problems are.

I refer to the member from Davenport, who is our environment critic, who did a wonderful job of outlining every single thing this government has done that, of course, completely contradicts their claim to be environmentally friendly.

But I want to highlight two of those reasons: One, and I think this is particularly damning, is cancelling the home energy savings program in 2011; two, and this is critical—\$1 billion is going into nuclear energy. That's \$1 billion that could have been spent doing what? Setting up the kind of fund, for example, that Manitoba has, where you can borrow money to retrofit your house and get energy audits, and then pay it back out of your energy savings. Imagine if we had that in Ontario. And guess what would happen if we did? That fund becomes self-seeding and eventually pays for itself. So it doesn't even cost tax dollars; it's just an initial investment. They could

do that; they're not doing that. In fact, they're running fast in the opposite direction.

The other thing I wanted to highlight is that this is a government that actually paid other jurisdictions to take our excess in power—paid them. Now they sell it to them at a deep discount.

How dare they talk about energy conservation and the environment? It's unbelievable. I'm talking about our environment minister, really—but, I mean, I'm talking about the reports that come out on a regular basis that are all incredibly critical from our commissioners on this government's history with the environment. There is a term for this kind of action. It's called "greenwashing." It's called, "Doing all the wrong things but introducing a bill that makes it sound like you're actually progressive."

One of the things I wanted to do, standing on my hind legs here, is to give a shout-out, by the way, to those folk, many of whom from my riding are fasting right now on Parliament Hill. They're fasting because of the lack of action of successive administrations, federally, on climate change.

To bring it on home here to Ontario, one can say the same thing here. We are in a crisis situation where the environment is concerned and where energy is concerned. Our eminent critics—our critic for energy, who used to be the executive director of Greenpeace; that says it all right there, and our environment critic from Davenport—have outlined this on numerous occasions. Then we get—not even a government bill here, by the way—a private member's bill that, chances are—

Interjection: A motion.

Ms. Cheri DiNovo: A motion, yes—not even a bill. It's a motion—it's a motion; it's not even a bill—that makes it sound as if they're doing something. If you're watching this, if you're here in the chamber, I'm sure your intentions are good. I'm sure you hope their intentions are good. My stand here today is to say that they're not. They are not.

1600

This is not going to go anywhere. Mark my words: It's not going to go anywhere. It's not going to make any changes whatsoever in the lives of anybody. In fact, it provides a cover for what is not being done. That's the most egregious aspect of it. That's why "greenwashing" is a good term, and that's what's going on here this afternoon.

I think I've said it all. If you want to look at a jurisdiction that's doing it right, look to Manitoba with a lot less resources doing a whole lot more. Certainly, where you should not look is to the Liberal government in the province of Ontario.

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

Ms. Mitzi Hunter: I'd like to speak today in favour of motion 44, introduced by my colleague the member for Ottawa–Orléans. This motion seeks to make disclosure of home energy ratings mandatory at the point of purchase. This is a good bill that will protect consumers, promote energy efficiency and create green jobs.

This bill was introduced in 2008 and gained all-party support. It was adopted into the Green Energy Act, and while it exists in spirit, it is not regulated.

I know in my riding of Scarborough–Guildwood that most of the homes were built prior to 2009. Not only that, but a lot of the homes, especially those south of Kingston Road, are older homes. The second person I spoke to on the first day of my election campaign was a new homeowner. We were able to talk about how beautiful the homes are in Scarborough–Guildwood and how the lower mortgage rates are attractive to young families who still want to live in the city of Toronto.

As young families move into my riding and make the most important financial commitment of their lives, it is important for them to be completely informed when they make this major purchase. Joe Vaccaro, president of the Ontario Home Builders' Association, who is here in the gallery today in support of the bill, has stated, "OHBA has been consistent in our support for the energy labelling of resale homes since the introduction of the Green Energy Act, as we see it as an extension of important and necessary consumer disclosure."

This bill has many benefits, but this one is really the most obvious. Families, especially young families, deserve for this disclosure to be made mandatory. This is a basic issue of informing and protecting consumers, something that's vitally important to my constituents in Scarborough–Guildwood and across Ontario.

Why should consumers not have the right to know everything about the biggest financial investment that they will ever make, buying a home? Bill Johnson, the Canadian Real Estate Association director at large, former president of the Toronto Real Estate Board and an Ontario Real Estate Association board member, has stated that he is "a big supporter of energy audits and energy labelling for real estate. Energy costs are a major expense for homeowners.... Consumers deserve to be better acquainted with these costs, along with the various ways to make their homes more energy efficient."

OREA claims that this bill will punish people who are trying to sell homes built before 2009, homes that have not been retrofitted to comply with energy standards. Energy costs are a huge part of the expenses that come with home ownership. Buyers have a right to know if the home that they are buying will cost them more in the long run.

The bill does not in fact punish anyone. It will, however, reward 10% of homeowners who have retrofitted or who purchased a home built after 2009. This bill is a tool that will simply allow homebuyers to be more prepared to make their purchase.

Gord Miller, the Environmental Commissioner of Ontario stated in his report in 2011, "The public interest is not being served by" government's "inaction on mandatory home energy audits." The interests of homeowners are "harmed by the lack of transparency related to energy use in the home."

This bill would regulate a piece of information that should be, but is not, voluntarily provided to every

person in Ontario who is in the market for a home. OREA tries to claim that mandatory energy audits would be detrimental to Ontario's economy and that, faced with the recommended energy improvements—however, homeowners make material upgrades to their homes over the course of home ownership. Realtors across the province sell various aspects of that home, but none of them talk about the substantial benefits of energy conservation upgrades. The long-term cost savings, as well as the minimized environmental impact, are huge benefits that buyers need to be aware of.

In a 2009 EnerQuality survey, nine out of 10 homebuyers believed that home energy efficiency is an important consideration when purchasing a home. Motion 44 will also encourage energy conservation, a very important aspect of this—

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

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): I know that a lot of members are coming back in because it's close to the vote, but there are about 15 conversations going on in the chamber and it's very difficult to hear the speaker. I would ask for a little quiet.

The member for Ottawa–Orléans, you have two minutes.

Mr. Phil McNeely: Thank you, Speaker. I want to thank the members from Kitchener–Conestoga and Kenora–Rainy River, the Minister of Municipal Affairs and Housing, and the members for Huron–Bruce, Davenport, Oakville, Stormont–Dundas–South Glengarry, Parkdale–High Park and Scarborough–Guildwood.

I'm very pleased to hear all these positive comments from the party opposite. I'm sure it would probably be good for them to read what the Environmental Commissioner has said. He's a very important person in this province, and he has consistently pushed to get this information out at the time of sale of homes to create employment, not for the inspectors but for the retrofits that would follow.

Disclosing the most information possible will invigorate the market and create jobs. Gord Cooke of Building Knowledge Canada says, "Energy efficiency labelling is a high-value, knowledge-based industry that in and by itself encourages great jobs and then spurs some of the most cost-effective and sustainable housing renovation work available."

I'm sure you know that every energy-based retrofit project offers the highest rate of investment return possible. This is a better rate of return than virtually any other investment the consumer can make.

I encourage the PC caucus to try to remember a few years back, when the member for Durham, commenting on my private member's bill, said:

"I support the whole idea of conservation culture.... The kilowatt that you don't consume is the kilowatt you don't have to generate. So" Phil McNeely is "on the right track.

"We have decided as a caucus to support Mr. McNeely's bill."

"The point I want to make is this: First of all, this was one of the planks in our platform in 2007"—that was the Tory government. "It was in our platform. Therefore, it must be a good decision."

I thank all the members for commenting. I think this is an important discussion to have, and I think we should listen to the Environmental Commissioner of Ontario and get this done. Thank you for your support.

The Deputy Speaker (Mr. Bas Balkissoon): The time for private members' public business has expired.

ARCHIVES AND RECORDKEEPING AMENDMENT ACT, 2013

LOI DE 2013 MODIFIANT LA LOI SUR LES ARCHIVES PUBLIQUES ET LA CONSERVATION DES DOCUMENTS

The Deputy Speaker (Mr. Bas Balkissoon): We will deal first with ballot item number 43, standing in the name of Mr. Tabuns.

Mr. Tabuns has moved second reading of Bill 102, An Act to amend the Archives and Recordkeeping Act, 2006 to impose penalties for offences relating to public records of archival value.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

Second reading agreed to.

Mr. Peter Tabuns: I request that the bill be sent to the Standing Committee on the Legislative Assembly, Speaker.

The Deputy Speaker (Mr. Bas Balkissoon): The member has requested that the bill be referred to the Standing Committee on the Legislative Assembly. Agreed? Agreed.

SPECIAL INTEREST GROUPS ELECTION ADVERTISING TRANSPARENCY ACT, 2013

LOI DE 2013 SUR LA TRANSPARENCE DE LA PUBLICITÉ ÉLECTORALE DES GROUPES D'INTÉRÊT PARTICULIER

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Nicholls has moved second reading of Bill 101, An Act to amend the Election Finances Act with respect to third-party election advertising.

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 nays have it.

We will take this vote at the end of regular business.

ENERGY CONSERVATION

The Deputy Speaker (Mr. Bas Balkissoon): Mr. McNeely has moved private member's notice of motion number 44.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say “aye.”

All those opposed to the motion, please say “nay.”

In my opinion, the nays have it.

We will take the vote shortly.

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

The division bells rang from 1610 to 1615.

SPECIAL INTEREST GROUPS
ELECTION ADVERTISING
TRANSPARENCY ACT, 2013

LOI DE 2013 SUR LA TRANSPARENCE
DE LA PUBLICITÉ ÉLECTORALE
DES GROUPES D'INTÉRÊT PARTICULIER

The Deputy Speaker (Mr. Bas Balkissoon): Would members please take their seats.

Mr. Nicholls has moved second reading of Bill 101, An Act to amend the Election Finances Act with respect to third party election advertising.

All those in favour, please rise and remain standing.

Ayes

Arnott, Ted	Klees, Frank	Ouellette, Jerry J.
Bailey, Robert	Leone, Rob	Pettapiece, Randy
Barrett, Toby	MacLaren, Jack	Scott, Laurie
Chudleigh, Ted	MacLeod, Lisa	Shurman, Peter
Clark, Steve	McDonnell, Jim	Smith, Todd
Dunlop, Garfield	McKenna, Jane	Thompson, Lisa M.
Elliott, Christine	McNaughton, Monte	Walker, Bill
Hardeman, Ernie	Miller, Norm	Wilson, Jim
Harris, Michael	Milligan, Rob E.	Yakabuski, John
Holyday, Douglas C.	Munro, Julia	Yurek, Jeff
Jackson, Rod	Nicholls, Rick	
Jones, Sylvia	O'Toole, John	

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise and remain standing.

Nays

Albanese, Laura	Flynn, Kevin Daniel	Naqvi, Yasir
Armstrong, Teresa J.	Forster, Cindy	Natyshak, Taras
Berardinetti, Lorenzo	Fraser, John	Piruzza, Teresa
Bisson, Gilles	Hatfield, Percy	Prue, Michael
Bradley, James J.	Hunter, Mitzie	Qaadri, Shafiq
Campbell, Sarah	Jaczek, Helena	Sandals, Liz
Chan, Michael	Jeffrey, Linda	Sattler, Peggy
Colle, Mike	Mangat, Amrit	Schein, Jonah
Coteau, Michael	Mantha, Michael	Sergio, Mario
Del Duca, Steven	Marchese, Rosario	Singh, Jagmeet
Delaney, Bob	McMeekin, Ted	Sousa, Charles
Dhillon, Vic	McNeely, Phil	Tabuns, Peter
Dickson, Joe	Miller, Paul	Taylor, Monique
DiNovo, Cheri	Milloy, John	Vanhof, John
Duguid, Brad	Moridi, Reza	Wong, Soo
Fife, Catherine	Murray, Glen R.	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 34; the nays are 47.

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

Second reading negatived.

The Deputy Speaker (Mr. Bas Balkissoon): Open the doors for a second, please—30 seconds.

ENERGY CONSERVATION

The Deputy Speaker (Mr. Bas Balkissoon): Mr. McNeely has moved private member's notice of motion number 44. All those in favour, please rise and remain standing.

Ayes

Albanese, Laura	Flynn, Kevin Daniel	Naqvi, Yasir
Armstrong, Teresa J.	Forster, Cindy	Natyshak, Taras
Berardinetti, Lorenzo	Fraser, John	Piruzza, Teresa
Bisson, Gilles	Hatfield, Percy	Prue, Michael
Bradley, James J.	Hunter, Mitzie	Qaadri, Shafiq
Campbell, Sarah	Jaczek, Helena	Sandals, Liz
Chan, Michael	Jeffrey, Linda	Sattler, Peggy
Colle, Mike	Mangat, Amrit	Schein, Jonah
Coteau, Michael	Mantha, Michael	Sergio, Mario
Damerla, Dipika	Marchese, Rosario	Singh, Jagmeet
Del Duca, Steven	McMeekin, Ted	Sousa, Charles
Delaney, Bob	McNeely, Phil	Tabuns, Peter
Dhillon, Vic	Miller, Paul	Taylor, Monique
Dickson, Joe	Milloy, John	Vanhof, John
DiNovo, Cheri	Moridi, Reza	Wong, Soo
Fife, Catherine	Murray, Glen R.	

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise and remain standing.

Nays

Arnott, Ted	Klees, Frank	Ouellette, Jerry J.
Bailey, Robert	Leone, Rob	Pettapiece, Randy
Barrett, Toby	MacLaren, Jack	Scott, Laurie
Chudleigh, Ted	MacLeod, Lisa	Shurman, Peter
Clark, Steve	McDonnell, Jim	Smith, Todd
Dunlop, Garfield	McKenna, Jane	Thompson, Lisa M.
Elliott, Christine	McNaughton, Monte	Walker, Bill
Hardeman, Ernie	Miller, Norm	Wilson, Jim
Harris, Michael	Milligan, Rob E.	Yakabuski, John
Holyday, Douglas C.	Munro, Julia	Yurek, Jeff
Jackson, Rod	Nicholls, Rick	
Jones, Sylvia	O'Toole, John	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 47; the nays are 34.

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

Motion agreed to.

ORDERS OF THE DAY

ORDER OF BUSINESS

Resuming the debate adjourned on October 1, 2013, on the amendment to the motion to apply a timetable to certain business of the House.

The Deputy Speaker (Mr. Bas Balkissoon): Pursuant to the order of the House carried earlier today, I'm now required to put the question.

On September 26, Mr. Milloy moved government notice of motion number 22, a motion to apply a timetable to the consideration of certain business of the House.

On September 30, Mr. Bisson then moved that the motion be amended as follows: That the references relating to Bill 74 in government order number 8 be deleted.

We will deal first with Mr. Bisson's amendment.

Is it the pleasure of the House that the amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

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

The division bells rang from 1624 to 1629.

The Deputy Speaker (Mr. Bas Balkissoon): All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Armstrong, Teresa J.	Horwath, Andrea	Schein, Jonah
Bisson, Gilles	Mantha, Michael	Singh, Jagmeet
Campbell, Sarah	Marchese, Rosario	Tabuns, Peter
DiNovo, Cheri	Miller, Paul	Taylor, Monique
Fife, Catherine	Natyshak, Taras	Vanhof, John
Forster, Cindy	Prue, Michael	
Hatfield, Percy	Sattler, Peggy	

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Jones, Sylvia	Nicholls, Rick
Bailey, Robert	Klees, Frank	O'Toole, John
Barrett, Toby	Leone, Rob	Pettapiece, Randy
Chudleigh, Ted	MacLaren, Jack	Scott, Laurie
Clark, Steve	MacLeod, Lisa	Shurman, Peter
Dunlop, Garfield	McDonnell, Jim	Smith, Todd
Elliott, Christine	McKenna, Jane	Thompson, Lisa M.
Hardeman, Ernie	McNaughton, Monte	Walker, Bill
Harris, Michael	Miller, Norm	Wilson, Jim
Holyday, Douglas C.	Milligan, Rob E.	Yakabuski, John
Jackson, Rod	Munro, Julia	Yurek, Jeff

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 19; the nays are 33.

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

We will now deal with the main motion. Is it the pleasure of the House that the motion by Mr. Milloy to apply a timetable to the consideration of certain business of the House carry?

All those in favour will please say "aye."

All those opposed will 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 1632 to 1637.

The Deputy Speaker (Mr. Bas Balkissoon): All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Albanese, Laura	Harris, Michael	Moridi, Reza
Arnott, Ted	Holyday, Douglas C.	Munro, Julia
Bailey, Robert	Hunter, Mitzi	Murray, Glen R.
Barrett, Toby	Jackson, Rod	Nicholls, Rick
Berardinetti, Lorenzo	Jaczek, Helena	O'Toole, John
Bradley, James J.	Jeffrey, Linda	Pettapiece, Randy
Chan, Michael	Jones, Sylvia	Piruzza, Teresa
Chudleigh, Ted	Klees, Frank	Qaadri, Shafiq

Clark, Steve	Kwinter, Monte
Colle, Mike	Leone, Rob
Coteau, Michael	MacCharles, Tracy
Damerla, Dipika	MacLaren, Jack
Del Duca, Steven	MacLeod, Lisa
Delaney, Bob	Mangat, Amrit
Dhillon, Vic	McDonnell, Jim
Dickson, Joe	McKenna, Jane
Duguid, Brad	McMeekin, Ted
Dunlop, Garfield	McNaughton, Monte
Elliott, Christine	McNeely, Phil
Flynn, Kevin Daniel	Miller, Norm
Fraser, John	Milligan, Rob E.
Hardeman, Ernie	Milloy, John

Sandals, Liz
Scott, Laurie
Sergio, Mario
Shurman, Peter
Smith, Todd
Sousa, Charles
Thompson, Lisa M.
Walker, Bill
Wilson, Jim
Wong, Soo
Yakabuski, John
Yurek, Jeff

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Armstrong, Teresa J.	Horwath, Andrea	Schein, Jonah
Bisson, Gilles	Mantha, Michael	Singh, Jagmeet
Campbell, Sarah	Marchese, Rosario	Tabuns, Peter
DiNovo, Cheri	Miller, Paul	Taylor, Monique
Fife, Catherine	Natyshak, Taras	Vanhof, John
Forster, Cindy	Prue, Michael	
Hatfield, Percy	Sattler, Peggy	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 64; the nays are 19.

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

Motion agreed to.

VISITORS

Ms. Andrea Horwath: Point of order, Speaker.

The Deputy Speaker (Mr. Bas Balkissoon): The leader of the third party.

Ms. Andrea Horwath: It's my privilege and honour to introduce some of the people who joined us for this historic vote this afternoon: James St. John, the business manager for the Central Ontario Building Trades; Terry Snooks, business manager, United Association of plumbers and steamfitters Local 46 and president of the Central Ontario Building Trades; Steve Martin, business manager, International Brotherhood of Electrical Workers Local 353; Jack Barbossa, business manager, Marble, Tile and Terrazzo Local 31; Greg Mitchell, business manager, United Association of sprinkler fitters Local 853.

GREAT LAKES PROTECTION ACT, 2013

LOI DE 2013 SUR LA PROTECTION DES GRANDS LACS

Resuming the debate adjourned on March 6, 2013, on the motion for second reading of the following bill:

Bill 6, An Act to protect and restore the Great Lakes-St. Lawrence River Basin / Projet de loi 6, Loi visant la protection et le rétablissement du bassin des Grands Lacs et du fleuve Saint-Laurent.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate? The member for Parkdale–High Park.

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Parkdale–High Park, further debate.

Ms. Cheri DiNovo: Sorry, Mr. Speaker. There was just too much excitement there, and I was carried away with the moment.

I'm going to be speaking, of course, about the Great Lakes Protection Act, but truly we have just lived through a very interesting vote, a vote in which, I have to say, the only leader who showed up was our leader, Andrea Horwath. I think that says a lot, in and of itself, no matter how you vote on anything, that on such an important matter that deals with collective bargaining—the very essence of a democratic right in this province—only one leader shows up.

But back to the Great Lakes, because this is another example, of course, of a Liberal greenwashing bill. I'll get into that in a moment.

Before we get into the greenwashing bill, I also want to say that it's an amazing historic moment, too, when one single company, EllisDon, gets their way and literally gets a bill passed—

The Deputy Speaker (Mr. Bas Balkissoon): I would ask the member to stick to what is in front of us.

Ms. Cheri DiNovo: I certainly will, Mr. Speaker. But there is a direct route, and then sometimes there is a scenic route.

What is the Great Lakes Protection Act? I actually spoke about this in my Google Hangout today. By the way, for anybody watching, I certainly recommend that you tune in every Friday between 12 and 12:30 to my Google Hangout; it's on YouTube. I spoke about the Great Lakes Protection Act; I said it is an example of a Liberal environmental bill that sounds wonderful. It sounds wonderful because we need to protect the Great Lakes. I think we're all agreed on that in this House. There's absolutely no question about that. They are under huge threat. Ten years into their mandate here, the government is bringing this bill in.

What does this bill do? In essence, what this bill does is set up a committee. It gives it some marching orders, but it doesn't mandate any action. That, to me, is the essence of why I would call it a greenwashing bill. Again, right up front, we're going to vote for this bill—there's no question about that—because it's better than doing nothing. If I had a dollar for every time we have stood in this House and said a Liberal environmental or energy bill is better than doing nothing, I would be a very wealthy woman. So it's better than doing nothing. It sets up a committee to study the problem and maybe do something. That's what this bill does.

What might it have done? What could it do? Certainly, we'll be very anxious to add things in at committee, I'm sure.

For example, the question is, will the bill lead to a change in the Ontario government's policy to continue to allow Ontario's nuclear power stations to use outdated

“once-through” cooling systems, which allow the plants to suck in and spew out hundreds of millions of litres of water a day, killing hundreds of millions of fish each year? Now, there's a simple thing, a simple thing that could be remedied. There are simple technologies to remedy this problem. Had the government even done that, it would have had more strength and more efficacy in cleaning up the Great Lakes than this entire bill.

It's also not clear that it will change the government's policy to allow Bruce Power to ship radioactive steam generators from its nuclear stations across the Great Lakes, a plan opposed by First Nations and hundreds of thousands of Ontarians. Our energy critic and environment critic have spoken out about that.

Finally, it's unclear whether the bill will ensure that the government will require a full environmental assessment before allowing the shipment of tar sands bitumen across the Great Lakes basin, a plan which puts the Great Lakes at risk of a spill—not hypothetically, but one like the one that happened in Michigan in 2010, which cost over a billion dollars to clean up.

So, “Why not?” one might ask. Here is a bill that is purporting to protect the Great Lakes, sets up a committee, but takes none of the obvious steps to actually accomplish that fact. Again, one can only wonder why, considering that this government was so incredibly effective at very quickly running through the EllisDon bill. Here we have a bill that has taken 10 years to get to the floor, that accomplishes very little by way of a committee, and yet the EllisDon bill went through here incredibly quickly. This government is one that loves to have conversations about issues and loves to set up committees to study issues. Here they are setting up a committee to study the Great Lakes issues. They never suggested a conversation about the EllisDon bill, never set up a committee to study the EllisDon situation or predicament, but very quickly acted.

So here's the problem: Again, what we've called for is specified targets—actually something in writing, actually something that would make a difference in the state and the health of our lakes. It allows the setting up of measurable targets—I love the language here; it's real wiggle language—but it should actually require targets. So it allows them. Imagine if it disallowed targets; that would be the final nail in the coffin of any kind of sense of this bill. It allows it, so it's conceivable that this committee could set targets to clean up the Great Lakes. What? Am I the only person who finds this bizarre, that that's the strength of this act, that this committee has a chance to—maybe, might, over lunch one day—set up targets, but isn't required to? In what possible world does this count as actual action on the environment file?

There is a very good reason why Gord Miller, our Environmental Commissioner, sends in, year after year since I've been here, pretty scathing reports about this government's lack in fulfilling its own mandates. Maybe that's why his budget was cut, which again is an action, unlike this bill. There's actual action when you cut the commissioner's budget to do his job, but yet bring in a

bill that, “Well, if they really want to set targets, we’re not going to stop them from setting targets, but we’re not going to require them to set targets.” In other words, “Yeah, we’re going to set you up to study the problem, and you can clean up the lakes. You can actually do something if you really want to, but you don’t have to do anything if you don’t really want to.”

1650

It would be interesting to see the budget attached to this. I’m sure there’s not much of one. That also, of course, is part of the problem, because unless you put money behind something—we know how things work in this place: If there’s not money behind things, they just don’t seem to get done. Actually, in this place, even if you put a lot of money behind something, it doesn’t seem to get done; except, of course, if you’re EllisDon, in which case you get a lot done by putting a lot of money behind something. We saw that in action here with a historic vote that just took place, a vote where Liberals and Tories came together—not unheard of; actually quite frequent. If you look at the donors’ list, you will see that there are a lot of similar donors to both parties, and perhaps that’s why. Perhaps the piper really does call the tune. Who knew?

On this one, however, we’ve got a number of groups who would like to see targets. Let’s mention them very quickly: Environmental Defence, Ducks Unlimited, Sierra Club, Great Lakes United, the Canadian Environmental Law Association and Ecojustice. They want to see targets, but targets there are not, Mr. Speaker: another greenwashing attempt on behalf of the Liberal government, which can be incredibly effective, and was on EllisDon, but not on the environment.

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

Hon. James J. Bradley: I’ve heard a speech which is much less positive than the critic for the New Democratic Party, who I think recognized the significance of this bill and was extolling its virtues and also pointing out where he would like to see changes to the bill. I think that was appropriate.

I am always amused now with the New Democratic Party’s holier-than-thou stance on environmental issues, because when I speak to the environmental community, and I know my friend the member for Danforth recognizes—it’s not his fault, because he is a leading environmentalist, but they’re saying now that the NDP has taken a significant right turn on environmental issues to portray itself now as a populist party, going after populist causes, as opposed to the pretty fundamental environmental causes. So I wish him well—along with the critic, the member for Davenport—in persuading the rest of the caucus to get back on the environmental agenda. I know he’s raised some questions from time to time.

This bill, when it was introduced—people knew what was in the bill because there was a lot of consultation that took place—was widely hailed as a very positive step in the right direction. It adds to the legislation which is already in place, which is significant legislation, much of

it brought in by previous Liberal governments and our Liberal government, but also by other—particularly, I think the New Democratic Party probably brought in some legislation in this regard as well.

So I think it’s positive moving forward. I would like to see this bill move quickly to committee. I think the member for Parkdale–High Park has justifiably said some significant work can be done in committee on a bill of this kind, to make any changes that members of this assembly deem to be appropriate.

The last thing I would say is—no, I won’t say that. I’m going to leave out the reference to the leader’s gala.

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

Mr. John O’Toole: It’s an interesting afternoon here. The member from Parkdale–High Park spoke, as the minister has just said, in kind of a confusing way because, quite honestly, they talk a lot about the environment, and you have to look at the actions that follow up on that. Even today, we were talking earlier this morning on I think it’s Bill 91, and that bill was dealing with waste diversion. They’re talking about things that in fact weren’t even in the bill, that bill itself. Their critic was saying things that weren’t appropriate to the bill itself, and I think the same thing here.

If you look at the motherhood part of this Bill 6, which was formerly Bill 100, it’s interesting because there are a lot of parties at the table when it comes to the Great Lakes. It borders on other provinces and other jurisdictions internationally. There’s a joint commission, as I understand it, on the Great Lakes, which has representatives from the province as well as the federal government, as well as the state governments that border on the lakes, as well as the federal government there. So this is one more intrusion. It sounds good. I will be speaking in a few minutes on the bill, but I commend the member from Parkdale–High Park. I enjoy her remarks. I listened carefully. Unfortunately, her remarks were interrupted the last time you had a chance to speak on that, so you really didn’t have your full time today. Maybe in your two minutes, you’ll give a clue whether or not you’re supporting it.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments? The member—member—for Toronto–Danforth.

Mr. Peter Tabuns: Thank you, Speaker. It’s been a long day; I can tell.

First, I want to address one of the remarks made by my colleague from Parkdale–High Park, and that’s that, indeed, it’s been a historic day here in the Legislature. A coalition of Conservatives and Liberals coming together, united around the defence of EllisDon, is noteworthy, Speaker—

The Deputy Speaker (Mr. Bas Balkissoon): I’ve given the same advice to your colleague and I’ll give the same to you: I’d like you to speak to the bill that’s in front of us in terms of questions and comments.

Mr. Peter Tabuns: I thank you for your guidance and advice, Speaker, but it was very necessary to comment on

this historic event; and if I may be permitted to continue, I think the other part that was very important in what the member from Parkdale–High Park had to say was that there is a shortfall in this bill in that the minister is not required to set targets for remediation of the Great Lakes.

Beyond that, because this government has not paid attention to other major, significant environmental impacts on the lakes—and I'm talking most profoundly about action on climate change—the lakes are threatened in a way that this bill in no way addresses.

Most recently the Environmental Commissioner of Ontario in his report, *Failing Our Future*, looked at the fact that this government is failing to meet even its own targets for taking on climate change. That has a huge impact on the Great Lakes.

As you may well be aware, Speaker, the city of Toronto did a study on the impact of climate change in the Toronto area. In the next 25 years, the summer temperatures we enjoy in July will be the temperatures we have from May to the end of October. There will be a huge amount of evaporation and a great reduction in the lakes that we depend on.

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

Ms. Mitzie Hunter: I'm pleased to comment on this act. My riding of Scarborough–Guildwood borders on the Great Lake of Lake Ontario, and many of the residents in my riding are involved in activities to preserve the ecological nature of our communities. I know that this issue is very important to them, both now and for the future.

The importance of our Great Lakes really cannot be understated. It is about our drinking water, our quality of life and our prosperity in living in this beautiful—it's just a continuous national park system, really, when you take a broad view of it. We need to restore them and we need to continue to enjoy those benefits for future generations.

What concerns me and many people in my community is that scientists are telling us that three of the four Great Lakes are in decline, and that should be really alarming to all of us here. The proposed act is really setting out a pathway to protecting and restoring the ecological health of our Great Lakes system and creating opportunities for individuals and communities to become involved in their protection and the restoration of the ecological health of our lakes.

I'm very pleased to see that the Great Lakes Guardians' Council will involve a broad spectrum of communities, including aboriginal, business, agricultural, environmental, as well as municipal representatives that definitely have a direct stake in their health. It will be focused on discussing what the priorities and potential measures are that need to be put in place. That's another benefit that I see as well: the comprehensive nature of this act.

I'm very glad it was put forward.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Parkdale–High Park, you have two minutes.

1700

Ms. Cheri DiNovo: Well, thank you to everyone who did weigh in on this. Thanks to the minister himself for weighing in on this. I think he knows better than anyone that the Environmental Commissioner himself has specified specific actions that are needed, so we don't need a committee to develop targets. What we need is action, and action now. Those targets are clearly laid out by the Environmental Commissioner already. I don't have time to read them fully. I could send a page over with them to the minister, but I'm sure he knows what the Environmental Commissioner has called for. The question is, why is the Liberal government not acting on this? This is a pressing problem, and you've heard from our energy critic on this issue.

Just to quote, again, our energy critic, it's very clear that the government can act, and quite dramatically, when it wants to. That's why I contrast their lack of action on environment and energy files, their lack of action actually on the poverty file, their lack of action on the housing file—and I could go on—with the dramatic action for one company, EllisDon. I'm contrasting their lack of action on this file with the dramatic and swift action to address the problems of a company that happens to be a big donor over and against the bargaining rights of its workers. So clearly the government can act, but won't act, on the environmental file.

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

Mr. John O'Toole: I'm privileged to have the opportunity this afternoon to speak on Bill 6, and I'm not sure, but I think I may have spoken on Bill 100 when it was on. Before prorogation, they had a bill, Bill 100, and that was on June 6, 2012.

I didn't have enough time to prepare properly here, as I had a few minutes' notice that I was going to be doing this. I want to say at the outset, though, that I would be supportive of ensuring that we have safe, clean, accessible drinking water in Ontario.

Certainly my riding has—probably one of the largest boundaries along Lake Ontario is in Durham region, and it's important. It's very important, not only for industry, which is controversial, with St. Marys Cement right next door to it, right on the shoreline there. They have a great dock there, shipping cement to the United States, actually. We have a lot of development. In fact, an ethanol plant is very close by, and we have the two nuclear plants at Darlington and Pickering, all of which require water for cooling and other activities in the plants. So I'm very concerned.

Section 22 of the bill allows the Minister of Municipal Affairs, who I see is here today, as well as the Minister of the Environment—that section is a bit confusing, because it's the Ministry of the Environment's bill, but the Ministry of Municipal Affairs can overrule official plans, in fact, under section 22, which is quite interesting. Some of those activities under section 26—section 26 deals with all the regulations in the bill, and it's a very heavily regulated bill, which means we don't really know the

powers and the fines and the enforcements and who does all these various activities. It will all show up in the regulations part of the bill. So it's a very, very large section of the bill, the section dealing with the delegated authorities, if you will, one of which is going to be this new council. I think it's the Great Lakes Guardian's Council.

Interjection.

Mr. John O'Toole: Well, it depends. It depends on what I'll be doing a few years from now.

But my sense, too, is that if you look at the bill, it's important. Bill 6 has 27 pages and eight sections, the eight sections dealing with a lot of intentions.

Now, when I look back on some of the remarks I made, I would expect that this thing would definitely go for more thorough examination somewhere down the road, but there is a lot of red tape in the bill. In fact, there are a lot of authorities now. The conservation authorities now have power on shoreline activities, and certainly in my area there are many of the Oak Ridges moraine streams, creeks, that all flow into Lake Ontario, and those are heavily regulated setbacks, making sure they're clean—that's the conservation authority—even to the shoreline.

We have a Great Lakes shoreline committee, actually, dealing with Darlington Provincial Park on Lake Ontario.

When you start intruding in these things, I start to wonder why the government—when, in fact, today there is so much oversight. There's the international Great Lakes commission; it isn't all Ontario's jurisdictional authority. They're certainly on that committee, and they certainly should have authorities within that co-operative framework with Michigan, Illinois and New York; perhaps even Washington is involved. I've been to a couple of those joint commission things in Chicago, so I have appreciated that opportunity as well.

Creating a “geographically-focused initiative”—must consult with the minister and receive cabinet approval at the proposal stage at its finalization—now, who's going to make those authorities, when it's governing and affecting the lake? It's certainly a federal jurisdictional area, for sure. We should have rules. Now, if that rule is going to affect development on the Great Lakes, that is going to affect every municipality that has frontage.

We are all concerned about water levels in our lake systems, especially the lakes in the Georgian Bay area; there are water level issues, and certainly from time to time there are water level issues on Lake Ontario, which affects tourism. It affects a whole range of activities.

When we are bringing in a bill like this, I think it has got to be clear to the people of Ontario what the expectation is. It's my understanding that there are six priorities, and the strategy is community involvement, which I think is appropriate. I hope the municipalities are going to get some of the benefits of this.

Water remediation, I believe, is a laudable objective, but we have the Clean Water Act now, so there are a lot of regulations around water—certainly its testing and all of the regime around that. I would say that the other thing

is the protection and restoration of wetlands. These are the lungs of the Great Lakes system. In fact, those wetlands tend to be the outflow of the streams, whether it's Farewell Creek, Bowmanville Creek or the other creeks that work their way down from the Oak Ridges moraine into the Great Lakes. There's a lot of work right now that goes on when it talks about the restoration of wetlands and beaches.

Improving biodiversity is quite good. Climate change adaptation—now, that maybe has to do with the water level issues. It's my understanding that if we have global warming, water levels are going to be higher, because all the ice is going to melt. The ice is going to turn into more volume of water, so the water levels should go up. They say that, with global warming, most of the islands that we know today will be underwater, so that's something we should all be paying close—economic development and water technology innovations.

Economic development is certainly one of the areas where I look at the waterfront and access to the waterfront. We generally would say that the waterfront, over the past number of decades, was always industrial, which is shameful; but now in Toronto, it's almost all condos. So I think you need to have access to our public waterway system as well. As a former sailor, Lake Ontario is probably one of the best sailing lakes. It's a large body of water, and it's an important recreational activity.

I'm going to sort of stick to some of the more technical parts of it here, the sections that I like; I'm still looking for them here, actually. Today, there is going to be a third regulator on Ontario shorelines. As I said, it's the conservation act that gives the Ministry of Natural Resources the power to regulate shoreline watershed management today.

The Planning Act itself, today, gives municipalities the authority to prohibit development on shorelines, or certainly to regulate it. Now that the Ministry of the Environment wants in on the action, along with the power to collect fees from violations—that's another interesting part. A lot of the time, what they're saying with uploading and downloading responsibility—I know, Mr. Speaker, that you served, probably, on conservation authorities when you were a Metro councillor, I'm sure. There has been quite a heavy load placed on municipalities through regulation, and no funding to go with it. That's really, at the end of the day, the problem.

1710

I'm going to try to find the section that sets that out here. I think it's section 26 again. Section 26 is the regulations section:

I think it's 26 again. Section 26 is the regulations section.

“The Lieutenant Governor ... may make regulations.... regulating or prohibiting activities”—we get that—“requiring persons to do things ... designating a ... body,” which is the Great Lakes Guardians' Council, “authorizing an officer appointed under clause (c) to issue orders.” Those are fines, and then there's another body to designate and collect fees and another body to

determine through regulation what the fees will be. But there's no amount for sharing it with the lower tier that is going to have to enforce all this stuff at the local level. I certainly am concerned about that, in terms of the lower-tier municipalities ending up with a lot more work and no money to do it with. That's a significant problem.

We can't even get, across the province, full cost recovery on water bills—a controversial issue—and that's the law today. All municipal levels are supposed to have full cost recovery on water bills and the infrastructure that makes that happen.

There are a number of sections in the bill that, when I look through in very short order—I wish I had a little bit more time to prepare.

Here's the issue: Having a provincial board setting priorities for a binational issue would only confuse the work that's currently being done. Between the US and Canada, we already have the International Joint Commission, as I said, the Great Lakes Water Quality Board, the Great Lakes Executive Committee and the management committee of the Canada-Ontario Agreement, the COA, all of which work to implement the priorities outlined in the US-Canada Great Lakes Water Quality Agreement. This is what exists today, and I sometimes wonder how much duplication we need. How many more select groups all getting per diems to meet in various places—Chicago, etc.? How many more do we need? We need to work with, not against, our partners to coordinate protection and remediation efforts for the Great Lakes by using the forums already in place.

Here we have a classic example, like Bill 91, Waste Diversion Ontario, the DWO, being reformatted into another group, and all that infrastructure will probably get severed and be doing the same job virtually the next day. So there's another level of bureaucracy. I see the government doing that in almost every single thing.

I am going to relate this, with your indulgence. Today, there was a good article in the paper: "Dialogue Needed on Soaring Debt." What this bill does is really indicate some more regulation, some more red tape, some more court orders, more court action, and I just outlined about six different bodies already involved in the Great Lakes. We're going to create a new one—this great guardian council, they call it—and they will all get offices and incomes, or at least pay. Here's what this article is saying—it puts things in perspective:

"It's an opportunity for Americans"—we see what's happening in the United States. They've got so much regulation, they're tied up, they're all on strike down there, basically. They're all shut down because there's not enough money, basically. It says:

"That chat will centre on their \$16.7-trillion debt. Their debt-to-GDP ratio is increasing.

"Canadians need that opportunity too.... to talk about the debt, deficits, unfunded pension liabilities and more."

So keep in perspective the ability to pay and maintain what I would call whether or not this is sustainable, before we start adding more bureaucracy. Setting aside that this is important—water quality; I get it. But put in

place here that there are all these other committees—the joint committees with the US and the federal government that are in place—I think we can work together by getting these organizations to embrace the six areas of interest that I've outlined, the six priorities, the six strategies, and the problem's solved.

At the same time, community involvement exists. Let's validate it and strengthen the role of the conservation authorities and others. I would say, in the brief time I have here—this is the problem; I should probably have an hour here. Ontario is imposing, more recently—this is part of this, Mr. Speaker, and you'd get it. Recently, former Premier McGuinty said he was going to upload all of these social costs, and some of the costs for ambulance were going to be completely paid for, and welfare costs were going to be uploaded. But at the other time, they're actually taking back the other transfer payment called OMPF, the Ontario Municipal Partnership Fund. So they're not uploading a thing; they really aren't. They're taking the revenue from the lower-tier municipalities, and that's what is so damaging here, in my view.

Interjection.

Mr. John O'Toole: Yes, exactly. The OMPF money is being clawed back, so they're really not giving the municipalities any tax room—

Interjection: We don't have any money.

Mr. John O'Toole: —and there's no money left.

This article goes on: "But it also goes for provinces—health and education are big-ticket items that are becoming unwieldy. Provincial and federal net debt combined is \$1.2 trillion."

Now, if you put things in even more perspective, we are in a climate now with very, very low interest rates. What's keeping the economy going is low interest. Low interest encourages the housing market, the car market, and that low-interest debt is putting way too much money out there—in fact, way too much consumer debt out there, if you will—and that's going to crowd out—all levels of government are going to be unable to sustain the levels of service. We also see, involved in all of that, is the huge, absolutely tragic debt load on pensions. It's sinking the ship in its total thing.

So how this relates, though, to Bill 6, or what is Bill 6 now, is that we're adding another level to an area that already has about six committees dealing with the issues on the Great Lakes. Not only that, we have the whole regime around the Clean Water Act that makes me worry.

It's more than obvious that the Liberal government doesn't lack the legal tools to already protect the Great Lakes; it lacks the political leadership to get it done.

I've only been here for 18 years, and I would say this: It was the first day I've ever seen it in this Legislature where the government failed to vote on a piece of legislation. It's shameful, and it's cowardly.

The Deputy Speaker (Mr. Bas Balkissoon): I would ask the speaker to concentrate on the bill that you're speaking to, and let's not stray.

Mr. John O'Toole: Well, it does fit, because—

The Deputy Speaker (Mr. Bas Balkissoon): I've already warned the other members. I will give you the same warning.

Mr. John O'Toole: Very good. I was surprised at that, and I'm sure you were too, as the Speaker, that they sat on their hands. I won't talk about it anymore, but I'm sure other speakers will.

At every turn, the Liberals have attempted to reinvent the wheel, and this is one more example. Bill 91 is another environmental ministry bill. It's the same deal. They're actually doing—and our critic, Michael Harris, who I know will be speaking on this bill, Bill 6, spoke this morning, and I was very, very impressed how polite and professional he was in pointing out the redundancies in Bill 91. He unravelled a very complex piece of legislation, Bill 91, and simplified it for myself and other members of the Legislature who are interested in the environment. We are, as well, interested in the environment. Don't let anyone think that we don't realize how important clean water, air and soil are for all of us in the quality of life we enjoy.

This bill also gives public bodies, including municipalities and conservation authorities, the token role of requesting new regulatory areas, but real power ultimately rests with cabinet, which must approve an initiative at the proposal and finalization stage, and the guardians' council, which is responsible for the development and implementing of these proposals. If passed, this bill would permit these unelected councils, stacked with Liberal cronies and radical activists, to bypass the Legislative Assembly and create onerous new regulations that would hamper farming—and I think of Huron county and other areas. I think of home builders, manufacturers, tourist opportunities and boaters and marinas, and this is going to be intrusive. I have no problem with the authorities that exist today, municipal and conservation authorities, to have strengthened authorities, but this bill intrudes the provincial government, who can't run the environment today.

I talked respectfully to the Minister of the Environment on three or four issues in my riding, on clean fill, on the management of spreading sewage sludge on farm fields, all these things that are very problematic, to my way of thinking. I would also expect that the thrust of waste and recycling in Ontario today is another area that is just fraught with red tape and a lack of clarity.

1720

The Liberals have not provided any financial information in Bill 6 as well. We don't know how much the guardian council will cost. Hopefully, they won't get nearly as much as some of the people working at the Pan Am Games—\$500,000 a year for a sporting event? Wait a minute, here. Look at how successful the NHL is. I hope the government never gets involved in that, because they'll ruin it. "I'm from government, and I'm here to help you." I don't think so.

We don't know how much this council is costing, and no serious piece of legislation leaves such an important issue—infrastructure, the glue of all legislation, has to

have an enforcement process, which takes money. These people will all have new, blue uniforms and will run around giving out tickets to everybody who's got a boat anchored offshore. That's sad, really, having been a boater and knowing how difficult it is—the marinas.

The stated purpose of the bill, to protect and restore the ecology and health of the lakes, is an issue that I believe will receive a lot of discussion here this afternoon. I'm looking forward to my colleague here from Barrie adding some valuable insight. He's got a serious background as a municipal councillor, and he's also the one who discovered the shameful waste going on at the Pan/Parapan Am Games, and the minister should be ashamed about it, too.

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

Mr. Jonah Schein: I'm happy to join the debate on Bill 6 and to follow the remarks by the member from Durham.

We're talking about the Great Lakes. It's a body of water that contains 40% of all of Canada's economic activity, from manufacturing to fisheries to tourism and recreation, aggregates and mining. Shipping on the Great Lakes contributes \$200 million each year to the provincial GDP. We've got hydroelectric power from rivers that feed the Great Lakes. We have 400,000 species of plants, fish and wildlife in the Great Lakes area. Speaker, this is obviously an important issue.

As we're here in October 2013, I turn my mind back to a day—I think it was spring 2012, so almost a year and a half ago; a beautiful, sunny day. At the last minute, we heard that the minister was going to make an announcement, on such a beautiful and picturesque day, down by Lake Ontario—a beautiful day to talk about the great natural resource we have in our Great Lakes.

Almost a year and a half later, we're back here, and in that time, that bill died on the order paper. Actually, it never moved forward, but it did die on the order paper because, as we all know at this point, this government put its own interests first, prorogued Parliament and tried to dodge a costly gas plant scandal, cancelling power plants.

It's not surprising that we stand here this afternoon. It's not surprising at all. With these extraordinarily pressing matters in front of us, it's not surprising. But it is shocking that on this day in October 2013, almost a year and a half after this great announcement, both the governing Liberal Party of Ontario and the Conservative Party voted together to put the interests, not of the people of Ontario, our great natural resources and our Great Lakes first, but to put the interests of one company, EllisDon, first, and that is extraordinary—

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. I have warned all your colleagues about straying away from the bill that's in front of us, so I give you the same warning.

Questions and comments?

Hon. James J. Bradley: It's interesting to see what the reaction is. I think we have one party that thinks we're going too far and another party that says we're not

going far enough, which means we've probably hit the middle, where we should be, on issues of this kind, although this can be very aggressive.

I say to the previous member, who was commenting on the general speaker today, that one of the reasons the legislation was unable to move was that one of the political parties in the House had, until very recently, decided to delay all bills in the House. Therefore, we were unable to proceed with a lot of legislation we thought was exceedingly important.

The fact is, it's before us now. There has been some debate that took place on the previous bill, and now debate on this.

I know the member for the NDP who spoke is going to say we should get this through so we can get to committee, so we can make any changes that are necessary, have people that we can hear from on the specifics of the bill, and have what I would call the new and improved bill that has input from all members of the House. I heard him mention, near the end, another bill or another incident happening, when they talked about fundraising and how it relates to bills—except he had a fundraiser the other night at Hart House—

The Deputy Speaker (Mr. Bas Balkissoon): Minister, I'll give you the same warning.

Hon. James J. Bradley: I just wanted to say, I'm wondering who would have attended that, at \$500 apiece. But you're right: I shouldn't deal with that; I should deal with the speech that was made previously.

I just hope that the member who raised some environmental issues will recognize that this bill has the potential to be very beneficial, particularly for those who happen to reside next to the Great Lakes—though it's important to all of us—or the tributaries going into the Great Lakes.

I hope that we will see the Conservative Party, along with the New Democratic Party, ultimately supporting this legislation.

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

Mrs. Julia Munro: I'm pleased to add a few comments today.

One of the things that struck me when this bill was first introduced was, it's another piece of legislation to try to deal with the Great Lakes and the St. Lawrence basin. Not only is it another piece of legislation, but with a council, it then is another bureaucracy in the making. It just seems to me that when this is a very complex jurisdiction—obviously, the federal governments of two countries have a role to play, as well as many provinces and states, each one of which has its own entire directory of ministries and associations, voluntary groups. The list just goes on and on. I was amazed to think that we were short of organizations whose goal was to look after the Great Lakes. I would have thought that there were other things we were short of, like projects or money, but not, certainly, yet another bureaucracy.

I also thought it was interesting, in looking at it; for instance, the creation of this council—and even in the legislation, it has to have that “extend written invitations

to individuals.” I know that may not sound like a particularly egregious thing to do, but it just shows you the micromanaging that comes into the development of legislation by this government. It lists the people who would be appropriate members of the council.

So, Mr. Speaker, the issue is, my fear is drowning in red tape.

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

Miss Monique Taylor: I'm really happy to be able to stand and speak about Bill 6, the Great Lakes Protection Act.

The greatest concern that we have about this act is that it's going to start another council, which we've been hearing about from other members of this House. We have serious concerns going on in this province, and the best thing that the government seems to be able to come up with is another advisory council.

We have Line 9 being pushed through our province and coming right through portions just outside of my riding. What's that going to do to our drinking water if we have spillages? We've seen what has happened in Lake Michigan with the huge spillage that happened there. These are the kinds of things that we need to be acting on, that we need to be working harder on.

We have Randle Reef in the city of Hamilton, that's under a remediation process, that's actually just going to get some shovels in the water. They were supposed to already be there. We were supposed to have a completion by the year 2021 of capping that project and making sure that the sediment that is infecting our waters in Lake Ontario is being capped. I know that's a project that's actually just going to get started, but what's happening next? Where are we going with this committee? What are they going to be looking at? We see the species in our lakes that are diminishing on a regular basis; we see other species that are invasive to the native species that are there.

1730

We have a lot of concerns. We hope that this council is going to be actually putting some actions behind their words.

The Deputy Speaker (Mr. Bas Balkissoon): The member from Durham, you have two minutes.

Mr. John O'Toole: Thank you very much. I thank the member from Davenport, as well as the members from Hamilton Mountain and York-Simcoe, of course, and the minister. It's a pleasure that the minister is here.

Here is the key. I think something that was mentioned by the member from Hamilton Mountain is the invasive species. Now, we've got to work with the United States to prevent them getting into our system any worse than they are; I completely agree. So there's no way that I would disagree with every segment of the bill.

I think it's the bureaucracy that I'm concerned about. I think it's the red tape that I'm concerned about. I think about. Where's the money for doing all this stuff, at a time—what I meant, briefly, in my remarks—when they're running out of money? In fact, they're spending,

right now, about \$2 million every day more than they're bringing in, every single day. In fact, the debt for every one of these pages is around \$20,000.

Interjection.

Mr. John O'Toole: Well, it is. How are they going to pay for this stuff? It's fine. It all sounds good, Minister; I understand that. It's motherhood.

Interjection.

Mr. John O'Toole: Well, I guess you won't pay for it, and that's the even more troubling part, because section 26 is all about setting regulations for court orders, which are fines, basically, and fees and permits. This is money that the municipality should be getting, because the activity is happening in their jurisdiction.

But there is today, in my area, the Central Lake Ontario Conservation Authority. I was on that board for probably about four years, and they do great work in water management, in terms of floods and various functions, but they could be strengthened, given some resources to enforce and educate at the local level, as opposed to a brand new bureaucracy all getting paid for fancy dinners at fancy hotels, as far as I'm concerned, and going on these conventions.

There's already, as Ms. Munro said, a bureaucracy of six levels of government involved—state, federal, provincial, local—already involved in these governing councils that I mentioned, so I—

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

Pursuant to standing order 47(c), there having been six and a half hours of debate on this bill, the debate will be deemed adjourned unless the House leader specifies otherwise.

The Minister of Tourism and Culture.

Hon. Michael Chan: —and Sport, and the minister responsible for the Pan and Parapan American Games.

Mr. Speaker, we would like debate to continue.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate? The member for Toronto-Danforth.

Mr. Peter Tabuns: Thank you, Speaker. It's good to see that I have a loyal following here in this chamber, those who have hung in right to the very last hour of the last day in this legislative week.

I'm going to be talking about the particulars of the bill, but before I talk about the particulars of the bill, I want to talk about the context. Mr. Bradley, our esteemed Minister of the Environment, a man who did extraordinary work on acid rain in the 1980s, is working with a very difficult government, one that he finds largely inert, one that is not moving forward on key issues. And I just want to note those, because when you look at the bigger picture, then one has one's perspective shaped on the bill before us.

As I said a few minutes ago, this government is not acting on climate change. I was here in 2007 when Arnold Schwarzenegger and Premier McGuinty stood on the steps of the main staircase here and swore their undying commitment to taking action on climate change. So when I see a bill that says it's going to take on the prob-

lems of the Great Lakes, that promises a bright, shining new day, a banishment of the winter of our discontent, I look back at what was promised in 2007. At the time, action on climate change was described as a sacred trust. I have to say, if that was a sacred trust, God help something that's a low priority, because nothing will ever happen.

Speaker, as you may well be aware, this government is not meeting its climate action targets. In fact, it's falling far, far behind them. The Environmental Commissioner of Ontario, in his recent report, *Failing Our Future*, on this government's climate inaction, noted that, as in the past three years, the prognosis is bleak. There has been no improvement in the emissions from the three biggest sectors—transportation, industry and building—since the climate change action plan began in 2007.

Speaker, if you don't act on climate change, virtually everything else you do with the Great Lakes will be irrelevant, because as Ontario heats up, as it becomes drier, as instances of intense rainstorms cause more flooding, more carriage of silt and toxins into the lakes, you face a problem that a simple approach of little focused cleanups is not going to be able to address. So when the member for Parkdale–High Park expressed deep pessimism that anything would come out of this act, she and I base that on a history of watching environmental initiatives announced to great glory and wonderful sunshine, and years pass with the action not coming forward and the problems continuing to deepen.

This morning I asked a question about the reversal of Line 9. It has huge impact in terms of the risk that it presents to the Great Lakes. Line 9 is an oil pipeline that cuts across southern Ontario through watersheds, really, from Hamilton to Montreal. My colleague from Hamilton Mountain talked about the concerns in Hamilton.

In Michigan three years ago, an Enbridge pipeline by the Kalamazoo River broke and spilled millions of litres of heavy crude into the river: \$1 billion to clean up. As I understand it, the cleanup is still going on.

This government, saying that it wants to protect the Great Lakes, is not in fact putting in place an environmental assessment to take on the problems, take on the risks, that are posed by that line. Speaker, I believe you're from Scarborough–Rouge River. That line passes over the Rouge River.

Mr. Rosario Marchese: The feds will do it.

Mr. Peter Tabuns: To say that this government puts trust in the Harper government to protect the environment is extraordinary—extraordinary.

I refer you, Speaker, and the public to just read a number of newspapers that have been published in the last two years to see if anyone can have any confidence whatsoever in the federal government's approach to the environment. It's not there.

This government can't just stand by when it asks questions of Enbridge about safety and not use its power and authority and, frankly, some boldness to say, "We're going to have a full environmental assessment. We don't have confidence in your approach." If, in fact, Speaker,

this government wants to protect the Great Lakes, it needs to take that kind of action. A bill without that kind of action will be a hollow shell.

Speaker, the Deep Geologic Repository, the nuclear dump on the shores of Lake Huron, is being strongly opposed by the people in that area.

Hon. James J. Bradley: Federal.

Mr. Peter Tabuns: I have heard some mumbling from the other side that this is federal, but in fact it's the Ontario Power Generation company that is the proponent, that's going to put the material there, the one that's saying, "Let's do that." There may be a federal panel they speak to, but it is OPG, an Ontario project.

Speaker, I have to say to you right now that if, in fact, you won't take action on climate change, you won't protect Ontario from Enbridge's reversal of Line 9 and you won't take action on the DGR, then what is the utility of the bill other than as a pretty piece of paper that can be written about with pictures of water in campaign literature?

1740

Mr. Rosario Marchese: Oh, maybe that's pretty. Yes, okay.

Mr. Peter Tabuns: It can be pretty. I've seen pretty bills before. They have a certain verve to them, a certain bouquet, but in the end they just fade away.

This bill itself is acknowledging that the Great Lakes are hugely important to Ontario, to our economy and our ecology, and a source of drinking water for this great city and for many other cities. The Great Lakes are vital to the economy and people of Ontario.

Hon. James J. Bradley: Invasive species.

Mr. Peter Tabuns: No question: the Great Lakes, threatened by invasive species, destruction of shoreline habitats and, increasingly, a problem of low water levels.

There is no question that legislation and action are needed—no debate on that. That's straightforward, but we need to ensure that this act is more than something symbolic: one that sets strong targets, requires that those targets are in place and that the action to meet them is adequately resourced, and that people are inspired to take action beyond what the government has set forward to protect this vital source of water, this vital source of life, in this province.

There are a few elements in this act. It sets up a guardians' council, to include a wide range of stakeholders including Great Lakes ministers, municipalities, First Nations and Métis communities. Setting that up in the absence of targets and resources is not a step forward. Setting it up, I don't have an opposition to. Making sure that there are targets and resources so that its work and considerations are of consequence: That makes sense. That's what we're lacking: targets and resources.

The bill refers to "geographically-focused initiatives," allowing local communities to address issues of concern, but as you know, Speaker, as a former member of your municipal council, municipalities are cash-strapped around Ontario. They find it hard to get together the cash to actually do those big cleanup projects, so I ask whether

or not this government is going to announce a program but never put the money in.

Look back, Speaker: We used to have a program to assist people to renovate their homes for energy efficiency. That was cut by this government. This government used to provide money for energy conservation audits—cut by this government. Announcing wonderful things and then not putting money in place to allow them to happen, not putting resources in place to ensure that they physically come into being, is an empty, empty gesture.

My colleague the member for Davenport is going to be in the committee when this bill goes for hearings. I'm sure he will fight for the amendments necessary to make sure that this bill does something rather than nothing. My colleague I know you will have your hands full. There's just no getting around it.

I understand that a variety of stakeholder groups and environmental groups have said to the minister previously that we have to have targets, that the minister needs to be required to set targets if they're not already set in the bill. That hasn't been accommodated. People will judge this bill by whether or not it does more than say nice things about Lake Ontario, Lake Erie, Lake Huron or Lake Superior.

The bill requires principles to decide or to guide decision-making. The Great Lakes Protection Act Alliance as well as Conservation Ontario suggest the inclusion of principles such as a science-based precautionary approach, an ecosystem approach, adaptive management, and a sustainable development approach. Those principles that should be shaping decision-making that comes out of this bill need to be reflected in the bill, need to be reflected right at the top so that as the bill is worked through, as decision-makers seek to make the bill actually have an impact, they will be guided by the thinking that this Legislature directs them to use. That is something that still needs to be addressed.

Every lake is fed by the streams and the brooks and the rivers that feed into it. If this government doesn't address the spill of toxic chemicals or algae-feeding nutrients into those rivers and streams and brooks, then ultimately the lake itself will not be healthy. So this piece of legislation needs to be accompanied by action, regulation or other legislation to ensure that those feeders, those tributaries, are all protected as well. It's not clear that that is what is on the table.

Hon. James J. Bradley: It's on the way.

Mr. Peter Tabuns: I understand—and I understand this through telepathy—that a certain minister has suggested that such legislation is on its way. I would say, Speaker, it might be a worthwhile thing to wait and see what legislation comes forward, to see if there is an integrated package, because I have heard about legislation coming soon on many things in my short stay in this Legislature, and—Speaker, you may understand this—it doesn't always happen.

The bill does not explicitly state that it has a goal of reducing the spillage or discharge of toxic substances

into the Great Lakes. There's concern about whether or not the bill will deal with combined sewer overflow and the discharge of sewage waste into the lakes. I have to say to you, Speaker: Many cash-strapped municipalities find it difficult to actually put the cash into those water pollution controls that they need, and we aren't seeing the kind of investment in soft infrastructure—the investment in tree canopies, in porous paving—that would reduce the amount of combined sewage overflow. Those technologies are ones that actually could deliver, on a cost-effective basis, a big boost to our environment.

I say to the Minister of the Environment that there's an empire he could build here if he had the interest, and I suggest that he not hold back. Don't let his government shackle him. Let Jim Bradley be Jim Bradley. That's what we need.

Mr. Rosario Marchese: Amen.

Mr. Peter Tabuns: I get consensus in my caucus on that.

But I know that you, sir, Minister of the Environment, walk a very rough road, and we here all sympathize with you. We could see that in some instances, it's a long, slow path to get somewhere, and in others, as with EllisDon, things get swept through at a racing car's pace. I know, Minister of the Environment, it's a tough, tough road that you are walking.

This bill has minimum funding attached to it. According to the Environmental Commissioner, chronic underfunding has been a key weakness of the Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem. Well, I have to say, this is something that's going to have to be addressed to make this more than just a pretty bill with a great cover—not that I have anything against a great cover on a bill, but it has to be more than that if you're actually going to protect the water that we drink, that we swim in, that our children swim in, that, frankly, at one time we harvested an awful lot of fish out of—not so much anymore. Not so much.

If this bill is going to be useful, it has to have a requirement for targets. I've mentioned that before. It is going to have to have reporting mechanisms so that we can tell whether those targets are being met or ignored.

We have to have action on immediate and pressing threats.

We need to have a situation in which all municipalities have plans in place to deal with sewage overflows. As of December 2010, only about half had such plans. That's got to happen.

We need to reinstate the practice of reporting data on phosphorus and other pollutant levels from municipal waste water plants.

All I'm asking for is reasonable action to actually deliver on the promise that's been made by the minister, made apparently at a very sunny, warm, friendly, fuzzy event—

Mr. Jonah Schein: With children there.

Mr. Peter Tabuns:—where children were present. A promise was made in the presence of children. I'm sure that that promise will have to be fulfilled.

I think, Speaker, having watched this government bring in a number of initiatives where the goods didn't get delivered, that it is not unreasonable for us in this party or those who are watching this debate this afternoon to feel skeptical. I call on the minister to listen to the advice that has been provided by the Environmental Commissioner, and to continue to fight within his caucus, within his government, for funds to actually make things happen. I call for him to go beyond what he has presented today, to listen to the wise advice of my colleague from Davenport when this gets to committee and amend this bill so it has the impact that we need.

Just because a minister is criticized from one side for not going far enough and from another side for going too far doesn't mean he's landed in the right spot. I've seen people on one side, on a cliff, and then on another cliff on the other side of a valley. If you fall in the middle, I have to say, it's not necessarily a good spot. You want to be up on the dry land. You want to be up on the top, on that high ground.

I appreciate all of the environmental groups who pushed hard for Great Lakes legislation. I have confidence that they won't stop pushing now that this bill is before us. It's my hope that they come and speak, that they agitate, that they organize, so that when this comes before committee, the sorts of changes that they have asked for, the sorts of changes I've mentioned this afternoon, the kinds of changes that my colleague the critic for the environment has raised, will be addressed, and addressed early.

Speaker, I see that we're beginning to get low on time. I think I've said what I need to say. Thank you.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. Seeing the time on the clock, this House stands adjourned until Monday, October 7, at 10:30 a.m.

The House adjourned at 1753.

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Committee Clerk / Greffier: Trevor Day

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