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(Hansard)**

**Thursday 21 November 2013**

**Journal  
des débats  
(Hansard)**

**Jeudi 21 novembre 2013**

**Standing Committee on  
Finance and Economic Affairs**

Hawkins Gignac Act  
(Carbon Monoxide Safety), 2013

**Comité permanent des finances  
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Loi Hawkins Gignac de 2013  
(protection contre  
le monoxyde de carbone)

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
FINANCE AND ECONOMIC AFFAIRS**

**COMITÉ PERMANENT DES FINANCES  
ET DES AFFAIRES ÉCONOMIQUES**

Thursday 21 November 2013

Jeudi 21 novembre 2013

*The committee met at 0905 in room 151.*

**HAWKINS GIGNAC ACT  
(CARBON MONOXIDE SAFETY), 2013  
LOI HAWKINS GIGNAC DE 2013  
(PROTECTION CONTRE  
LE MONOXYDE DE CARBONE)**

Consideration of the following bill:

Bill 77, An Act to amend the Fire Protection and Prevention Act, 1997 to provide safety requirements related to the presence of unsafe levels of carbon monoxide on premises / Projet de loi 77, Loi modifiant la Loi de 1997 sur la prévention et la protection contre l'incendie pour prévoir des exigences en matière de protection contre la présence, dans des lieux, de niveaux dangereux de monoxyde de carbone.

**The Vice-Chair (Ms. Soo Wong):** Okay. Good morning. I'm pleased to start the meeting. We're five minutes late, but anyway, we're here today to deal with clause-by-clause of Bill 77, An Act to amend the Fire Protection and Prevention Act, 1997 to provide safety requirements related to the presence of unsafe levels of carbon monoxide on premises.

Are there any comments, questions or amendments to any of the sections of the bill? If so, which sections?

**Mr. Ernie Hardeman:** Section 1, Madam Chair.

**The Vice-Chair (Ms. Soo Wong):** Section 0.1?

**Mr. Ernie Hardeman:** Yes, 0.1.

**The Vice-Chair (Ms. Soo Wong):** Do members all have a copy of this?

**Mrs. Laura Albanese:** Yes, we do.

**The Vice-Chair (Ms. Soo Wong):** All right. So section 0.1 of the bill. Mr. Hardeman, do you want to read what you're going to move?

**Mr. Ernie Hardeman:** Yes. I move that the bill be amended by adding the following section:

"Carbon Monoxide Awareness Week

"0.1 The week beginning on November 1 in each year is proclaimed as Carbon Monoxide Awareness Week."

**The Vice-Chair (Ms. Soo Wong):** Do we have any comments, debate or amendments to this? Mr. Fedeli.

**Mr. Victor Fedeli:** Thank you, Chair.

I do speak in favour of this amendment. Back in the tragic Hawkins Gignac incident—the accident and the subsequent deaths—I was the mayor of the city of North

Bay at the time, where the family is from. We immediately implemented a carbon monoxide mandatory statute in the city of North Bay, but we found that education was the most important thing in helping people understand the importance of it. I would completely agree that this Carbon Monoxide Awareness Week would be an absolutely important first step. People need to understand the problem before they can appreciate why there is a remedy.

**The Vice-Chair (Ms. Soo Wong):** Okay. That's great. Any other comments or questions? Okay, I saw Mr. Prue. I'll come back to him.

**Mr. Ernie Hardeman:** Madam Chair, I would just like to explain the significance of the wording of the week of November 1. We had real concern. Of course, the first reason that we wanted to put it on that week is that that's also the week of the time change each year in the fall. That's the week that, for smoke detectors, we already have the practice in place to, as the time changes, check all your batteries in your detectors in your homes. But then our concern was, if we put it in the first week of November, from time to time it would be possible to hit Halloween and Remembrance Day in the same week as the awareness week. By wording it with the week of November 1, that's not necessarily the calendar week. It is seven days starting November 1, so it will never hit either one of those two other dates. It will be in the smoke detector battery-changing awareness week, and it was also be clear of those two other holidays.

**The Vice-Chair (Ms. Soo Wong):** Okay. Mr. Prue. 0910

**Mr. Michael Prue:** Yes, that was going to be part of my question, because by wording it this way, the week will start at a different day of the week each year. I was a little confused why it wasn't the first Sunday, which is the date that it was changed—but that has been clarified. And although I did have some concern, I am now satisfied.

**The Vice-Chair (Ms. Soo Wong):** Okay. Are there any other comments? No. All right. We have to call the question. All those in favour? Opposed? Carried. Thank you.

Section 1: Any debate or comments on section 1? I see none. All right. Shall I call the question? All those in favour? Opposed? Carried.

Section 2: Any questions or comments to section 2? Seeing none, I call the question. All those in favour? Opposed? Carried.

Section 3: Any questions or comments to section 3? This is going to be good. I call the question. All those in favour? Opposed? Carried.

Section 4: Any questions or comments? I see none. All those in favour? Opposed? Carried.

Section 5: Any questions or comments? None? Okay. All those in favour? Opposed? Carried.

Section 6: Questions and comments? All those in favour? Opposed? Carried.

Preamble—I believe there's a preamble. Motion 2: Mr. Hardeman, are you going to move it?

**Mr. Ernie Hardeman:** Madam Chair, I move that the bill be amended by adding the following preamble:

“Preamble

“Carbon monoxide is known as the silent killer because it is a colourless, odourless and tasteless gas. This act is named in honour of the Hawkins family—Laurie, Richard, and their children, Cassandra and Jordan—who were tragically killed by carbon monoxide poisoning in their Woodstock home.

“Reminding Ontarians of the importance of having functioning carbon monoxide detectors can help save lives. Designating the calendar week beginning on November 1 as Carbon Monoxide Awareness Week aligns the need to check carbon monoxide detectors and appliances with the end of daylight savings time. Changing the time on clocks and maintaining safety alarms are two necessary tasks that are easy to perform and promote together.

“As winter approaches, the impetus to begin using gas fired appliances, such as fireplaces, that can produce lethal carbon monoxide increases. Appliances that are rarely used over the summer months may develop leaks or blockages and cause carbon monoxide to accumulate inside the home. Therefore, it is important to inspect appliances and carbon monoxide detectors when the colder temperatures begin.”

**The Vice-Chair (Ms. Soo Wong):** Member, I would like to share with you—to rule on admissibility of this amendment. Mr. Hardeman's amendment proposes to add a preamble to Bill 77. House of Commons Procedure and Practice, second edition, 2009, O'Brien and Bosc, states: “In the case of a bill that has been referred to a committee after second reading ... the committee may not introduce” a preamble if the bill is without one. Therefore, I must rule his motion out of order.

I want to hear comments—Mr. Hardeman.

**Mr. Ernie Hardeman:** Madam Chair, I would ask unanimous consent of the committee to waive that rule and to actually have it introduced in this bill.

**The Vice-Chair (Ms. Soo Wong):** Any questions or comments to—

*Interjection.*

**The Vice-Chair (Ms. Soo Wong):** Okay. Do we have unanimous consent, first of all? Mr. Prue.

**Mr. Michael Prue:** A question. I don't want to get into the debate; I just want to be sure. Perhaps the Clerk can advise: Has this ever been waived before by unanimous consent? Because if this is setting a precedent, I'm

a little nervous. If it isn't setting a precedent and it has been done before, I certainly have no objections, but I need to know.

**The Clerk of the Committee (Mr. Katch Koch):** Unanimous consent has been granted before by committees when the committee is dealing with a motion that is beyond the scope, or outside, that is not acceptable, that is ruled out of order by the Chair. It has been done before.

**Mr. Michael Prue:** It has been done before. Then I would like to speak—then I would grant unanimous consent.

**The Vice-Chair (Ms. Soo Wong):** So do we have unanimous consent to the motion before us? Agreed. All right.

Any comments, questions or debate to this? Mr. Hardeman.

**Mr. Ernie Hardeman:** Madam Chair, I would just like to add—and I appreciate the committee giving unanimous consent for introduction. I would just like to point out that the reason for this preamble being needed is because there's no other way to deal with the amendment we did in section 1, which was to include this in the bill. If we're doing that, then in fact we need to have in the preamble that it was being done. There was nothing in the bill prior to this that would be related to creating awareness of a situation. That's why it's needed, and we very much support it. We appreciate the support we got. With that, I'm ready for debate.

**The Vice-Chair (Ms. Soo Wong):** Any other comments? Okay, so let's call the question. All those in favour? Opposed? Carried. Thank you very much, Mr. Hardeman.

Now we have to deal with the title of the bill, right? I believe it's motion number 3. Mr. Hardeman, do you want to read that?

**Mr. Ernie Hardeman:** Madam Chair, I move that the long title of the bill be struck out and the following substituted:

“An Act to proclaim Carbon Monoxide Awareness Week and to amend the Fire Protection and Prevention Act, 1997 to provide safety requirements related to the presence of unsafe levels of carbon monoxide on premises”.

**The Vice-Chair (Ms. Soo Wong):** Any questions or comments to this motion before us? Mr. Prue?

**Mr. Michael Prue:** Yes. I just want to say that I agree with this because it now captures what has been included. It would not have captured it otherwise and people would not have been so ready to find it, so putting it in the title is a good idea and I thank Mr. Hardeman for this motion.

**The Vice-Chair (Ms. Soo Wong):** Ms. Fife, do you have any comments?

*Interjection.*

**The Vice-Chair (Ms. Soo Wong):** All right. Any more questions or comments?

Okay, shall the title of the bill, as amended, carry? Carried. That's great.

Now I'm going to ask the next question: Shall Bill 77, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

All right, I think that's it. The committee can adjourn. You have the afternoon off. Thank you very much, gentlemen, ladies.

*The committee adjourned at 0916.*





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