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Tuesday 25 November 2014

Mardi 25 novembre 2014

Speaker
Honourable Dave Levac

Président
L'honorable Dave Levac

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**LEGISLATIVE ASSEMBLY
OF ONTARIO**

Tuesday 25 November 2014

**ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO**

Mardi 25 novembre 2014

The House met at 0900.

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

Prayers.

ORDERS OF THE DAY

BETTER BUSINESS CLIMATE ACT, 2014

**LOI DE 2014 VISANT À INSTAURER
UN CLIMAT PLUS PROPICE
AUX AFFAIRES**

Resuming the debate adjourned on November 24, 2014, on the motion for second reading of the following bill:

Bill 7, An Act to enact the Burden Reduction Reporting Act, 2014 and the Partnerships for Jobs and Growth Act, 2014 / Projet de loi 7, Loi édictant la Loi de 2014 sur l'obligation de faire rapport concernant la réduction des fardeaux administratifs et la Loi de 2014 sur les partenariats pour la création d'emplois et la croissance.

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

Mr. John Vanthof: It's always an honour to be able to stand in this House and represent the views of my party, the NDP, and also the views of the good people of Timiskaming–Cochrane and specifically on this bill, Bill 7.

I'd like to read the official title first: An Act to enact the Burden Reduction Reporting Act, 2014 and the Partnerships for Jobs and Growth Act, 2014. The title has all the right words. "Burden reduction": Business likes to hear that because business is burdened by a lot of regulations. "Partnerships for jobs and growth": Again, those are things that business likes to hear. From that, I give the official title top marks. It's a really good title. Then we go to the unofficial title, which is the Better Business Climate Act. Once again, great marks. The title gets great marks.

Just to clear the confusion, if there's any confusion, we are going to support this bill, by the way.

But we do have to read further than the title, because one thing we've learned from this government is that they are really good at the great titles. Then, sometimes when you read the bill further, which is our job, you realize that what the bill says and what the title says are two different things. The reason they give the really good titles is so they can say, "Well, how could you vote

against something like that?" But they're basing that on the title. That's why it's important: When you're in government and you have a really thin bill, you need a really good title. That's really important. Everyone at home should remember that: If the bill is really small, a big title is really important. It's got to get all the catchy words like "partnership," "growth," "jobs" and "burden reduction." It's really important.

The next thing we're going to look at in this bill is the explanatory notes. Basically, for the folks at home, the explanatory notes are kind of like the Coles Notes of what this bill is about. If you don't want to read all the legal stuff, which we do, but you want to get a quick read of what this bill is about, you check out the explanatory notes; very important.

This bill has two main parts. Schedule 1 is the Burden Reduction Reporting Act part—again, very important to business. I'll read the explanatory notes, because they're pretty interesting, actually. "Schedule 1 enacts the Burden Reduction Reporting Act, 2014, which requires the Minister of Economic Development, Employment and Infrastructure to publish an annual report with respect to actions taken by the government of Ontario to reduce burdens." Basically, this is a piece of legislation that forces the government to produce a report. That's something the government could do without a specific piece of legislation. It doesn't really say what the government is going to do to reduce the burden. Good regulations are there to protect the population. For those who are worried that some good regulations will be gutted, it doesn't say how that's not going to happen either. It's basically a report. So is a report good? Sure, a report is good. Does it warrant the brouhaha of the great title? I'm not so sure. We're talking about a report; we're passing legislation for a report.

But there is a second part to the bill which may be, perhaps—let's hope—much stronger than the first part. The second part "enacts the Partnerships for Jobs and Growth Act, which states that the Minister of Economic Development, Employment and Infrastructure may"—not he shall or not he must, but he may—"prepare plans with respect to the development of clusters. As part of the preparation of a plan, the minister must consult"—there's a "must"; that's good—"as he or she considers advisable, with persons or entities that have an interest in the development of the cluster. The plan must contain specified items, including the objectives and intended outcomes of the plan and performance measures. The minister is required to review the plan and make public a report"—oh, another report—"with respect to the results of the

review. The minister is given various regulation-making powers with respect to the plans.”

We’re talking about clusters, and clusters are a good thing. We’ve got the high-tech cluster in Waterloo, a cluster that a lot of people—in my region we have several, actually, right close to Temiskaming Shores. Because in northern Ontario we are one of the biggest agricultural areas, we have an agricultural service cluster in Temiskaming Shores, in that area around Earlton and New Liskeard. Whenever farmers in northern Ontario, north-eastern Ontario or northwestern Quebec need parts or service for their equipment, they go to Temiskaming Shores or Earlton. That’s where all the dealers are; that’s an agricultural service cluster; that’s where there are a lot of elevators.

The Minister of Northern Development and Mines was just in my region, and I’m sure he appreciated how much agriculture is there. That area, those elevators, those dealerships, those service people, they service the whole northeastern Ontario and northwestern Quebec. That’s a cluster. A lot of people don’t think of it that way, but that is what it is. It developed, I’d say, autonomously, as many other clusters did as well. If we use that as an example, I’m not sure how this bill is going to help them or hurt them, because in most cases clusters develop for reasons of geography or the people who are there, or in the case of Waterloo, because there were one or two companies and excellent universities, and that’s why they developed. I’m not sure and we’re not sure if this bill is actually leading the charge or just hooking a caboose on the train and trying to get some mileage out of someone else’s work. It’s not clear what this bill is going to do to actually help the cluster. Again, the title is much stronger than what’s actually in the bill.

0910

There are a few things that the government could actually do regarding both parts of the bill. The first part is reducing burden, and I’ve got a couple of examples in my riding. I have the honour of representing a company in my riding: Mohawk Garnet. They developed a garnet mine—not like gemstone garnet, but sandpaper garnet, 3M garnet. One of the very important things about that that’s very noteworthy is that it’s the only wholly-owned First Nation mining operation in Canada. That’s incredible. And they started this from scratch. By chance, I happened to the meet the manager of this operation. I met him a few years ago when I was travelling on behalf of the federation of agriculture to the Think North Summit in Thunder Bay. Remember the Think North Summit? That’s where I met Mr. Bob McMurdy.

I’ve talked a lot to Bob, and I’ve followed his progression in trying to develop this mining opportunity. He could tell you horror stories about the hoops that he’s had to jump through to get this going. Believe me, the First Nations are not out to break rules; neither is the management of Mohawk Garnet. It’s issues that could and should be solved very easily, but, I would say—what’s the word I’m looking for?—the attitude of some of the members in the bureaucracy is not an attitude of, “Okay,

let’s see what we can do to fix this problem” or, “How can we make sure there’s a remedy in place to get this done?” The attitude is more, “Well, you know what? These are the rules and you are just going to have to sit tight until we get there.” That is one of the things that has to change.

But I don’t see it, and I think that’s what business is hoping for when they read titles of bills like this. When you actually read what is or what isn’t in the bill, it’s not the same as the title. At least with this bill—and I will give credit where credit is due. At least what’s in this bill isn’t exactly the opposite of what the title is. That has happened in this Legislature in the last government. But at least with this bill, what’s in the bill somewhat represents what’s in the title—as opposed to the fighting fraud bill, where basically they were saying they were going to lower insurance rates, and how they were doing that was not allowing victims of accidents to sue. Actually, the title was misrepresenting the bill. In this case, at least the bill and the title are somewhat along the same vein.

Another issue, a very important one to the people of my riding—when we’re talking about clusters, we have in this province a public transportation cluster. We’ve got Metrolinx, which moves people and which is owned by the people of Ontario. We have the ONTC, which has refurbishment shops which can rebuild cars owned by Metrolinx. Now, that would and could be a cluster that would benefit the people throughout the province. What are the minister and the Premier doing to help that cluster? I dare say, Speaker, not much, if anything at all. We knew the writing was on the wall when ONTC lost the Metrolinx contract to an out-of-province company. Instead of responding with “Okay, what can we do to get this on the road as they were promised?” instead of saying, “Let’s see if we can get a strategic alliance,” which they were promised with Metrolinx—a strategic alliance is another nice word for cluster. Instead, no—no strategic alliance. Instead, it’s announced that the ONTC shops can refurbish some of the cars on the Polar Bear Express. That is not going to save the ONTC shops. The ONTC shops and the people who work there are as good—no, they’re better than anyone else in the country.

To make matters worse, shops that can rebuild and refurbish train cars are in extremely high demand right now—extremely high demand to rebuild railcars. If you remember the Lac-Mégantic disaster, a lot of those rail cars can’t be replaced quick enough, so they’re having to rebuild them and passenger cars. There are huge contracts out there to rebuild wheels, which you can do at the ONTC shops, which would make extremely good sense for the people of Ontario. Yet this government seems paralyzed to actually make decisions that would benefit the people of northern Ontario, benefit the people of Ontario. Yes, we stopped the sale of ONTC. We stopped the giveaway of those shops, and now it appears that this government is willing to let them die on the vine when there is a huge demand for their services.

I demand that the Premier actually answer the question: Is there going to be a strategic alliance with Metro-

linx, which would benefit all the people of Ontario? Instead of spending time with bills like this and talking about how the Minister of Economic Development could make plans for clusters and should make plans for clusters and may act on those plans, how about this government actually does something with a cluster that they own, that we all own? We own shops that fix railcars, and we own public transportation that uses—guess what—railcars. It seems like a pretty good fit, and yet while these shops are in huge demand in the rest of North America, in North Bay we're laying off painters because there's not enough work, because the government will not give the people the tools they need to actually access that work. That's wrong. That's wrong, and on behalf of the people of northern Ontario, I demand that the government, the minister, the Premier, actually make their plans public, what they need to do, and actually come forth with their promise and provide a mechanism so that the ONTC shops can develop a strategic alliance with Metrolinx and actually benefit all the people of Ontario and actually do what the great title on this bill says.

On another issue within this: Let's talk about a single regulation that could be impacted with this. I talked about how in Timiskaming–Cochrane, we have a regional agriculture cluster. I've listened several times to the Minister of the Environment and Climate Change talk about the effects of climate change in the environment. I have to say that this summer in my riding, we have experienced a summer and a fall that we have never experienced before. I know farmers who have farmed—Roy Schubert, for one, has farmed in my area for 55 years, and he has never left crop in the field. Yet this fall, it's estimated that over 50% of the crops in Timiskaming are in the field, and they're going to stay in the field because there is snow. The people who have crop insurance, hopefully, will be able to make their payments, because we have never experienced having to leave half our crops in the field.

0920

A regulation change that would make a difference in the Crop Insurance Act—I believe we're going to discuss the Crop Insurance Act in the near future. A small regulation change—for example, a crop like soybeans, which we haven't grown in Timiskaming for a long time because our weather wasn't conducive to soybeans, but in the last decade or so, and likely due to climate change, soybeans work in our area. This year, because we've had rain all summer, and now snow a month too soon, the soybeans are lost. But because of a regulation that's across the province, crop insurance won't release the soybeans until a certain date, even though they know it's going to be a loss.

Where that impacts the farmers of Timiskaming in a big way is that basically they can't do their fall tillage until those soybeans are released. In Timiskaming, we have to do fall tillage because of our soil and because in the springtime, fields that are tilled heat up much quicker than fields that aren't tilled. So if those soybeans aren't released, a lot of the fall tillage won't be done. In fact, those farmers will be paying for two years for this problem.

It doesn't sound like a big issue. But if half your crops are in the field, and not only can't you get your crops off but you're not allowed to do your fall tillage in a place where fall tillage is necessary, that regulation needs to be changed. Maybe it has to be more site-specific.

I'm sure they weren't thinking about that regulation when they were talking about this bill, but that's the type of regulation that should be changed, and it needs to be changed very quickly. I don't know if we're going to get it done; I need to talk to the minister again about it. But it's things like that. We have to be much more responsive.

I hear the other side talk a lot about climate change. Well, it's time to actually look at the regulations, and not just look at the big picture but look at the small regulations that actually are impacting people now. That's one that would make a big difference for the people in my riding.

The Acting Speaker (Mr. Rick Nicholls): Comments and questions?

Mrs. Marie-France Lalonde: First, I would like to thank the member from Timiskaming–Cochrane for his great words on the bill. It gives me great pleasure to speak on this bill, because my husband and I were business owners, and my husband still is, actually. I used to manage a retirement residence in my previous life, before having the great chance of being elected in this House.

When I think about this bill and everything that we were able to accomplish for small businesses like mine, when I used to own and operate this retirement residence, it is extraordinary. We have been able to remove over 80,000—and I want to reiterate it to the members—80,000 unnecessary burdens for small businesses. This has helped me, as a business owner, be more efficient and cost-effective in putting the resources in my business where they should be.

Mr. Speaker, I think the bill is about partnership, and we haven't heard this very much. We've partnered, and we want to partner, with the businesses.

I look at my husband. He's an operator of a small restaurant, and he comes home and he has to do a lot of paperwork. It takes hours of his time. By having this bill passed, and everything that we're moving towards—the online system—I look at myself, and the WSIB. If I had an injured worker, because of this bill and everything we've moved forward, I was able, with a phone call or the online version, to just say that my worker did not need to take time off. This is cost-efficient, and for a business and a small business owner, this means a lot.

For me, I'm glad to hear that the third opposition—the member will be supporting our bill, because we need to work in partnership.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments.

Mr. Jeff Yurek: Thank you very much, Speaker, and good morning to you. It's good to see you this morning. I'm pleased to comment a little bit on this bill and thank the member from Timiskaming–Cochrane for his great insight over the last 20 minutes.

My concern in the bill is with regard to the red tape portion when, really, this is a bill to study red tape, at the end of the day, and not really act upon it. This government, for the last three years that I've been here, has had ample opportunity to start fixing red tape throughout this province.

I'll take this story back to my own riding, where Railway City Brewing Co., a craft beer operation that started on its own in downtown St. Thomas, Ontario, has seen tremendous growth with their beers. Dead Elephant Ale, for instance, is an excellent beer. I really like the Canada Southern Draft; it's my favourite from their products. They also make a wheat beer; I always call it the Woody Traveller, but I always get it wrong. It's an amazing beer for the summer. At Christmas, of course, they always come up with their Christmas cranberry beer, which has actually taken the Canada Southern Draft and thrown some cranberries in it. It makes it really excellent.

Back to my point on red tape: The craft beer industry in this province is overburdened by red tape, and it's basically with regard to the silly rules that this government fails to address. Two of them that I'll hit on—number one is transporting their beer. There's the rule and the regulations, the red tape, that won't allow craft beer companies to share transportation with other craft beer companies. They have to purchase their own truck or rent their own truck to take their beer to, say, the LCBO. The LCBO says, "No, you can't have more than one craft beer on the truck." I think that's utterly ridiculous. For a government that's so pro-small business, you'd think that would be an easy fix that could have been fixed three years ago. However, they keep that regulation, that red tape, on the books so that the expense ever increases.

The other thing they don't tackle is cross-selling between craft breweries. I think that would be an excellent way for craft breweries to grow. If, per se, Bell's can sell Railway City or vice versa, that would increase the amount of craft beer throughout the province without costing the government a dime. All they have to do is take their pen out and scratch out those silly regulations.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments.

Mr. Taras Natyshak: I'm pleased to add some comments to the comments by my colleague from Timiskaming-Cochrane on this bill, the Better Business Climate Act.

The bill prescribes in schedule 1 that the Burden Reduction Reporting Act be enacted, "which requires the Minister of Economic Development, Employment and Infrastructure to publish an annual report with respect to actions taken by the government of Ontario" to reduce regulatory burdens. I guess that's a good thing. We'd like to know exactly what actions are taken on behalf of the government to address or, at the very least, acknowledge some of the low-hanging fruit when it comes to regulatory burdens in our small, medium and even large-sized businesses in the province of Ontario. That's pretty reasonable.

"Schedule 2 enacts the Partnerships for Jobs and Growth Act, 2014, which states that the Minister of Economic Development, Employment and Infrastructure may"—as my colleague so clearly pointed out—"prepare plans with respect to the development of clusters." So they may do something, maybe. Maybe, they may do something.

I guess that's where we have some issues with the clarity of the bill or the vagaries that are built into the bill. One of those "mays" is: What is it, in fact, that they will be doing? We know that there are regulatory burdens that exist within all ministries and all sectors. Who, indeed, will be in charge of initiating or championing the review of those burdens? Then, what measures will be needed within those ministries to actually do something about those burdens? It's incredibly complex. We know that regulatory burden is certainly something that the business community has been talking about for quite some time.

We need to look at a whole suite of issues ranging from the fact that we have people who—income inequality. Business needs customers. That was clearly articulated in a TD report just recently released. Let's look at all of the tools that are available in this Legislature and try to do something constructive and proactive.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments.

Mr. Mike Colle: I was listening to the member from Timiskaming-Cochrane, and he asked some of the same questions I asked about this bill. What's this bill about? I know he was quite interested in the title. I wasn't that interested in the title, but what I found out about it is that essentially what it's doing is responding to a request from the Canadian Federation of Independent Business, the Toronto Board of Trade and the Canadian Manufacturers and Exporters association. What they wanted was a reporting mechanism; they said, "You say you're reducing red tape. You can say you're doing it, but show us." So now they're going to be reporting what they're eliminating. It's a reporting mechanism. It's the same thing they do in Alberta and BC. That's the first part of it.

0930

The second part of it is basically—I think you've raised a good question: What comes first, the chicken or the egg? The cluster by itself, or does government create clusters? And I think on that part, what this bill is going to try to do is try to give the minister a bit more power to encourage and essentially facilitate cluster building and enhance what they've already done or what they're going to do. You said you've got an agricultural service cluster in Temiskaming Shores. I think there are these clusters all over the province these days. So what can the government really do to ensure that these clusters get the connection with government that they need, rather than creating them by themselves? It's some kind of help, facilitation of something that's already going on. Hopefully, by clearing this up to a certain extent, there will be a better connection between government and clusters so they can get a bit of help from the government as they

expand, as they service people in the area. That's my understanding of it, anyway.

The Acting Speaker (Mr. Rick Nicholls): Back to the original debater, the member from Timiskaming–Cochrane, for his final wrap-up.

Mr. John Vanthof: I would like to thank the members from Ottawa–Orléans, from Elgin–Middlesex–London, from Essex and from Eglinton–Lawrence.

To the member from Ottawa–Orléans: She made a point of talking about all the things that this government has done or that she thinks this government has done. She may have a point on some of them. But specifically this bill doesn't necessarily move that along.

The member from Elgin–Middlesex–London pointed out some concrete things that he feels could be done right now, and he has a point. This bill doesn't really move that along.

I appreciate what the member from Essex said, but I'd like to focus on what the member from Eglinton–Lawrence said. He did explain the purpose, in his mind, what the bill is about. I somewhat agree, but there's nothing in here that really needs a bill. You don't need a law to create a report, and that's all that you're really doing here—or to help along clusters.

At the end of the day what this bill—and we should talk about this more in the House. The minister is given various regulation-making powers with respect to the plans. So we can talk about the title and we can talk about the bill, but basically it's the minister who makes the decisions. That's a big problem with this Legislature. I've learned, and hopefully the people in the back row on the other side will learn, that at the end of the day, as long as we keep doing this, this House never gets to review these regulations, never gets to find the good ones or the bad ones. At the end of the day, it's the minister. So all we're doing is debating the title.

The Acting Speaker (Mr. Rick Nicholls): Further debate?

Mr. Ernie Hardeman: I rise to speak to Bill 7, An Act to enact the Burden Reduction Reporting Act, 2014 and the Partnerships for Jobs and Growth Act, 2014. I just want to point out the word “reduction” in the title. My good friend the previous speaker mentioned that this was a very good title, a very nice title, but the word “reduction” doesn't need to appear in the title of the act because there is absolutely nothing in this bill that's going to reduce red tape.

It was also mentioned earlier that what we need to do for business in the province is to do a report so they can see it, because they don't really believe that red tape is being reduced. In my notes we'll be speaking a little bit about that. The fact is that I think the government would be much better served, and the people of Ontario would be much better served, if the people could actually see the red tape that's being reduced. You shouldn't have to report at the end of the year, “Look what we've done.” The business should be able to realize that there's less red tape that they are having to deal with.

In the first schedule of the act, it would require the minister to report annually on regulatory burdens and red

tape—they would have to say how many they reduced annually—but there's also a section of the act that identifies what red tape is. The minister first gets to decide whether it's red tape before he decides whether they're going to report on whether it has been reduced or not. In fact, you could say, “We don't have any red tape so obviously there's not much to report.”

We understand that red tape is not only frustrating for our businesses, taxpayers and municipalities, but that there's a real cost in terms of time, productivity and lost opportunity. In some cases, businesses are forced to hire experts just to deal with the red tape. In fact, it's estimated that red tape burdens cost businesses in this province over \$11 billion a year in productivity. As one small-business owner said, “We are constantly spending more and more time updating manuals, filling out paperwork and participating in government programs trying to make sure that all our programs and regulations are kept up to date and current. It has almost become a full-time job to manage those things.”

This government has now been in power for 11 years, and for most of those they have been agreeing that red tape is a problem. In fact, in 2008—six years ago—they launched the Open for Business initiative, but today red tape is still one of the biggest problems we hear about from the businesses in Ontario.

In a Canadian Federation of Independent Business survey from earlier this year, over one-third of its members found that the cost of regulatory compliance is so burdensome that they would not have gone into business if they had known about the actual impact of government regulations. CFIB Ontario's vice president said, “CFIB estimates that government red tape costs Ontario businesses a staggering \$11 billion a year, making it the second-highest small business concern, after taxes.”

Every year I do a survey of Oxford businesses. It gives me an opportunity to hear directly from them about the challenges they're facing. This year, 73% of respondents said that red tape has increased over the last four years, which is slightly higher than they reported in the last survey. Again, that comes to the part about reporting it: Maybe it would be helpful, and then even the government would see that they're not reducing it.

It's clear that this government's efforts to address the problems aren't working. I recently heard from one small business person in my riding who said, “While there are a number of reasons we have chosen to exit the business, one of the main ones was the endless barrage of ‘compliance’ to regulations, and the documentation required for those requirements. The continual increase in the size of government just leads to more regulation, which in turn continues to make it less possible for small businesses to survive in this province and country.”

I would like to believe that publicly reporting the red tape burden and the government's progress will make a difference, but in 2012 this minister launched a consultation with small businesses and at the end he issued a report that found that, “Common themes began to emerge: complicated and burdensome application processes; out-

dated requirements; lack of clarity and understanding of compliance requirements; complaints related to Workplace Safety and Insurance Board (WSIB); and support for one-window access to programs and information.”

Two years later, red tape is still the biggest issue facing our businesses, our non-profit organizations, and our municipalities.

I hope that by legislating the requirement to report annually we will see more attention on the impact of these burdens, but passing legislation can only do so much. Last year, the Long-Term Affordable Housing Strategy produced by the Ministry of Municipal Affairs and Housing says that one of the provincial responsibilities is to produce an annual report on province-wide programs, but four years later we have not yet seen a single report.

Several weeks ago we marked the one-year anniversary of the Local Food Act being passed by this Legislature. The legislation contained a number of requirements for the government to complete within one year, such as creating targets for access to local food, local food procurement and food literacy, as well as a requirement for an annual report on local food. This government avoided the requirements simply by not proclaiming those sections. In fact, after a year, some sections of the Local Food Act still haven't been proclaimed.

0940

It has become a frequent occurrence for annual reports to arrive late. Often, we receive two or three annual reports from an organization at the same time. Sometimes, the government seems to just ignore the requirement for annual reports. For instance, Ontario Place hasn't submitted an annual report since 2010. As we debate the future of that property, wouldn't it be useful for everyone to be able to see the report from its last year of operation?

When the Minister of Tourism appeared at the estimates a few months ago, he was also unable to explain why the annual reports of the Metro Toronto Convention Centre for 2011 and 2012 hadn't been tabled, even though it is a legislative requirement.

According to the deputy minister, the 2012 and 2013 annual reports from all 16 of the agencies under their ministry that are required to table them were in progress. That means, in spite of the legislative requirement for these reports, 17 months after fiscal year-end, they still hadn't been tabled.

I hope that this time, the government will follow through, that they will report back each year as required, and that they will provide an honest assessment of the burden facing Ontarians. But with all that, Mr. Speaker, I have to question it.

Another one of my concerns is the definition of the burden, and I think this is very important. The minister has to report “a cost that may be measured in terms of money, time or resources and is considered”—and this is important—“by the minister in consultation with other members of the government of Ontario to be unnecessary to achieve the purpose of the statutory, regulatory, pro-

cedural, administrative or other requirement that creates the cost....”

I'm sure everybody that was bothered by the regulations in the breweries—

Interjection: The craft breweries.

Mr. Ernie Hardeman: —the craft breweries will be very impressed with that definition, because it will do absolutely nothing to deal with the problems they're facing with their red tape.

This means that the government doesn't have to report paperwork or regulatory requirements if they simply deem them necessary. Every regulation was considered necessary by some person at some point in time. This approach doesn't take into account the impact of these requirements on business. It doesn't force the government to look at how much time and productivity they are costing, and it doesn't push the government to reduce the overall burden.

As the Ontario Chamber of Commerce stated in their report *Emerging Stronger*—and incidentally, they issue the report each year—“The cumulative regulatory burden on business should be reduced to improve Ontario's business climate.”

As the Ontario Restaurant, Hotel and Motel Association said, “There are specific regulations in place that need attention but the overall consensus of industry operators is about the whole package of well-intended regulations that need to be there but create nightmares in the amount of paperwork and supportive documentation requirements.

“Many well-intended regulations demand an abundance of documented policies and posters on the walls, another ‘binder’ on the shelf and a significant amount of time and effort into paperwork completion.”

This definition of “burden” contained in this bill is open to much interpretation, which means that there could be efforts to reduce the red tape burdens reported which don't actually reduce the impact of regulations on Ontario.

Several years ago, I obtained an internal memo from the Ministry of Agriculture, Food and Rural Affairs. It was advice to civil servants on how to implement the Open for Business initiative. That memo recommended removing the duplication between regulations, which sounds good, except that it says, “Numerous regulations detail processes and requirements related to tribunals. Rather than having those requirements within each regulation, include them within a single regulation and then reference those requirements.”

That would reduce the number of regulations that the government has to report, but it doesn't do anything to reduce the burden to Ontarians' businesses.

The memo went on to recommend moving requirements to forms, because “Forms were not included in the count, per Open for Business. Rather than stating within a regulation that a stakeholder must submit his name, address and phone number (three requirements), simply state that the stakeholder must complete the form (one requirement). That form could then require the name, address and phone number.”

It also recommends changing the definitions to reduce the burden count. “For instance, if a regulation required ‘sheep, cattle and goats to be shaved and branded,’ we would count six burdens, based on the multiplier of two requirements on three types of livestock. However, if the regulation stated that ‘livestock must be shaved and branded,’ it would count as two requirements; but presumably, in this scenario, livestock would be defined within the definition section as being sheep, cattle and goats.” So, in fact, it changed absolutely nothing.

The memo recommends tricks like changing the wording from requiring an annual report to be prepared and submitted, which would be two burdens, to requiring the annual report to be submitted, which only counts as one burden, or moving the requirements into commission regulations, which the government decided not to include in the burden count.

I raised that memo in this Legislature, and the only response from the minister was to issue an internal memo to staff, warning them not to share internal information. There was no attempt to address the fact that people were deliberately trying to mislead the public into thinking that the regulatory burden had been reduced.

When we surveyed Ontario’s farmers, 77.2% of respondents said that red tape is increasing. In fact, they reported that, on average, Ontario farmers spend 154.2 hours a year just filling out government forms, the equivalent of about four standard 40-hour work weeks.

In response to the survey, a farmer from the Golden Horseshoe said, “Costs of all businesses in Ontario is too high due to overregulation and red tape. A reckoning will have to come for Ontario to stay competitive at all.”

When the government boasts about how many burdens they have reduced, we have to ask ourselves how many were just wording changes or moving the burden from one place to another.

If this is an example of how seriously the government took their effort to cut red tape, we shouldn’t be surprised that it is still a significant problem. And if they are taking that same approach with this new act, the results won’t be much better.

This red tape burden not only impacts business; it also impacts municipalities across Ontario. Every regulation and reporting requirement takes time for municipalities to fulfill. Some require significant expenditures to comply with the new regulations and legislation. While some of these burdens are necessary, it is still important to measure the overall burden they place on municipalities.

As the Rural Ontario Municipal Association—another organization that puts out reports—said in their report *A Voice for Rural and Northern Ontario*, “A frequent challenge faced by rural and northern municipalities is overregulation. Often when new policies are released, there are a number of new requirements attached, from administrative requirements to new responsibilities. While large urban municipalities also object to these additions, these municipalities are often in a position where they are able to comply (at a cost to the taxpayer),” of course. “Per capita costs in most rural and northern areas are

higher than those in urban communities as a result of smaller populations. As a result, rural and northern municipalities do not have the capacity, or the tax base, to continue to absorb new costs.”

They also explained the difficulty that some of these smaller municipalities have in accessing provincial programs. It says, “The obstacle is in ensuring that those communities who could truly benefit from the programs are able to apply. Reducing the ‘red tape’ and the burden of eligibility and application procedures of current and future programs of interest for rural communities and municipalities could dramatically increase the functionality and uptake of these programs.”

Just last week, we heard about a red tape burden that the province is putting on municipalities who are applying for assistance to help with the costs they had incurred because of last year’s ice storm. The Ministry of Municipal Affairs and Housing is requiring municipal staff to complete a two-hour seminar on how to fill out the paperwork before they can submit it. The seminar isn’t even put on by the ministry staff; they have hired LandLink Consulting to do it for them.

Mr. Speaker, this isn’t the first round of paperwork that they’ve done for that same project. Some municipalities are reporting this is now the third round of paperwork they are being required to submit. In fact, in their frequently asked questions on the program, the Ministry of Municipal Affairs and Housing said, “Municipalities and conservation authorities will likely need to devote a significant amount of time in assembling their claims.”

These forms and guidelines aren’t even online. Municipalities are required to contact a local municipal affairs office to obtain them. Mr. Speaker, that doesn’t show any desire to reduce red tape or to respect the limited resources of our municipalities.

The other part of this act is that it would allow the government to create clusters. As the minister said in his leadoff, the development and success of these clusters has been driven by the private sector, which makes it concerning that the government is giving themselves more ability to create regulation surrounding the clusters. They’re already being built by the private sector; now the government says, “There go my people. I better run so I can lead them.” While I realize the government’s intentions are good, I hope they will recognize that often the key to economic success is to get out of the way of the private sector. I hope that they will not use this regulation-making ability to create more red tape or implementation restrictions that will end up causing new challenges and burdens for our businesses.

0950

Our critic for economic development, employment and infrastructure said in his leadoff that we will be supporting this bill. It may have sounded like I wasn’t going to but, yes, I will be supporting this bill. But again, as was said in the earlier comments, because of its nice title and the fact that—what do they say? Hope springs eternal? I hope that at the end of this, the government will finally realize that if they go to this much trouble to

introduce a bill that does nothing but obligate them to do a report, they will actually come through and do that report.

We have pushed this government for years to make a meaningful reduction to the burdens placed on our businesses, our municipalities and our taxpayers. We are pleased to see them take this step, and we'll be watching to ensure that they follow through. Again, I say that the act is to create a report, but I would hope, as they're creating it and as they decide what a burden is, that they turn around and actually eliminate that burden, rather than just tell us that it's there and they'll do that next year.

I just want to end with this: Many years ago there was a provincial election, and I remember that one of the parties—the better of the parties, in my opinion—said, “We're going to reduce red tape and we're going to appoint a person, a Red Tape Commission”—I believe the former member from London West, Mr. Wood, was the chair of the Red Tape Commission—“to look at finding the redundant and unproductive regulations or legislation and remove them.”

Not to be outdone, the other party came up with, “We are going to reduce 50% of the red tape.” I remember going door to door in my riding and saying, “Now, think about this for a minute: Red tape is totally redundant and useless legislation that is not accomplishing anything of benefit. If you know how much there is, why would you only reduce 50% of it?” I think that's really the problem that we're seeing here: that they're looking at reporting, but are they actually looking at reducing it to benefit our businesses?

Going back to the start of the presentation—I think somewhere here I have a copy of the bill. It's An Act to enact the Burden Reduction Reporting Act, 2014 and the Partnerships for Jobs and Growth Act. I do hope that if they move forward on the reporting and also look at reducing the red tape, they actually may be able to assist in the partnership to help create jobs in Ontario, because the way they're doing it now, it isn't working.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments?

Ms. Jennifer K. French: I'm pleased to address the comments made by my colleague from Oxford and also to add more to what we heard earlier from the member from Timiskaming–Cochrane speaking on Bill 7, An Act to enact the Burden Reduction Reporting Act, 2014 and the Partnerships for Jobs and Growth Act, 2014.

Burden reduction sounds good. Partnership sounds good. However, this bill addresses clusters, regions of activity where related businesses work together to thrive. We know that when businesses do well, communities do well; people do well. Coming from Oshawa, of course we have a famous cluster. Our most famous would be our automotive cluster. We've seen through the years how a cluster can become a part of that community. It's the government's role to help our businesses grow and reduce obstacles—fairly reduce obstacles—and hurdles. I think that's a good thing.

While we're at it, the government could also consistently encourage a climate of fairness to workers in terms of wages, in terms of training, in terms of health and safety or paid internships—and education, while we're at it. It does take more, though, than a bill to convince anyone, so this government needs to philosophically believe in opportunities for growth, philosophically believe in opportunities for growth of clusters, and community growth as well.

We need a climate where businesses can flourish and collaborate. We need a climate that businesses are attracted to. We would like to see a resurgence of faith in Oshawa and encouragement for businesses. Government needs to support the development of our regional clusters, needs to listen to key stakeholders, and reducing unnecessary government regulations that can deter businesses from coming to Ontario sounds like a step in the right direction.

The Acting Speaker (Mr. Rick Nicholls): I'd like to thank the member from Oshawa.

Further questions and comments?

Mr. Mike Colle: I was interested in listening to my colleague from Oxford talk about the challenges that people face with regulation etc. I think he made some very legitimate references about the reality that people face, especially in an agricultural community.

I just want to say that what the bill itself tries to do is to essentially put some kind of accountability in this attempt to reduce regulation and eliminate so-called red tape, because as governments can say they're going to reduce this, this is again a request from the Canadian Federation of Independent Business and the Toronto Board of Trade, saying, “Listen, we want accountability.” So that's what this act does on that red tape aspect.

The second thing, in terms of clusters, is that clusters sometimes come about organically, but sometimes they need help from government. I know I have a very successful clothing manufacturing cluster in my riding. We manufacture one of the best winter coats you can buy anywhere in the world, and that's manufactured by Canada Goose. Canada Goose even sells winter coats to China; they sell winter coats to 50 different countries. They manufacture them in Ontario, in Toronto, with about 350 people, and they're going to expand to 500 people, because it's such a good-quality, Canadian-made coat. So if you're going to buy a coat for Christmas, buy a Canadian-made coat; don't buy those cheap imports. I'll give you a reference; you can come and buy a Canada Goose coat. It's expensive, but they're good quality. So don't go to Walmart and buy your coat; buy one locally, made in Chatham–Kent, made in Timiskaming, made in Oxford.

That's what we're trying to improve with this cluster support in this bill.

The Acting Speaker (Mr. Rick Nicholls): I'd like to thank the member from Eglinton–Lawrence.

Further questions and comments? The member from Haliburton–Kawartha Lakes–Brock.

Ms. Laurie Scott: Very good, Mr. Speaker. Thank you very much.

It's always an honour to follow the member from Oxford and his insight. He's been in the Legislature for a few more years than I have is and has done a lot of work, especially in the agricultural sector and municipal affairs before, and now municipal affairs critic.

He mentioned the perfect examples of what we experience in our ridings, especially in the agricultural sector. We also went out and did business surveys, and the member came and visited, in Haliburton–Kawartha Lakes–Brock, Sunderland Co-op, a perfect example of the redundancies that the agriculture community have to fill out in their forms, in their regulations. It's time-consuming. He mentioned \$11 billion lost in productivity because of red tape. It's the second-highest concern of small businesses across the province, not just in agriculture.

He mentioned in detail the forms that were to be filled out and how it actually misled the public in saying, "We have reduced red tape, we reduced the forms, we reduced regulation," where in fact it had not; it increased it. His survey said that 77.2%, I believe, of respondents from the agricultural community said red tape has increased, at an average cost of 154.2 hours per year in paperwork, which is a loss of doing what they do best: producing the quality food that we want to eat, and growing their businesses.

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The CFIB, the Ontario Chamber of Commerce—I mean, the message has been consistent: The cost of doing business in Ontario is too high to stay competitive.

I debated this Bill 7 yesterday. Really, it's "Maybe we'll do something, but we'll put it out there with a good title and hope it all works out in the end." Really, Mr. Speaker, we don't have confidence that it will.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments?

Mrs. Lisa Gretzky: I'm pleased to stand and add my comments to those of the member from Oxford and also my colleague from Timiskaming–Cochrane.

As he pointed out, this bill has a really strong title, but it's not necessarily a strong bill. The bill states that the minister may take action, but there is no commitment to actually taking action. It suggests that the government may do something that they already do. We're saying that we're giving them power to do something that they already have the power to do, so I'm not quite sure of the point of introducing a bill.

The bill speaks to clusters, which is a good thing. However, in my riding of Windsor West, people want to hear about and also see action around our automotive and manufacturing clusters.

We welcome new ideas, we welcome new technologies, and we certainly welcome new businesses. But equally important to my riding and the neighbouring ridings of Windsor–Tecumseh and also Essex are the automotive and the manufacturing sectors. As the member from Oshawa had pointed out, it's important to her riding as well, and I'm sure that it's equally important to ridings all over Ontario.

If the government is going to bring forth bills to create a better business climate, then they should be developing

bills that actually require action and not just suggest that it may happen or that they're going to write reports about it.

I believe that this bill actually adds to the red tape. Again, we're talking about a bill that's giving the government the ability to do something they already do, so it's kind of a redundant bill.

As I pointed out, I believe that there needs to be a strong plan around not only creating a better business climate but attracting businesses to my riding and ridings all across Ontario.

The Acting Speaker (Mr. Rick Nicholls): Now we'll go back to the member from Oxford for his final wrap-up.

Mr. Ernie Hardeman: I want to thank the members from Oshawa, Eglinton–Lawrence, Haliburton–Kawartha Lakes–Brock, and Windsor West for their comments.

I just wanted to add a couple of comments. The member from Eglinton–Lawrence mentioned, and I agree with him, that it's good to look at reporting and so forth. But I do believe, and I stand to be corrected, that the Open for Business legislation that went through this House a number of years ago in fact required each individual minister to report as to how they were making out.

The main part that I was a little concerned with is the working—and he said the government needs to help the private sector build these clusters, and I totally agree, but the minister says that the private sector is already doing it. Then, when I look at the explanatory note—and I think that's the important part, Mr. Speaker—in the schedule it states that "the Minister of Economic Development, Employment and Infrastructure may prepare plans with respect to the development of clusters." These are the minister's plans.

"As part of the preparation of a plan, the minister must consult, as he or she considers advisable, with persons or entities that have an interest in the development of the cluster." In that part, it doesn't even say he has to talk to anyone. He is making the plan.

"The minister is required to review the plan"—this is the same plan—"and make public a report with respect to the results of the review. The minister is given various regulation-making powers with respect to the plans."

It was mentioned by the last speaker, from Windsor, in fact, that this is nothing but red tape. I mean, gosh, the minister gets to make a plan and to talk to whoever he wishes to talk to, or no one. Then he gets to review his plan and then he gets to report it to the people of Ontario: "I have prepared a plan and I reviewed it. It was the best plan that ever existed. Now here it is"—end of story.

I think that's red tape if I ever saw it.

The Acting Speaker (Mr. Rick Nicholls): Further debate.

Mr. Jagmeet Singh: I would love to add my voice to the debate. We are debating Bill 7, An Act to enact the Burden Reduction Reporting Act, 2014 and the Partnerships for Jobs and Growth Act, 2014.

Essentially, this bill has two parts to it, two sections. Part 1 talks about reporting on regulatory burden reduc-

tion—so red tape reduction, burden reduction, regulation reduction. Part 2 talks about clusters.

I think it's important to understand what a cluster is, in a simple term. Clusters are basically—in a particular geographic area, in a particular region, there are similar businesses and they work together. There is a synergy between these businesses. So the bill has two components: talking about regulations and talking about, in certain regions, certain areas, where there are similar businesses that work together—how do you promote them? Okay. That's what the bill purports to do.

The bill has an okay name. It's somewhat factual to what it is actually going to do.

Here is the issue: There's not anything really that is overly opposable in this bill, but there's not really anything very supportable in this bill. The reason why I say this is because everything in this bill—everything—can be done already without a bill. There is nothing in this piece of legislation that you actually need legislation to be able to do. Let me clarify: The minister can currently report—any ministry can report on anything they want, anytime they want. So you don't need a bill to be able to report on anything. You want to report on the steps you are taking to help the environment. You can report. Tell us. Why not? You want to take some steps to improve the employment standards or employment regulations or streamline them. You can report that. There is nothing barring you from doing that.

This bill talks about the steps you are going to take to report on steps you're going to take to reduce regulations. You can do that. I don't think you need a bill to do that. I'm actually very certain you don't need a bill to do that. I'll give some of my suggestions in terms of the direction you should go. But let's just be very clear: There is absolutely nothing—and I've reviewed this quite thoroughly. There are no additional powers in this bill that you don't already have through regulation-making authority. You already have, as a government—any government would have—significant regulation-making authority. So you are not increasing that. There is nothing really significant in schedule 1, or schedule 2 for that matter, but let's focus on schedule 1.

Before I continue too far, I'm sharing my time with the member from London West. Please make note of that. Thank you so much, kindly.

There are certain regulations that we absolutely need. So when we talk about streamlining the process for a business to be successful, we absolutely support that. We support businesses doing well. We know that businesses have often a lot of difficulty navigating all the different rules and regulations that do apply to them, and that's something that we need to help businesses with.

I also ran my own law practice, and I know that it's important to make sure that businesses are able to move and navigate the different laws and different regulations that exist. We need to encourage businesses by making it easier for them to be able to set up and to develop and to flourish.

But that being said, we absolutely need to be very vigilant around two areas where regulations are very,

very crucial and important. Where it comes to the environment, we need to make sure that we properly consult with experts in the field to make sure that our regulations around environmental standards are maintained and protected. And employment standards—we need to maintain appropriate employment standards to ensure that people in Ontario are protected and that in their workplace they are safe and they are secure. So those are two areas where it is absolutely crucial to have regulations. We need to make sure that we're doing the right things in terms of the environment and we're doing the right things in terms of our people. Those are two areas where we certainly want to see proper, enforced and thoughtful regulations. But, in general, of course, if there are areas that are redundant, if there are areas that are non-essential, if there are areas that are putting an extra burden on businesses that aren't improving the environment and aren't improving employment standards—and why are they there in the first place—we absolutely support streamlining those.

With respect to the second schedule, it talks about clusters. "Clusters" is simplified terminology for geographically similar businesses concentrated in an area. Obviously, when clusters are successful, that's a great thing for our economy, and it's great for a particular region. Some of my colleagues spoke about their particular regions. It's great to have the automotive sector in southwestern Ontario, and the fact that there are surrounding businesses that support each other, that work together, whether it's different parts or different manufacturers working with the automotive industry to build a cluster base—and it's a great source of employment.

1010

What is the government going to do, though? The bill's quite interesting. It talks about what kind of ideas should be in the plan; it talks about the steps they're going to take to prepare a plan; if they don't want to go ahead with the plan, it talks about how to stop the plan; and it talks about reviewing the plan. But it doesn't actually have a plan; it's all the steps around an actual plan. So we're not voting on a plan. They might say, "To create a cluster, we need to invest in uranium. That's our plan to create clusters." There might be no connection with their plan and the actual cluster. They can say anything. The plan is not here. We're not voting on any plan. We're voting on what should maybe be in a plan. We're voting on how they can prepare that. We're voting on amendments, how you can change that plan, how it could be reviewed or how it could be stopped. But there isn't a plan here; there isn't a strategy here.

A number of folks have talked about a particular strategy on developing clusters, that this is a specific way that government can actually encourage a cluster. There are ways. There are a number of factors that go into promoting a particular sector. For example, right now we see a lot of start-up companies in the technology field. We had a recent event in Toronto, which was a phenomenal event. It was a Start-up Open House. They had all the start-ups in Toronto basically open their doors to the public. We had phenomenal start-ups doing great work

around new, innovative bicycles. We had start-ups doing work around various web-based applications, coming up with new apps. We had some really amazing start-ups. They're all clustered together around certain parts of the city. I'll give you some examples of what we can actually implement to help these out.

One thing that cluster-type businesses could benefit from is infrastructure. If we invested in good infrastructure to help these businesses move around, to help them move their services around, to help them physically get around, to help them move their products around, that would be a plan. If there was a specific plan saying, "We need to invest in increasing investments in infrastructure with a view to supporting certain clustered businesses or certain regions that already have existing businesses that need to move around quickly"—

Interjection.

Mr. Jagmeet Singh: That's not in this plan, though. It doesn't say, "We will implement an increase in funding for infrastructure in this particular region." It just vaguely talks about steps to come up with a plan, then to review this plan and then to discuss how to end this plan. It's odd. There's nothing wrong with it, but there's nothing right with it either. You can just do this anyways. It speaks to what I've brought up before: What are the priorities of this government? When we have a number of issues that are pressing, that are of great concern, why bring forward a bill that has so little in it, that doesn't actually increase the powers of the government already? They don't provide new powers. You already can report. You can already take steps to improve businesses that are clustering. There's actually nothing innovative in this bill. There's nothing new in this bill. There's nothing that gives additional powers that don't already exist in this bill.

There are other bills, though, that I think we need. For example, the anti-SLAPP legislation was something crucial. That was something that would encourage democracy. That bill was not brought forth. Why is this government not prioritizing democracy? The fact that people need to voice their concerns, voice their dissent—and folks who do so are being hit with strategic lawsuits that discourage their public participation. Why didn't that bill come forward instead of this bill which, again, sounds great, but doesn't provide anything of substance, doesn't provide anything new?

I note that we're close to the time, so I'm happy to end my comments here and pick them up afterwards.

The Acting Speaker (Mr. Rick Nicholls): I'd like to thank the member from Bramalea–Gore–Malton. It's also duly noted that you were sharing your time with the member from Windsor West. So when debate resumes, I would assume it will be with—

Ms. Peggy Sattler: The member from London West.

The Acting Speaker (Mr. Rick Nicholls): Sorry, London West. Forgive me on that.

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Rick Nicholls): Since it is now 10:15, this House will recess until 10:30.

The House recessed from 1015 to 1030.

WEARING OF SCARVES

The Speaker (Hon. Dave Levac): The Minister of Community and Social Services on a point of order.

Ms. Helena Jaczek: Mr. Speaker, I believe you will find that we have unanimous consent for members to wear purple scarves in recognition of the United Nations International Day for the Elimination of Violence against Women.

The Speaker (Hon. Dave Levac): The Minister of Community and Social Services is seeking unanimous consent to wear the scarves. Do we agree? Agreed.

WEARING OF RIBBONS

The Speaker (Hon. Dave Levac): The Minister of Children and Youth Services on a point of order.

Hon. Tracy MacCharles: Good morning, Speaker. I believe you will find we also have unanimous consent to wear white ribbons in the House. Today is the International Day for the Elimination of Violence against Women, as designated by the United Nations. It's also the first day of 16 days of activism against gender violence. In recognition of this day, we have available to MPPs white ribbons, an international symbol and a pledge to end violence against women.

The Speaker (Hon. Dave Levac): The Minister of Children and Youth Services and minister responsible for women's issues is seeking unanimous consent to wear the ribbon. Do we agree? Agreed. Thank you.

It is now time for introductions.

INTRODUCTION OF VISITORS

Mr. Ernie Hardeman: I want to introduce page captain Joshua Liao. He has some family here today: his mother, Michele Curry; his father, Dr. Liang Liao; his stepmother, Marlene Buwalda-Liao; and his grandmother, Ching Tzu Liao. They will be in the gallery later and we thank them very much on behalf of Norm Miller, my colleague from the riding of Parry Sound–Muskoka, who wasn't able to be here.

Hon. Reza Moridi: Please help me welcome the presidents and the board chairs of Ontario's 24 colleges to the Ontario Legislature. They're going to have an event this afternoon from 5:30 to 7:30 in rooms 228 and 230. I invite and encourage all members to participate in this wonderful event. There will be a musical performance, performed by the students of our great colleges in Ontario. Please join me in welcoming the presidents and the board chairs.

Mr. Randy Hillier: It's my pleasure to welcome some wonderful people from my riding and from eastern Ontario. They're representing the Ontario Real Estate Association and they are here to be entertained at question period this morning. We have Paul Martin, Christianne Newton and Lisa Cyr-Auld joining us today.

Hon. Tracy MacCharles: It's my pleasure to welcome Don Lovisa. He's the president of Durham College. It's wonderful to have you here at Queen's Park today.

Mr. Bob Delaney: On behalf of the member for Brampton West, I'm pleased to introduce in the public gallery this morning Mr. Rodney Vis, who is the father of page Tyler Vis. Welcome to Queen's Park.

Mr. Lou Rinaldi: It's a great pleasure to welcome, in the east gallery, from Loyalist College, Maureen Piercy, president, and Brian Smith, the chair. Welcome.

Mr. Peter Z. Milczyn: I'd like to welcome the family of page captain Claudia Velimirovic: her mother, Daphne Velimirovic; her father, George Velimirovic; her sister, Julia Velimirovic; and her brother, Nicholas Velimirovic. They are in the members' gallery.

I also want to welcome the grade 10 class from Bishop Allen Academy in Etobicoke-Lakeshore.

Mr. Jeff Yurek: I saw coming in today Peter Devlin, president of Fanshawe College in London. Welcome, Peter, to the Legislature today.

Hon. Yasir Naqvi: I would like to welcome Lorne Rachlis, who is a member of my community in Ottawa Centre and also the former director of education of the Ottawa-Carleton District School Board, and his son, Joshua Rachlis, who are with us here today. Thank you and welcome to Queen's Park.

Ms. Sophie Kiwala: I would like to welcome Glenn Vollebregt, the president of St. Lawrence College; Steve Thompson, the board chair at St. Lawrence College; and also Chris Yaccato, who is becoming a permanent fixture in this House.

Mr. Rick Nicholls: I noticed this morning that the president of St. Clair College Windsor is in the gallery this morning. Welcome, John Strasser.

Hon. Helena Jaczek: I would like to recognize all of the Violence Against Women stakeholders and advocates who have joined us today at Queen's Park. Among them, in the east members' gallery, are Anne Armstrong, chair of the Ontario Executive Directors Group; Charlene Catchpole, chair of the Ontario Association of Interval and Transition Houses; and Clare Freeman from Interval House.

In recognition of the United Nations International Day for the Elimination of Violence against Women, you will see these advocates wearing purple scarves as part of the Wrapped in Courage campaign. We invite all members to join us on the grand staircase following question period for a photo in our purple scarves.

Ms. Eleanor McMahon: I'm pleased to welcome to the House today Diane Beaulieu, the executive director of Halton Women's Place. Further to the minister's statement, all of these women are here today with respect to the Violence Against Women sector and in recognition of the UN International Day for the Elimination of Violence against Women. Welcome, Diane.

Mr. Mike Colle: I'd like to welcome, from my riding of Eglinton-Lawrence, social-political entrepreneur extraordinaire Josh Rachlis.

Hon. Bill Mauro: Please help me welcome to the Legislative Assembly, from the Thunder Bay real estate association, Ms. Wendy Ferris.

Hon. Mitzie Hunter: I would like to welcome to the Legislature Ann Buller, the president of Centennial College, in my riding of Scarborough-Guildwood. I also noticed my friend David Agnew, president of Seneca College.

Hon. Madeleine Meilleur: I would like to give a warm welcome to four members from the Ottawa Real Estate Board: Janice Myers, executive officer; Patricia Verge; Rick Snell; and Janie Bilder.

Mr. Arthur Potts: Bernitta Hawkins is in the public gallery. She is also a member of the Red Scarf Brigade and is the executive director of the Red Door Shelter. David Bellmore, who has joined me as a constituency and legislative assistant, is in the members' gallery opposite. Thank you, David. Welcome.

Hon. Ted McMeekin: I'd like to introduce my former deputy minister, government services, and the new president of Mohawk College, Mr. Ron McKerlie.

Ms. Ann Hoggarth: I'd like to welcome the president of Georgian College, MaryLynn West-Moynes, and the chair of Georgian College, Chris Garipey.

Hon. Michael Gravelle: As part of this special day, for which we are wearing the purple scarves, I want to introduce Debbie Zweep, who is the executive director of the Faye Peterson Transition House in Thunder Bay. Welcome, Debbie.

Mr. Han Dong: I want to give a personal warm welcome to my good friend and former colleague Chris Yaccato. I know his name was mentioned earlier, but I just want to give my personal welcome to him.

The Speaker (Hon. Dave Levac): In the Speaker's gallery with us today is a friend of mine, and also a former member of the Canadian Parliament for Haldimand-Norfolk who served from 1988 to 2004, Mr. Bob Speller. Welcome, Bob.

Also in the Speaker's gallery—and I'm glad somebody didn't step on this for me—a friend of mine and a friend of ours, from the riding of Fort York in the 35th and 36th, and Trinity-Spadina in the 37th, 38th, 39th and 40th Parliaments, Mr. Rosario Marchese.

Applause.

The Speaker (Hon. Dave Levac): Get it all out now.

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BOARD OF INTERNAL ECONOMY

The Speaker (Hon. Dave Levac): I beg to inform the House that in accordance with Section 87 of the Legislative Assembly Act, the following changes in the names of persons appointed to serve as commissioners on the Board of Internal Economy have been communicated to me as chair of the Board of Internal Economy:

The Honourable Yasir Naqvi, MPP, is appointed by the Lieutenant Governor in Council from among the members of the executive council in the place of John Milloy;

Yvan Baker, MPP, is appointed by the caucus of the government in the place of Donna Cansfield; and

John Vanthof, MPP, is appointed by the caucus of the New Democratic Party in place of Cindy Forster, MPP.

Sylvia Jones, MPP, continues to serve as a commissioner on the appointment of the caucus of the official opposition.

Mr. John Yakabuski: Some continuity at least.

The Speaker (Hon. Dave Levac): I would hope that at least during an announcement like this, I could avoid somebody interjecting.

A point of order from the member for Nickel Belt.

VISITORS

M^{me} France Gélinas: Some of my guests came in late. Rob Ruthart and Mary Scourboutakos, who helped me introduce Healthy Decisions for Healthy Eating this morning, are with us at Queen's Park.

ORAL QUESTIONS

ENERGY POLICIES

Mr. John Yakabuski: My question is for the Minister of Energy. Minister, winter is just around the corner, and all across Ontario, residents and small businesses are worried about their ability to pay their hydro bills. A senior living on a fixed income and heating their house electrically, which many of them are, doesn't know how they're going to meet the obligation. While air-conditioning is not necessarily essential, heating most definitely is. For some—and I get this from people in my riding all the time—their electricity bills are higher than their old-age pension. Peak rates, under your plans, are now 14 cents a kilowatt hour, and that doesn't include all of the added surcharges as a result of your energy policies.

Minister, your policies have taken Ontario from one of the lowest-cost electricity jurisdictions to one of the highest. Are you going to continue to punish our residents and ratepayers, or like winter, is a change in energy policy just around the corner as well?

Hon. Bob Chiarelli: Speaker, the member will know that when our government took over in 2003, we had a deficit of electricity, we had a dirty system, and the system was unreliable.

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. I would ask for order, please. Thank you.

Hon. Bob Chiarelli: Over the course of the last nine years, we rebuilt the system with about \$30 billion in transmission and generation costs. We have moved from a deficit of electricity to a surplus, from a dirty system to a clean system.

That put pressure on prices. Those price pressures were in our long-term energy plan in 2010 and 2013; they were there for everybody to see. We took very significant mitigation measures, which those parties voted against. That includes the Ontario Clean Energy Benefit

and the Ontario Energy and Property Tax Credit, saving qualifying individuals up to \$963 per year.

In the supplementaries, I'll talk about the other issues.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. John Yakabuski: Minister, you give with one hand; you take away with the other. That is cold comfort to those seniors who don't know how they're going to pay their bills this winter—pun intended. Shame on you. You can do better than that.

In estimates this morning, it was clearly pointed out to you that hydro rates—all in—in the province of Manitoba are one third what they are in Ontario; in British Columbia, one half. How can you explain to the people living on that fixed income how they pay that much more in Ontario? It is because of your energy policies—your failed policies. You have decided to choose the most expensive options when replacing coal in the province of Ontario.

That has also led to the loss of 300,000 manufacturing jobs—

Hon. Deborah Matthews: Oh, come on.

Mr. John Yakabuski: Oh, yes, 300,000 manufacturing jobs here across the province of Ontario. Your policies are driving businesses away.

Interjections.

The Speaker (Hon. Dave Levac): Order.

Interjections.

The Speaker (Hon. Dave Levac): The member from Huron—Bruce, come to order. The Minister of Finance, come to order.

Mr. Steve Clark: Go get 'em, John.

The Speaker (Hon. Dave Levac): The member from Leeds—Grenville, come to order. And I'm keeping count.

Wrap up, please.

Mr. John Yakabuski: Companies like Heinz, Caterpillar and Xstrata have all cited energy prices as reasons for leaving the province of Ontario. When are you going to get the message? Stop listening to your minions over there—

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

Hon. Bob Chiarelli: Businesses will come and go in Ontario. The reality is that there are more coming in than are leaving. It's very significant.

We have the highest rate of investment capital of any jurisdiction in North America—

Interjections.

The Speaker (Hon. Dave Levac): I'm going to get attention, one way or the other.

Interjection.

The Speaker (Hon. Dave Levac): The member from Chatham—Kent—Essex will come to order.

Carry on.

Hon. Bob Chiarelli: The member knows well that we have implemented a very significant number of programs to assist businesses to come to Ontario with reduced electricity costs and to stay here. The ICI, the industrial conservation initiative, has just been expanded, with probably upwards of 300 companies receiving a 20%

discount on their electricity. There are other programs, which I'll mention in my next supplementary.

We have taken significant steps to mitigate prices, because the price pressures came from us investing because of the damage that they did—

Interjections.

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

Final supplementary?

Mr. John Yakabuski: Businesses come and go: That's quite an answer. Well, they're going at about a 10-to-1 ratio, Minister. That's not very good on your part.

Minister, those companies that are coming here because you're giving them a one-off probably appreciate that, but they know that that is at the cost of everybody else in the province of Ontario.

Xstrata, Caterpillar, Heinz: They cite energy costs as a reason for leaving. I have not heard one single business ever say, "We're coming to Ontario because of its energy policy"—not one. They may come here in spite of your energy policy, because they know you're giving them a one-off handout.

Minister, last month, the IESO said that the global adjustment, that little-understood little trick of yours, amounted to over \$1 billion. That is the cost, the difference between the value of electricity purchased and the amount you have paid to your contractors, the amount you have paid for electricity. The difference between its value and what you paid is \$1 billion.

That goes on everybody's hydro bill. That is driving people out of this province, and that is driving seniors into poverty. When will you reverse the policies?

Interjections.

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

Minister?

Hon. Bob Chiarelli: We have one of the best job-creation records in this province. That's number one.

Number two, there are more businesses coming here and investing money than in any other jurisdiction in North America.

Ontario's industrial rates compare favourably with other jurisdictions, despite what the PCs claim. Industrial rates in northern Ontario are among the lowest in Canada, and lower than in 44 American states. Industrial rates in southern Ontario are lower than in Alberta, Michigan, New Jersey and California and in line with rates in New York, Virginia and Tennessee.

We have the programs to attract businesses and to create jobs in this province. They have no solutions in any shape whatsoever.

GOVERNMENT ACCOUNTABILITY

Mr. Randy Hillier: My question is to the Minister of Infrastructure. Minister, you have not been clear whatsoever with the people of Ontario about the value of MaRS and that debacle.

CBRE appraised phase 2, if it was 100% leased, at \$303 million. We know that it's not fully leased, and a building filled with bureaucrats is not worth as much as one filled with research scientists. That's because the rental rates for office space is \$44 to \$45 per square foot. For research space, it's about \$60 a foot.

Minister, you've placed taxpayers at significant risk. Will you admit to this House that if phase 2 is filled with bureaucrats, the value of the building will be 25% less than the appraised value?

Hon. Brad Duguid: I'm not really sure what the member is referring to when he says this government hasn't been clear when it comes to our way forward on this particular file. We've released 700 pages of documents publicly, so the member can have access to them. In fact, we've offered to the committee the opportunity to see all of those documents with absolutely no redactions. I think that's being pretty open. I think that's being transparent. I think that's being very clear.

We have also identified a path forward in seeking the best experts we can in our economy, Michael Nobrega and Carol Stephenson, as we move forward. They have confirmed that the asset that we have lent money to MaRS phase 2 for is worth more than the investment we've made, which means what the member has just said is absolutely incorrect. I think what's unclear is the ability of the member to understand what a secured loan means.

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The Speaker (Hon. Dave Levac): Supplementary?

Mr. Randy Hillier: Back to the expert panel response again.

Minister, mankind has often wondered if there is intelligent life on Mars. Well, you've proven that there's not at phase 2 or even in your ministry.

Let's recap the problem you've created for taxpayers. The value of the building is the land costs plus the leasing revenue. When the leasing rate drops, so does the revenue. When the revenue drops, so does the value of the building. When you go from charging \$60 a square foot to \$45 a square foot, the value drops by 25%.

Minister, will you admit that you will not be able to recover the \$405 million of taxpayers' money you've already sunk into MaRS phase 2?

Hon. Brad Duguid: Mr. Speaker, the member may want to insult my intelligence. But look, I'm just a kid from Scarborough; I don't pretend I'm the smartest guy here. But I think if there was a vote taken in the House that compares the intelligence quotas of these two members who are exchanging right now, I'm not sure, but I think I might just edge him out in that respect.

Mr. John Yakabuski: Oh, my God.

Hon. Brad Duguid: I may not—but let me say this: What we're supporting here is a part of our economy that is extremely important. Some 50% of our life sciences economy in Canada is located right here in Ontario. In and around that building, about 10% of the bioscience cluster is there.

This government stands by our bioscience cluster. This government is going to continue to make invest-

ments that are going to grow innovation in this province. The party opposite may want to not support those kinds of approaches. That's up to them. We're building the next-generation economy, we're creating jobs, and we're going to continue to make those important investments.

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

Mr. Randy Hillier: There is no cluster there except a cluster of bureaucrats, Minister.

Let's recap the story here: There never was a business case. The private sector won't rent there. The banks and the investors won't touch MaRS 2—it's like an empty Taj Mahal, but full of bureaucrats, not tourists.

ARE got a \$65-million bailout. The taxpayers loaned \$224 million. Then the taxpayers are on the hook for another \$106 million in interest costs, and MaRS gets a free building that the taxpayer fills up and pays rent on. Minister, your responses have been lubricious, at least to this House, and this expert panel—I can't imagine that it was hired for anything other than to camouflage the slippery language that has been going on here.

Will their report be transparent about the obvious facts or will that expert panel simply shield you from further accountability to this House?

Hon. Brad Duguid: Speaker, the member's information is simply incorrect, as usual. I think what I want to do in responding is to suggest, what is his alternative? What's his party's alternative? Because from what he's saying, that party would have just let MaRS phase 2 rot in the ground. That would have been irresponsible.

What we've done is, we've made some important investments to ensure that this project could continue. We've taken the best advice from Michael Nobrega and Carol Stephenson to make sure we're moving forward in a way that's responsible to taxpayers, in a way that's responsible to our commitment to create jobs in this province. We're looking for further advice from those individuals, which we should receive very soon, and then we're looking to move forward on a project that had challenges, but challenges that we're going to fix to ensure that this project has a positive future. That is leadership.

ONTARIO PUBLIC SERVICE

Ms. Andrea Horwath: My question is for the Premier. Yesterday, we learned that the Liberals are on track to fire 10,000 people. Does the Premier really think that now is the time to put out 10,000 pink slips?

Hon. Kathleen O. Wynne: Mr. Speaker, I'm not sure where the leader of the third party would have gotten that information, because that's not the case. Maybe she is confusing it with the platform of the Conservatives, but they were going to fire 100,000 people.

What we're doing is, we're engaging in negotiations. We believe in the collective bargaining process, and we are going to make sure that we have a good ongoing relationship with our public sector partners. We are going to continue to constrain salaries and benefits because we

know that that is important if we are to remain on our path to balance by 2017-18.

The Speaker (Hon. Dave Levac): Supplementary.

Ms. Andrea Horwath: This is what the head of the Ontario public service union had to say about the Liberal plan for public service: "It is ... worse than anything Mike Harris tabled." That's a quote, Speaker. Now, the first step of this plan could mean 10,000 people get fired. Is the Premier really ready to hand out 10,000 pink slips and fire 10,000 Ontarians?

Hon. Kathleen O. Wynne: What is going on right now is that negotiations are beginning with OPSEU. Everything I know about negotiation is that it is much better for the discussion to be at the table. To bargain in public and to start to make overblown statements about what is or isn't happening is not helpful. When I was in Thunder Bay on the weekend, I had the opportunity to talk to some folks who were expressing their opinion. On the driveway when I was leaving the venue, I had the opportunity to speak with some folks who are part of the union. I made it clear to them that it is our commitment to have a fair negotiating process at the bargaining table because we want a collective bargaining process that allows for a very good dialogue between the employer and the employee.

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

Ms. Andrea Horwath: Speaker, you may recall that Don Drummond said that the Liberal budget would mean the firing of 100,000 people. The Liberals are already privatizing information technology. We know that that's the case. People will be fired through that process. With the holidays around the corner, we now find out that the Liberals are getting ready to hand out 10,000 pink slips to Ontarians. Will the Premier tell Ontarians who exactly she's planning on firing?

Hon. Kathleen O. Wynne: I am not going to engage in the fantasy that the leader of the third party—I'm not going to lend credibility to the numbers that the leader of the third party is throwing around, because that is simply not the case.

We are engaging in a collective bargaining process that will be fair, that will have integrity, at the bargaining table. We are not going to bargain in the media. It is not helpful, and it is certainly not helpful at the very beginning of the process. This is the beginning of the process. We want there to be an open dialogue between the employer and the employee so that there can be a good, solid, negotiated agreement. The leader of the third party, I would say with respect, is not advancing that process by her line of questioning.

HEALTH CARE

Ms. Andrea Horwath: My next question is also for the Premier. People suffer when services are cut, but the Premier's Minister of Health doesn't believe that cuts are real. He told a reporter he doesn't believe that patient care has suffered in Ontario. Health Quality Ontario, on

the other hand, says that one in seven hospital beds is occupied by people who would be better off in their homes or in long-term care. As a result, last week in Sudbury, ER wait times shot up and seven surgeries were cancelled.

Now, will the Premier, on behalf of the health minister, apologize to people whose surgeries were cancelled and set the record straight about the health care cuts in Ontario?

Hon. Kathleen O. Wynne: I know that the Minister of Health and Long-Term Care is going to want to speak to the details of our plan, but let me just say that the leader of the third party has identified exactly why it is important for us to continue with the plan that we have in place, because our plan is transforming the health care system and is providing care for people at home, where they need it, when they need it. Are we in the middle of a transition? Is it clear that there is more that we have to do? Absolutely, but we're changing the model because, as the leader of the third party herself has said, people want care at home and will be better off if they get care at home in their communities. So that's what we're doing. We're investing in those services. It is clear that we have to make more investments, and it is clear that we have to work with the sector to make sure that people are getting timely care. That's what we're in the process of doing.

The Speaker (Hon. Dave Levac): Supplementary.

Ms. Andrea Horwath: Patient care is suffering in this province, but this Liberal government refuses to admit that they're cutting the services that people rely on.

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Here's a news bulletin for the Premier: In Windsor, Essex and Sarnia, daily nursing visits have been cut by 33%. Those are services that people rely on, health care services that are being cut by this government. PSW services are being rolled back to 2013 levels.

But yesterday the minister claimed that these cuts to home care were simply not true. He called them myths and said there were no cuts at all. This is outrageous, for the minister to deny cuts that patients are actually experiencing, cuts that have been spelled out in black and white in CCACs' own board minutes.

How can the Premier and her minister have the audacity to deny that these cuts to patient care are happening under this Liberal government's watch?

Hon. Kathleen O. Wynne: I just want to make it clear that, on this side of the House, we understand that the transition we're going through does mean there are changes to service that people may be experiencing. We're fully cognizant of that and we understand that it is part of the transition process.

But the leader of the third party would have people believe that somehow we don't have to go through this transition and somehow the aging population and, quite frankly, the demands that people make on the health care system—some of those demands are that they want to stay at home. People don't want to move into a long-term-care home or into kinds of living situations until they are ready.

For the leader of the third party to suggest that somehow we can just go through this transition, that there will be no change in service and that there will be no adjustment that has to be made, is just to lead people astray. It's not the case. We are investing. We invested more last year than we did the year before. We will continue to invest in that transformation.

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

Ms. Andrea Horwath: The Premier can't have it both ways. She can't answer part one of my question and say, "We're putting the money into home care and PSWs," and then in the second question pretend that I didn't just say that there were major cuts to both PSWs and home care services. I don't understand what this Premier is trying to say.

It looks like changes equal cuts as far as the Liberals are concerned. Cuts to health care are real. They're happening under this government's watch and they're happening on purpose: cancelled surgeries in Sudbury, cutting nursing by a third in Windsor, chronic gridlock in the Thunder Bay hospital, more than half of sick people can't get in to see their doctors, seniors waiting 111 days for long-term care, and half of the patients in this province that suffer heart failure are not able to have their necessary one-week follow-up.

Does the Premier agree with her Minister of Health that health care cuts are not real and don't affect people?

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

Hon. Eric Hoskins: Rather than listening to the leader of the third party with regards to her declarations about the state of health care, I would rather actually refer to Health Quality Ontario's report that just came out last week. It's important to point out that their report states that "Ontario's health system is performing better than it was five and 10 years ago." These are great indicators that our plan is working.

And it's just not true. We've increased—in fact, this year alone, nearly a quarter of a billion dollars invested in home and community care. We increased the Erie St. Clair CCAC's budget by \$3 million this year compared to last year. In fact, the funding to the Erie St. Clair LHIN has doubled since we came into power 10 years ago.

So the allegations that the leader of the third party is making are absolutely false. I think it's important that she recognize that the situation in Ontario is improving. Health care is of the highest quality it can be.

ACCESS TO INFORMATION

Ms. Sylvia Jones: My question is to the Premier. Ben Levin, from your transition team, has been charged with seven counts involving child pornography, some happening while he was working for you in early 2013. When you learned of these charges, what internal investigation was done to ensure no government property was used and/or compromised by Mr. Levin?

Hon. Kathleen O. Wynne: I believe that this is a case that is before the courts and I really cannot comment on

any of the details because, as I say, it's a current and active legal file.

The Speaker (Hon. Dave Levac): Supplementary.

Ms. Sylvia Jones: Premier, I didn't ask about the police investigation; I asked about your investigation. Did you order an internal investigation when you learned of these seven charges? What assurances can you give us that government resources were not used to distribute or access child pornography while Ben Levin was on your transition team?

Hon. Kathleen O. Wynne: This is a case that is before the courts; I cannot comment on any of the aspects of the case.

GOVERNMENT ACCOUNTABILITY

Mr. Percy Hatfield: My question this morning is for the Premier. Good morning, Premier.

Hon. Kathleen O. Wynne: Good morning.

Mr. Percy Hatfield: In 2012, MaRS got a special innovation grant from the city of Toronto worth \$23 million over 10 years. One of the conditions of that grant was that 98% of the property had to be used for biomedical research. We now know the secret cabinet plan that authorized the first MaRS bailout said that more than half of the building would be used to staff the Ontario public service.

The question for the Premier is whether the Liberal government plans to break the deal with the city of Toronto and waste another \$23 million on MaRS.

Hon. Kathleen O. Wynne: Minister of Economic Development, Employment and Infrastructure.

Hon. Brad Duguid: I think the member knows that we have a couple of esteemed individuals, Michael Nobrega and Carol Stephenson, taking a look at the opportunities forward in terms of the best way to protect the taxpayer investment and the best way to ensure that the innovation agenda and vision of MaRS can be continued. We're looking forward to getting those recommendations. I don't want to in any way step all over those recommendations before they come forward.

I've been very clear, and I think the member would be able to read through my comments here, that there has been no momentum whatsoever with regard to the idea of putting bureaucrats into MaRS phase 2. I've been very clear about that; there's no momentum behind that idea. But I don't want to prejudge what Michael Nobrega and Carol Stephenson bring forward. I want to make sure, and I've told them that I want their recommendations to be completely unfettered, as I expect them to be.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Percy Hatfield: The agreement with the city of Toronto is clear: 98% of the building must be used for biomedical and scientific research. If the conditions aren't met, the city can take back the \$23 million.

The Liberal government seems unclear on what they're going to do. To keep the grant, they need high-tech tenants, but they can't find high-tech tenants so they might use MaRS for office space, but then they would

lose the \$23 million. Which will it be? Will the Premier keep the building two thirds empty, or will she lose \$23 million?

Hon. Brad Duguid: I welcome the member's question, and I think I can read through his question that the NDP are in support of continuing to ensure that MaRS's vision continues, and that phase 2, in fact, as it moves forward, takes that into consideration. I think that's valid advice. I expect that may well be the advice we receive from Michael Nobrega and Carol Stephenson. I'm looking forward to that advice.

Certainly, this government remains committed to MaRS's vision. Certainly, we remain committed to ensuring the 51,000 jobs in the bioscience sector can remain to be supported. MaRS is an important part of our innovation agenda, so I take the member's question as support and a recommendation for us to continue to invest in MaRS's vision going forward. I'll be happy to receive the advice that we get from Michael Nobrega and Carol Stephenson going forward.

ELECTRONIC COMMERCE

Ms. Harinder Malhi: My question is for the Attorney General. Attorney General, certain members of my constituency have expressed an interest in a piece of legislation, the Electronic Commerce Act, that relates to electronic signatures in real estate transactions. As most of us know, the purchase of a home is one of the most complex and time-consuming transactions a person can make. I, as well as some of my constituents, would like to know more details regarding this act.

Could the Attorney General please inform this House how the Electronic Commerce Act is making the sale and purchase of real estate easier and more efficient for the people of Ontario?

Hon. Madeleine Meilleur: Let me say thank you to the member from Brampton–Springdale. She is right; the purchase of a home is a big moment in anybody's life. The idea behind the Electronic Commerce Act is to make this process more efficient.

Ontario's 2013 amendments to the Electronic Commerce Act will allow people to electronically sign paperwork and email it to their real estate agent. The proposed regulation would support the reliability of electronic signatures on agreements of purchase and sale of land by stipulating that each signature must be reliable for the purpose of identifying the person who signs, permanent, and accessible by people who are entitled to view it. These amendments are intended to reduce the time needed to complete a deal.

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The Speaker (Hon. Dave Levac): Supplementary?

Ms. Harinder Malhi: I thank the Attorney General for the answer. This is great news for my constituents, as the purchase of a home can be a stressful experience. Any opportunity to make the process more efficient and easier for individuals or families should be looked at. Since this is arguably the biggest purchase of an individ-

ual's or family's life, I feel as though the protection of our consumers should be paramount.

My only concern regarding this legislation is that of fraud. Speaker, through you to the Attorney General, could this House be informed on how the Electronic Commerce Act protects consumers from fraud, specifically regarding the use of electronic signatures?

Hon. Madeleine Meilleur: Thank you again for this important question. The issue of fraud is part of the reason we are currently in a consultation period until December 31. Lawyers and real estate agents are already required to verify the identity of their clients. These rules apply to electronic transactions as well as paper-based transactions and remain in effect. Whatever is approved for use must be safe, secure and easy to use for consumers and small businesses.

The real estate industry in Ontario has been requesting this change for some time, and we are pleased to be moving forward with it, so the deadline for comments is until December 31, 2014, and if people want to comment, we welcome their comments.

TRANSPORTATION PLANNING

Mr. Michael Harris: My question is to the Minister of Transportation. Yesterday we learned of the Minister of Transportation's \$61-million Pan/Parapan transportation plan. It featured lots and lots of encouragement for commuters to examine their commuting options, encouraging them to work flexible hours and stockpile supplies.

After spending \$61 million of taxpayers' money, the minister is asking them to stock up and stay home and off the roads. Is this the best advice he could come up with?

Hon. Steven Del Duca: While I thank the member for asking that question, it's unfortunate, I would think, that he didn't pay attention to all of the elements of the very ambitious and robust plan that we have to deal with transportation issues that will be occurring during the Pan Am/Parapan Am Games.

As I talked about, and as ministry officials talked about yesterday when speaking about this, we have a variety of options in front of us that we're presenting to the people of the region to make sure that not only are the games the extraordinary success that they will be, but that we also keep our region moving. The "transit first" approach, the additional temporary HOV lanes that will be made available, not just to people associated with the games themselves but to the public at large, the fact that we are, this many months in advance of the games, providing clear communications materials and letting people know what the challenges will be bodes well, and I look forward to responding with additional details in the supplementary.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Michael Harris: The Wynne Liberals have had years to get this right, and yet we're left with a mixed bag of ingredients that add up to a recipe for traffic chaos. Not everybody can carpool or bicycle in, and flexible hours simply don't exist in some occupations.

Surely the minister knows that taking out 235 kilometres of current lanes from commuters for HOVs adds up to major traffic gridlock. Rush hours on reduced lanes will mean significant delays. That's obvious.

Speaker, the minister has the studies. Will he tell us today how long, on average, rush hour commuters will see their daily drive to work delayed during the games?

Hon. Steven Del Duca: I thank the member for the supplementary question. I think it is important to recognize, as I said in the response to the initial question, that it is a very strong plan to make sure that the region continues to move throughout the games—

Mr. John Yakabuski: Leave on Tuesday, get there Wednesday. Bring a picnic basket.

The Speaker (Hon. Dave Levac): I got pushed. The member from Renfrew–Nipissing–Pembroke is warned.

Carry on, please.

Hon. Steven Del Duca: Speaker, thanks. As I was saying, a very strong plan that the Ministry of Transportation has developed to make sure we can keep our region moving during the Pan Am/Parapan Am Games and also make sure that the games themselves are a success. It is important to stress, as I did yesterday during the briefing, that we have relied on working with more than 30 partners on developing this plan, that we have actually taken the best experiences from what has taken place around the world in jurisdictions that have hosted games. I am a little bit surprised that this particular critic would ask this question, seeing as how he didn't even show up to yesterday's technical briefing.

NUCLEAR SAFETY

Mr. Peter Tabuns: My question is to the Minister of Energy. Minister, as you know, radioactive heavy water leaked from a reactor at the Pickering nuclear station this past Friday. My understanding is that five to 10 tonnes of radioactive heavy water leaked over roughly a two-hour period. My understanding is the public was not notified of this leak until Monday of this week. Why was the public not notified within 24 hours that the leak occurred?

Hon. Bob Chiarelli: I thank the member for the question, and we did have some discussions on this this morning at the estimates committee, Mr. Speaker. We did bring, of our own volition, Paul Pasquet, who is the chief nuclear officer from OPG, to the committee. He was available to answer questions, and he answered them extremely well. He confirmed that we followed all of the protocol, and the Canadian Nuclear Safety Commission was notified. They have confirmed that all protective protocols were followed to ensure the public safety of the public and the employees.

I have to say, they also, of their own volition, without a requirement to do so, sent notices to all the mayors, to all the public safety organizations that would have anything involved in the issue, Mr. Speaker. It was comprehensive, and they followed all the protocols.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Speaker, it seems like everyone was informed except the public.

Minister, I think you would agree that a leak of five to 10 tonnes of radioactive water is no small thing, and, quite frankly, I'm surprised that OPG would wait three days to notify the residents of neighbouring communities that a leak of this magnitude had occurred nearby.

Will this government change its protocol for notifying neighbouring communities so that residents don't have to wait three days to learn of a serious leak?

Hon. Bob Chiarelli: Mr. Speaker, I'll just confirm that OPG followed all of the protocols of—the Canadian Nuclear Safety Commission's protocol RD-99.3 states that OPG will communicate in one business day of unplanned events exceeding regulatory limits or off-site effects. Mr. Speaker, they did; they went beyond what they were required to do, notifying almost immediately all the public safety officials of all the municipalities in the area.

I think the member thinks he has got some little technical twist to try to embarrass OPG. Mr. Speaker, they were outstanding in how they responded. There was no danger to individuals, to the public, in any way, shape or form. It was totally 100% contained, and the Canadian Nuclear Safety Commission has confirmed that after the fact.

NORTHERN TRANSPORTATION

Ms. Daiene Vernile: My question is for the Minister of Northern Development and Mines. Yesterday we saw some of our colleagues on the other side of the House head for Sudbury to debate their ideas for the north. It's good to see them visiting that part of our province.

The Premier has made it very clear that our government is committed to building Ontario up, and this means not only investing in urban areas but also our smaller and our northern communities as well.

Minister, there are more than 11,000 kilometres of provincial highways in northern Ontario. That's about 60% of the entire provincial highway network.

Mr. Speaker, can the minister please tell this House how our government has invested in transportation infrastructure in northern Ontario?

Hon. Michael Gravelle: Thanks to the member for Kitchener Centre for the question. Yes, it was terrific to see the opposition actually going above Barrie and actually visiting northern Ontario, a part of the province they ignored during—

Interjections.

The Speaker (Hon. Dave Levac): The member from Timmins–James Bay will come to order, and the member from Eglinton–Lawrence. Thank you.

Finish, please.

Hon. Michael Gravelle: Mr. Speaker, in fact, I would certainly encourage the members of the opposition to visit other parts of the north, places like Kenora, Red Lake, Hearst, Geraldton, Longlac and Thunder Bay, because this would give them a real opportunity to see

first-hand the investments our government has made in roads, highways and bridges across northern Ontario.

Since 2003, our government has approved over 4,000 kilometres of highways—not bad—and 245 bridges. We have constructed hundreds of kilometres of new four-lane highways along with a bunch of new bridges. We have invested more than \$5 billion in northern highways since 2003—an unprecedented—

The Speaker (Hon. Dave Levac): Thank you. Supplementary?
1120

Ms. Daiene Vernile: Thank you to the minister for his response. It's very encouraging to know that we do have a very balanced and comprehensive plan for Ontario and for improving our transportation network. This will, of course, add to strengthening our economy—it's going to create jobs—and it improves our quality of life for all Ontarians.

We know that this year our government is going to be investing \$2.2 billion to repair and expand our provincial highways and our bridges. For northern Ontario, this includes \$527 million. Can the minister please share with us the recent investments that we have made to build and fix transportation in northern Ontario?

Hon. Michael Gravelle: Thank you again to the member for Kitchener Centre, because certainly investment in transportation infrastructure is one of our government's top priorities and certainly one of the top priorities for northern Ontario.

Let me just tell you a bit about the past construction season in 2014 in northern Ontario. We upgraded 499 kilometres of highways and 33 bridges. We constructed 58 kilometres of new highway, including two new bridges, and that, of course, included the construction of 13 kilometres of new four-lane highway, Highway 17 between Thunder Bay and Nipigon, a great project. We are continuing work on the expansion of Highway 69 south of Sudbury, including new interchanges and bridges. It was another remarkably successful year for the northern highways program and, I think, a real commitment—by continuing to invest in the expansion and the improvement of vital transportation, we're helping to support a dynamic business climate in the north and improve the lives of all northerners.

HERITAGE CONSERVATION

Mr. Todd Smith: My question is for the Minister of Tourism, Culture and Sport this morning.

Minister, are you aware that your ministry has signed off on a report that states that locating wind turbines in Prince Edward county, specifically in South Marysburgh in Prince Edward county, would cause negative effects on several local heritage sites?

Hon. Michael Coteau: I appreciate the member's question. I'm not aware of the specific issue. I would love to sit down with the member and get some more information and provide him with the information necessary.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Todd Smith: This is part of the problem with this government: They're acting in silos. They don't know what one ministry is doing from one to the other.

Minister, the provincial policy statement from 2014 for your ministry states: "Significant built heritage resources and significant cultural heritage landscapes shall be preserved." According to your own ministry, that includes the steeple at Mount Tabor Playhouse in Milford in Prince Edward county in South Marysburgh. However, the project that would denigrate these sites was posted onto the EBR, the Environmental Bill of Rights.

Minister, what should I tell my constituents in Prince Edward county, that you will ignore your own policies, you'll trample on the Ontario Heritage Act and you'll bend over backwards to help a wind developer before you'll help the people of Prince Edward county?

Hon. Michael Coteau: What I think you can tell your constituents back home is that you'll book an appointment, sit down with me, have an exchange and a conversation so you can update us on what's going on and work with us in order to find a solution. I would expect that if there's an issue that's taking place, I think as MPPs in this Legislature we need to work together to get to the bottom of it and find solutions. You know my office is accessible, so any time you want to address these issues, please come and see me.

RING OF FIRE

The Speaker (Hon. Dave Levac): The member from Algoma-Manitoulin.

Mr. Michael Mantha: Thank you, Mr. Speaker, and good morning to you. My question is to the Minister of Northern Development and Mines.

International mining giant Cliffs Natural Resources has spent \$550 million in the Ring of Fire. It had a plan to create thousands of jobs. It can no longer do business with the Ontario Liberals. The CEO of Cliffs Natural Resources made headlines last month, saying that he had "zero hope" for the Ring of Fire and that the project was "beyond the point of no return." Last week, he went on to say that every investment made here was a "disaster."

Does the minister concur with Cliffs's CEO's assessment that the \$60-billion Ring of Fire project is dead?

Hon. Michael Gravelle: I would like to think that the member opposite would agree with me when I say that that could not be more wrong. We are moving forward very, very diligently and actively in terms of the Ring of Fire and are working forward on a plan that we are indeed actually implementing.

May I say this about Cliffs Natural Resources: Yes, indeed, they were one of the major companies involved in the Ring of Fire. They obviously have got some challenges of their own. We saw a decision that they made last week related to another one of their operations in another province.

The fact is, there is significant continued industry interest in the Ring of Fire, let alone the fact that we are

working so closely with the First Nations, Matawa First Nations and other First Nations organizations, to move this project forward. We recognize, and I think everyone in the House does, how important it is that we make sure there are ensured benefits to all the First Nations communities as part of that project.

In my supplementary, I'll look forward to expanding on the plan that we have.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Michael Mantha: Minister, in the seven years your government had to develop the Ring of Fire, it has failed to come up with a plan that will create jobs, build infrastructure and reduce the high price of electricity. Your government has promised a development board that was supposed to include partners in industry and First Nations. But besides four bureaucrats sitting at a table playing euchre by themselves, we see nothing.

Your government's regional framework agreement with First Nations isn't working when Matawa chiefs say the government is excluding them from the development corporation board and is not consulting them on mining permits in the Ring of Fire.

Minister, will it be another seven years or more of us asking questions?

Hon. Michael Gravelle: Mr. Speaker, it certainly needs to be noted off the top of my response that indeed the party opposite put nothing in their platform in terms of supporting the Ring of Fire. We have a \$1-billion commitment in terms of transportation infrastructure.

And in relationship to the other part, about—

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock, please. The Minister of Municipal Affairs and Housing knows better than to put up something that is not supposed to be put up, and I would thank the deputy House leader for providing the material.

Hon. Michael Gravelle: So, while we have made an absolutely firm commitment, \$1 billion towards transportation infrastructure, there has been no support on the other side of the House. May I say, it would certainly be gratifying to get support from all sides of the House related to the federal government matching those dollars. We know how important that is in terms of investor confidence.

As for the Ring of Fire Infrastructure Development Corp., that is focused very specifically on bringing all those partners on board. That's what we're doing. That's what we're actively doing. Indeed, as I said before, the work that we are doing with the First Nations is vital. We would seek your support. This is—

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

Interjection.

The Speaker (Hon. Dave Levac): Stop the clock, please. I do want to remind this particular minister that when I stand, you sit.

Hon. Michael Gravelle: I've been better lately, haven't I?

The Speaker (Hon. Dave Levac): With no editorial. New question.

EMPLOYMENT STANDARDS

Mr. Shafiq Qaadri: Ma question est pour le ministre du Travail, the Honourable Kevin Flynn.

Speaker, workers in my own riding of Etobicoke North, as well as across Ontario, deserve to receive the compensation that they are due, the paycheque that they've earned through their own hard work. Unfortunately, we continue to see certain unfair practices, incidents which occur in workplaces across Ontario where people aren't being treated fairly by employers. Whether it's not receiving vacation pay, scheduled breaks, parental leave, minimum wage or other issues, workers in this province are concerned that they aren't getting everything they are entitled to.

Speaker, my question is this: What is the Ministry of Labour doing to ensure that basic employment standards are upheld and workers in Ontario are getting what they've earned?

Hon. Kevin Daniel Flynn: Thank you to the member from Etobicoke North for that very important question.

The Employment Standards Act sets out the minimum requirements that deal with the payment of wages. That includes overtime pay, vacation pay, public holiday pay, minimum wage. It also includes pregnancy and parental and personal emergency leave, and it talks about termination and severance.

We proactively inspect workplaces in various province-wide employment standards blitzes. We're all committed to enforcing the ESA at the Ministry of Labour. We continue to do all we can because we want to know, at the end of a hard day's work, that every Ontarian is receiving the paycheque they deserve.

We've got three scheduled province-wide proactive blitzes that are focusing on workers who, sadly, are all too often exploited by their employers. They are interns, vulnerable and temporary foreign workers, and temporary help agencies. What these blitzes do is help educate employees about the rights that they and every other Ontarian have under the Employment Standards Act.

1130

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Shafiq Qaadri: Thank you, Minister. I and my constituents appreciate your stewardship of these important files, but I do flag for you a particular concern, something that I hear about in Etobicoke North and, I'm sure, my colleagues do as well. Many employees fear that their supervisor will react negatively if they question them on their rights, entitlements and privileges under the act. In many companies, staff turnover is high, workers feel lucky to have a position at all, and they fear that standing up might cost them their job.

In other cases, many employees just don't know their rights under the ESA at all and they just don't report various infractions because they're unaware of their own rights and privileges. As the minister said, there are proactive inspections of various workplaces, but how does the ministry attempt to ensure that all employees know their rights under the Employment Standards Act?

Hon. Kevin Daniel Flynn: Thank you to the member from Etobicoke North for that fine supplementary, because it does get to the heart of the matter. In addition to our proactive enforcement blitzes, the ministry has got several outreach and education initiatives, and we're on social media. The idea is to increase employees' awareness of employment standards and the rights they have.

I want to be very, very clear on this, and all members can help me when they're talking to people around the province of Ontario: Employees in Ontario need to know that it's against the law for employers to take reprisal actions against employees who are simply exercising their rights under the Employment Standards Act.

Earlier this year, the ministry ran a Know Your Rights campaign. It ran in 90 ethnic newspapers in 27 languages and it ran on television in 22 languages as well. It talked about employment standards, labour relations, and health and safety on the job. Anybody who has got a question on their rights can call the ministry's information centre: 1-800-531-5551.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Bill Walker: My question is for the Minister of Community and Social Services. Time and again, your government announces that children and adults with special needs are a priority, even though story after story I hear from parents and people with special needs suggests otherwise.

In fact, the cuts facing the agencies and the people they serve are appalling: 62% of service agencies have cut hours of staff; 51% cut staff positions; 58% are unable to fill open positions, for example, maternity leave; 7% have shut down programs; and 47% are realizing increasing numbers of clients served in programs, some who need 24-hour care.

Minister, my question today is: How much of the \$810 million you recently announced is going to the front line?

Hon. Helena Jacek: I'm delighted to have this opportunity to speak again about our tremendous investment in developmental service workers that we are totally committed to.

We know that the type of work that the front line does is invaluable. I have been across this province, meeting many of these front-line workers. Their work is extremely valuable and our government has shown this particular commitment to the valuable services that they provide through our budget, which, as I remember—I think we all remember—the official opposition voted against. And so it is quite clear that our investment will be going to those front-line workers. We have dedicated a large sum for that very purpose and negotiations are currently under way in terms of its distribution.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Bill Walker: Back to the Minister of Community and Social Services. Minister, last week I met with a number of people from the front lines as well. I can tell you, without reservation whatsoever, that those agencies

supporting our most vulnerable citizens do not believe this money is going to the front line. They don't want to cut staff, programs or hours. You are forcing that decision, sadly.

It seems quite harsh that after 11 years, your party has allowed 23,000 people to languish on wait-lists. That means, in very real and practical terms, that our most vulnerable citizens are not having their needs met under your watch. Again, we want and need your assurance that these cuts will be reversed.

Minister, how much of that \$810 million is actually going to the front-line services?

Ms. Helena Jaczek: As was extremely clear in our budget, our government is investing \$200 million over three years for front-line workers in the lower wage bands. Currently we are working with employers and unions and we're discussing an approach that will ensure a service system for the future. We want, obviously, to promote labour stability as well as ensuring a qualified workforce. We're working with the Ministry of Labour. There are a number of tables established, as I understand it. We will continue to work to ensure that those front-line, extremely valuable workers will get the type of increase in salary that we committed to and which they deserve.

PROTECTION FOR WORKERS

Ms. Peggy Sattler: My question is to the Minister of Labour. The ministry is apparently deeply disappointed about community legal clinics advertising for unpaid articling positions due to lack of funding. Articling students have already graduated, but they must article for a year to become fully licensed lawyers. Many have families to support and are carrying huge debt loads. Students who want to gain experience representing disadvantaged and marginalized legal aid clients will not be able to afford to work for free. What is the minister's plan to ensure that articling students are not forced to take unpaid work in order to practise law?

Hon. Kevin Daniel Flynn: Thank you to the honourable member for that very important question. It doesn't matter what your job title or your position is, if you perform work for somebody in the province of Ontario, you're covered by the Employment Standards Act and you deserve to be paid.

There is a very narrow exemption that exists for co-op students, trainees and the self-employed. The exemption is also for accredited university and college programs to give their students valuable workplace experience while they pursue their degree. These rules have been on the books for many years, and we've been very active in terms of increasing people's awareness.

The member spoke about my disappointment when I heard this news, and I share that disappointment with her as well. It is legal, currently, for a student-at-law to work, but it's deeply disappointing when any law office, legal aid clinic or otherwise chooses not to pay a student who accepts an articling position, especially when it's a 10-month, full-time job.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Peggy Sattler: Access to justice is fundamental to a functioning democracy. It's critical that the justice system includes lawyers who represent the diversity of our province, which is why articling positions have always been paid. The rise in unpaid articling positions creates barriers to people from low-income and often racialized backgrounds to becoming lawyers. What will the minister do about the current Employment Standards Act exemptions that exclude law students and some other professionals from the minimum wage provisions of the act?

Hon. Kevin Daniel Flynn: Thank you once again to the member for that excellent supplementary. It's an issue I think we all need to turn our attention to. I can tell you what we do in the province of Ontario: All articling students who work in the legal services branch of every government of Ontario ministry are paid as they should be. Certainly, we are setting the example.

Minimum wage laws are very important to employment standards protections. They ensure that individuals are not exploited and that they're paid for the work they indeed do. As I said, here in the province of Ontario, at the ministries, we pay each and every one of the articling students the money they're entitled to.

In this case, what we have before us, and what I'm turning my attention to, is that currently there is a regulatory exemption that predates our government. The ministry will be reaching out to colleagues in the legal field through the other ministries to ensure that we begin a discussion on this regulatory exemption as it exists today.

WILDLIFE MANAGEMENT

Ms. Sophie Kiwala: My question is for the Minister of Natural Resources and Forestry. A number of my constituents are becoming more and more concerned about nuisance animal interactions, which seem to increase as the months get colder. In fact, I have seen coyotes and, while they are a magnificent and beautiful animal, they're not exactly what we feel comfortable seeing in our cities and suburbs. We have heard about stories like Anita Greenaway from Barrie, whose dog was attacked by a coyote in October in the Ardagh Road area.

With recent stories about pet owners seeing more coyotes in Mississauga, Burlington, Brampton, and, perhaps, less so now in Kingston and the Islands, constituents wonder what they can do to ensure that they and their pets stay safe. No doubt there are implications with respect to our changing climate, which is why these animals are being brought closer to our communities.

Minister of Natural Resources, can you please tell us how constituents can help resolve this problem—what they can do to reduce the likelihood that they have a negative interaction with a coyote?

The Speaker (Hon. Dave Levac): Minister of Natural Resources and Forestry.

Hon. Bill Mauro: I want to thank the member from Kingston and the Islands for the question. We in our

ministry have seen this issue coming. I think that anyone with an interest in this would have been following the media reports that have been coming forward on a very regular basis over the last several months, and I would say you could go back even longer.

For the member and her constituents and others who are being affected by this issue, there are some very basic things you can do to keep your family safe: things like making sure that your pets are secure, making sure that your garbage is secure, and making sure that your barbecue is being cleaned on a regular basis.

I would say that as a northern Ontario member, this is an issue we have been dealing with in a broader way for a great deal of time. I make reference, of course, to nuisance bears, which have become a very serious issue for people in northern Ontario over time. Similar issues that affect the bears wandering into organized municipalities are also now affecting communities in southern Ontario. In the supplementary, I'll have a little bit more detail that I'd like to share with the House.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Sophie Kiwala: Thank you to the Minister of Natural Resources and Forestry for his response and advice on how to reduce the likelihood of running into a coyote. However, many municipalities are wondering what action they can take to reduce the interaction between coyotes and their residents. In fact, just last week, Burlington, Mississauga and Brampton invited Coyote Watch Canada to give them advice on how to reduce these interactions, following the tragic death of a local dog.

Mr. Speaker, through you to the minister: Could you please explain to this House what municipalities can do to reduce the chance of human-coyote interactions?

Hon. Bill Mauro: Again I'll thank the member from Kingston and the Islands for her question.

I would note to the House that in July 2013 our government changed the Fish and Wildlife Conservation Act to allow municipalities to pay hunters or trappers for the removal of coyotes without MNRF permission. I've had a number of members of our own caucus talk to me about this. It's information that I want to make sure people are aware of.

Municipalities have the ability to pass bylaws that ensure homeowners properly secure their garbage and other wildlife attractants. They have an ability to pass bylaws preventing the feeding of nuisance animals. This is completely within the control and purview of municipalities in the province of Ontario. I would ask them to ensure they're doing everything to protect people, protect their pets and protect their property.

As I've said, we've had great experience on this issue in northern Ontario for quite some time. There is municipalities' control and purview and ability to manage this particular situation, and I'd ask them to do so.

VISITORS

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

Hon. Mitzie Hunter: Thank you, Speaker. I was delighted this morning to see a very good friend whom I met in my first year of university, at the University of Toronto Scarborough campus. She's a teacher here with her class: Ms. Kerrine Gayle David.

The Speaker (Hon. Dave Levac): The Minister of Government and Consumer Services.

Hon. David Oraziotti: I want to introduce Dr. Ron Common, president of Sault College, and Peter Berlingieri, the chair of Sault College, who are in the members' gallery. They're joining us for college lobby day today.

DEFERRED VOTES

TIME ALLOCATION

The Speaker (Hon. Dave Levac): We have a deferred vote on the amendment to the motion for allocation of time on Bill 21, An Act to safeguard health care integrity by enacting the Voluntary Blood Donations Act, 2014 and by amending certain statutes with respect to the regulation of pharmacies and other matters concerning regulated health professions.

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

The division bells rang from 1144 to 1149.

The Speaker (Hon. Dave Levac): Would all members please take their seats. All members take your seats, please.

On November 24, Ms. Matthews moved government notice of motion number 9, a motion to allocation of time on Bill 21.

Mr. Clark then moved that the motion be amended by added the following after the second paragraph:

"That the committee be authorized to hold public hearings in the following locations: Hamilton, Guelph, Ottawa, Kitchener, London, Windsor and Sudbury;" and

That the fourth bullet point in the third paragraph be amended by deleting the word "second" and substitute "eighth"; and

That the fourth paragraph be amended by deleting "Wednesday, December 3, 2014" and substituting "the first weekday following the completion of public hearings"; and

That the fifth paragraph be amended by deleting "Thursday, December 4, 2014" and substituting "the second weekday following the completion of public hearings"; and

That the sixth paragraph be amended by deleting "Thursday, December 4, 2014" and substituting "that day"; and

That the seventh paragraph be amended by deleting "no later than Monday, December 8, 2014" and substituting "the first sessional day following completion of clause-by-clause."

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

Ayes

Armstrong, Teresa J.	Hatfield, Percy	Sattler, Peggy
Arnott, Ted	Hillier, Randy	Scott, Laurie
Bailey, Robert	Horwath, Andrea	Singh, Jagmeet
Bisson, Gilles	Jones, Sylvia	Smith, Todd
Clark, Steve	MacLeod, Lisa	Tabuns, Peter
Dunlop, Garfield	Mantha, Michael	Taylor, Monique
Fife, Catherine	Martow, Gila	Thompson, Lisa M.
Forster, Cindy	McDonnell, Jim	Vanthof, John
French, Jennifer K.	McNaughton, Monte	Walker, Bill
Gates, Wayne	Munro, Julia	Yakabuski, John
Gélinas, France	Natyshak, Taras	Yurek, Jeff
Gretzky, Lisa	Nicholls, Rick	
Harris, Michael	Pettapiece, Randy	

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

Nays

Albanese, Laura	Fraser, John	Milczyn, Peter Z.
Anderson, Granville	Gravelle, Michael	Moridi, Reza
Baker, Yvan	Hoggarth, Ann	Murray, Glen R.
Ballard, Chris	Hoskins, Eric	Naidoo-Harris, Indira
Berardinetti, Lorenzo	Hunter, Mitzie	Naqvi, Yasir
Bradley, James J.	Jaczek, Helena	Oraziotti, David
Chiarelli, Bob	Kiwala, Sophie	Potts, Arthur
Colle, Mike	Kwinter, Monte	Qaadri, Shafiq
Coteau, Michael	Lalonde, Marie-France	Rinaldi, Lou
Crack, Grant	MacCharles, Tracy	Sandals, Liz
Damerla, Dipika	Malhi, Harinder	Sergio, Mario
Del Duca, Steven	Matthews, Deborah	Sousa, Charles
Delaney, Bob	Mauro, Bill	Takhar, Harinder S.
Dhillon, Vic	McGarry, Kathryn	Vernile, Daiene
Dong, Han	McMahon, Eleanor	Wong, Soo
Duguid, Brad	McMeekin, Ted	Zimmer, David
Flynn, Kevin Daniel	Meilleur, Madeleine	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 37; the nays are 50.

The Speaker (Hon. Dave Levac): I declare the amendment lost.

Is the House ready for the vote on the main motion?

Ms. Matthews has moved government notice of motion number 9. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, please say "aye."

All those opposed, 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 1154 to 1155.

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

Ayes

Albanese, Laura	Fraser, John	Milczyn, Peter Z.
Anderson, Granville	Gravelle, Michael	Moridi, Reza
Baker, Yvan	Hoggarth, Ann	Murray, Glen R.
Ballard, Chris	Hoskins, Eric	Naidoo-Harris, Indira
Berardinetti, Lorenzo	Hunter, Mitzie	Naqvi, Yasir
Bradley, James J.	Jaczek, Helena	Oraziotti, David
Chiarelli, Bob	Kiwala, Sophie	Potts, Arthur
Colle, Mike	Kwinter, Monte	Qaadri, Shafiq
Coteau, Michael	Lalonde, Marie-France	Rinaldi, Lou
Crack, Grant	MacCharles, Tracy	Sandals, Liz
Damerla, Dipika	Malhi, Harinder	Sergio, Mario
Del Duca, Steven	Matthews, Deborah	Sousa, Charles
Delaney, Bob	Mauro, Bill	Takhar, Harinder S.
Dhillon, Vic	McGarry, Kathryn	Vernile, Daiene

Dong, Han	McMahon, Eleanor	Wong, Soo
Duguid, Brad	McMeekin, Ted	Zimmer, David
Flynn, Kevin Daniel	Meilleur, Madeleine	

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

Nays

Armstrong, Teresa J.	Hatfield, Percy	Sattler, Peggy
Arnott, Ted	Hillier, Randy	Scott, Laurie
Bailey, Robert	Horwath, Andrea	Singh, Jagmeet
Bisson, Gilles	Jones, Sylvia	Smith, Todd
Clark, Steve	MacLeod, Lisa	Tabuns, Peter
Dunlop, Garfield	Mantha, Michael	Taylor, Monique
Fife, Catherine	Martow, Gila	Thompson, Lisa M.
Forster, Cindy	McDonnell, Jim	Vanthof, John
French, Jennifer K.	McNaughton, Monte	Walker, Bill
Gates, Wayne	Munro, Julia	Yakabuski, John
Gélinas, France	Natyshak, Taras	Yurek, Jeff
Gretzky, Lisa	Nicholls, Rick	
Harris, Michael	Pettapiece, Randy	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 50; the nays are 37.

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

Motion agreed to.

The Speaker (Hon. Dave Levac): There are no further deferred votes. Therefore, this House stands recessed until 3 p.m.

The House recessed from 1158 to 1500.

MEMBERS' STATEMENTS**VIOLENCE AGAINST WOMEN**

Ms. Laurie Scott: To raise awareness and trigger action to end all acts of violence against women and girls, the UN observes International Day for the Elimination of Violence against Women on November 25. In 1995, at the fourth World Conference on Women, UN member states took up the global call to end all forms of violence against women and girls. They recognized that violence is one of the main mechanisms denying women equality, and that it imposes high social, health and economic costs. Since then, an historic two thirds of countries have put laws on the books to stop violence against women, yet gaps in laws, implementation of legal protection and essential services remain.

The statistics are alarming: According to the YWCA Canada, there are 460,000 sexual assaults in Canada every year. Only 33 out of every 1,000 sexual assault cases are reported to the police, and 29 are recorded as a crime. These numbers speak volumes about how many assailants walk free, and why women may be afraid to press charges against their abusers.

Ending violence against women should be one of our key priorities here in Ontario. Tomorrow, our opposition day motion will be debated, calling on the Ontario Legislature to establish a select committee to investigate sexual harassment in the workplace. Our culture is at a

turning point. By acting now, supporting my reasonable request, we can continue this important dialogue, hear from victims and experts, bring forward a plan to address it and build a safer and more equitable workplace environment for current and future generations. I'm hoping for unanimous consent tomorrow.

RON COLASANTI

Mr. Taras Natyshak: I rise today to honour a local figure from my area, Ron Colasanti, who passed away Thursday, November 7, at the Tidewell Hospice in Lakewood, Florida. Ron was 79 years old.

He was a unique man who would help anybody in need, and he had a heart for politics and bettering his community. He was the former Gosfield South councillor from 1967 to 1973 and was elected to Kingsville council in 2010 at age 75. However, he did not run for re-election in October.

Ron was a charismatic figure, someone that I thoroughly enjoyed talking with, and even though we were on completely opposite sides of the political spectrum, perhaps that's what made our connection all the more special. He was easy to talk to, he was plain-spoken, and I think he was very well respected in his career as a municipal politician and certainly within his community. He made incredible contributions to the local greenhouse industry, as well as his family—they are literally world-renowned. He also added a virtue and a charisma to deliberations at the municipal level that I think will be unmatched right to this day.

I simply want to offer my condolences to his family and to his colleagues, and to wish him Godspeed. He was really a remarkable figure, one that I certainly will miss and one that contributed greatly to the community of Windsor and Essex counties.

CAMPBELLVILLE TREE LIGHTING

Ms. Indira Naidoo-Harris: I rise today to speak about a lovely event I had the pleasure of taking part in this past weekend. Last Saturday night, I travelled to Campbellville's Gazebo Park to participate in their community tree lighting ceremony. I was there with the honorary mayor, Tony Cristello, and Liz Lambrick, along with a cheerful crowd of 40 kids, parents, grandkids, neighbours and friends. They were all there.

It was a wet, windy day, but try as it might, the weather didn't dampen anyone's spirit. After enjoying some great music, hot chocolate and the odd Timbit, the moment we were all waiting for arrived.

After I led the crowd in a final countdown, Mayor Cristello flipped the switch and the giant tree sprang to life in brilliant colour. There were oohs and ahs, clapping and even singing. Once the tree was lit, it was wonderful—a very special evening with friends and families under the stars.

While the lights, food and music all made for a good time, it was really the people, Mr. Speaker, who had gathered together that made the evening special.

I want you to know that it is evenings like this that bring people together that really make a community feel as one. I'm delighted that communities like Campbellville maintain such traditions, and I commend those who weathered the rain to help make the start of the holiday season so special.

HURON MANUFACTURING ASSOCIATION AWARDS OF EXCELLENCE

Ms. Lisa M. Thompson: On November 13, the Huron Manufacturing Association handed out its awards for excellence at Hensall and District Community Centre. This awards ceremony is where businesses in my riding are recognized for their achievements in innovation and socially responsible business practices.

Worthy of noting is Blyth Farm Cheese, which received Manufacturer of the Year award. I might add that we have been very fortunate that this particular cheese has been served time and time again right here at Queen's Park; and it also was one of the top winners at the recent Royal Agricultural Winter Fair.

Additional awards went to Brett and Brian Landsborough from Maelstrom Winery, and Joost van Dorp from Blyth Farm Cheese, who received Junior Manufacturer of the Year awards.

Ron and Ruth Schefter were recipients of the Chairman's Award, and Iceculture of Hensall was the recipient of the Innovative Product Award. That innovative product might come to mind when I talk about the World Junior Hockey Championships last year. The Canadian Tire advertisement had an ice truck—a truck made solely out of ice. That was done in Hensall, Ontario.

Lastly, Hensall District Co-op was the recipient of the Employer of the Year. I totally support this co-operative spirit, and they are indeed a great employer.

These awards are important and a reminder of how rich our communities are with entrepreneurship and innovation. The Huron Manufacturing Awards ceremony is just one example that small business is big business in Huron-Bruce.

WINDSOR INTERNATIONAL FILM FESTIVAL

Mrs. Lisa Gretzky: I rise today to congratulate the Windsor International Film Festival on celebrating its 10th anniversary this month. Since its inception, the festival has brought cultural appreciation, tourism and, of course, entertainment to my community of Windsor West.

This November demonstrated the growing success of the event, boasting over 100 titles shown at over 186 viewings throughout the nine-day festival. With a record-breaking attendance of over 15,000 patrons, this event is proving to be foundational to the growth of the film industry in Windsor and the development of local talent across our creative sector.

This festival, and the ongoing films presented by the Windsor International Film Festival, would not be possible without the professionalism and enthusiasm of all Windsor International Film Festival staff, board members and the many dedicated volunteers.

I would like to extend a special thanks to the festival's executive director, Vincent Georgie, manufacturing director Nick Cacciato and technical director Sung Min Bae. As well, I would like to thank the festival's community partners and local businesses for providing the vibrant atmosphere that people have come to expect.

With the credits just beginning to roll on the 2014 festival, there is already anticipation for the next in the series, and I encourage all members in this chamber to join me, my colleague Taras Natyshak and my colleague Percy Hatfield at the movies in 2015.

OTTAWA RAPE CRISIS CENTRE

Mrs. Marie-France Lalonde: On Friday, November 14, I had the wonderful opportunity to attend the Ottawa Rape Crisis Centre's 40th-anniversary fundraiser at Centrepointe Theatres. The centre was celebrating 40 years of support, engagement and growth. It was a delightful evening with a silent auction component and a feature performance by the impressive comedian Jessica Holmes. The fundraiser succeeded in raising awareness in the community as well as over \$9,500 in funds.

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The centre was founded in 1974 by a small group of women who were committed to offering services to a community in need. The main focus of the centre is to provide counselling to women, to raise awareness in the community, and to educate and empower those seeking to end sexual violence. The ORCC has helped countless victims but also offers support to families, friends and partners of women who have been sexually assaulted.

Le centre ORCC est un acteur important dans la lutte contre la violence sexuelle et dans le développement de collectivités plus sécuritaires pour tous les citoyens et toutes les citoyennes. Le personnel et les bénévoles du centre offrent des initiatives pour venir en aide aux femmes en détresse qui ont besoin de conseils et d'appui.

The 24-hour crisis line can be reached at 613-562-2333.

DILLON CARMAN

Mr. Todd Smith: Canada's heavyweight boxing champion hails from Prince Edward-Hastings. On Saturday, October 25, Dillon Carman, known in boxing circles as Big Country, became this country's biggest boxing champ.

The former Maple Leaf Gardens, now known as the Mattamy centre, was the setting for a brawl that made a Rocky Balboa-Apollo Creed fight look like a knitting bee. The 28-year-old from Madoc finished off Eric "the Hammer" Martel of Quebec City with what Toronto Sun writer Steve Buffery called "a lethal left-right combina-

tion" with just seconds to go to earn the knockout and the Canadian Heavyweight Championship.

He's 6 foot 6, 240 pounds, from the former Belleville Boxing Club. He returned Saturday night to the Madoc Kiwanis Centre to a hero's welcome. He's proud of where he comes from and he gets the support of a lot of people back at home, sponsors included.

We heard some mischievous tales on Saturday night from his mom and his grandmother, who were there as well, about his days walking the halls of Madoc Public and Centre Hastings Secondary schools.

He played a lot of street hockey. He played ice hockey at the Madoc arena and spent some time fishing on Moira Lake. But ultimately it was his love of and commitment to boxing that helped him reach these amazing heights.

So, Big Country, you've got a big heart. The Commonwealth championship is going to be next.

He's a great role model, and it just proves that if you put your heart and soul into something, you can accomplish your dreams. Big Country Carman, heavyweight champion of our big, beautiful country here in Canada, congratulations.

The Speaker (Hon. Dave Levac): I think he also likes to knit. I'm not sure.

VIOLENCE AGAINST WOMEN

Ms. Eleanor McMahon: I rise today in the House to acknowledge Woman Abuse Prevention Month, and today is the UN International Day for the Elimination of Violence against Women.

Two weeks ago, I toured Halton Women's Place, the local women's shelter in my riding of Burlington. It was a timely visit, as a young Burlington woman had just tragically lost her life to domestic violence.

During my visit, I was deeply touched by the work Halton Women's Place is doing to restore the lives of women and children in our community. This is an organization providing shelter and crisis services for physically, emotionally, financially and sexually abused women and their dependent children. This is an organization fuelled and inspired by the courageous women who want to make a change in their lives. This is an organization dedicated to ending violence against women and children once and for all.

To raise awareness about Woman Abuse Prevention Month, Halton Women's Place has turned our community purple with a campaign called Shine the Light. Businesses and offices in our city have decorated in purple, and individuals are wearing purple. Wrapped in Courage scarves like many of us are wearing here today, because purple is the colour of freedom.

As part of the campaign, the Halton Women's Place has also received proclamations of zero tolerance for woman abuse, including one from me during my visit, and raised the Halton Women's Place flag in every municipality in Halton region. This flag symbolizes a call to action to end violence against women.

This year, Halton Women's Place has provided services to 840 women and over 1,000 children through its residential and community outreach programs. In addition, it responded to more than 1,800 crisis calls.

Through education and prevention, both in the shelters and in the community, Halton Women's Place has made, and will continue to make, a huge difference in the lives of some of Halton's most vulnerable residents, and I am proud to stand in this place and salute them.

ADOPTION AWARENESS MONTH

Mr. Granville Anderson: I rise in the House today to tell you about a very interesting meeting I had recently in my constituency office.

Last Friday, I had the great pleasure of meeting 15-year-old Jessica and her mother. Jessica and her younger brother were adopted when Jessica was three years old, and while it's very clear that the siblings have found their forever family, Jessica continues to advocate for others who are still looking for theirs.

November is Adoption Awareness Month, which is what prompted Jessica and her mom to make an appointment at my constituency office in Durham. Jessica and her mom, Carol, shared their story with me. They told me about how they became a family and some of the challenges they faced.

The daughter and mother also shared with me the advocacy work that they have done to help others find their forever family. They talked about Jessica's first time presenting to a government body at the House of Commons when she was 11 years old.

We talk a great deal about the importance of giving every child the very best start in life. The story Jessica told me was one where the start may not have been the very best, but in which a new beginning with a loving family has helped her to make up for it.

In honour of Jessica and her forever family, I remind you today that this is Adoption Awareness Month. I was reminded by Jessica of the importance of every child having a family to grow up and grow old in, to allow them to thrive to their fullest ability, as it is clear Jessica is doing now.

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

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Dave Levac): I beg to inform the House that today the Clerk received the report on intended appointments dated November 25, 2014, of the Standing Committee on Government Agencies. Pursuant to standing order 108(f)(9), the report is deemed to be adopted by the House.

Report deemed adopted.

STANDING COMMITTEE ON SOCIAL POLICY

M^{me} France Gélinas: I beg leave to present a report from the Standing Committee on Social Policy and move its adoption. Je demande la permission de déposer un rapport du Comité permanent de la politique sociale et je propose son adoption.

The Clerk-at-the-Table (Ms. Tonia Grannum): Your committee begs to report the following bill, as amended:

Bill 10, An Act to enact the Child Care and Early Years Act, 2014, to repeal the Day Nurseries Act, to amend the Early Childhood Educators Act, 2007, the Education Act and the Ministry of Training, Colleges and Universities Act and to make consequential and related amendments to other Acts / *Projet de loi 10, Loi édictant la Loi de 2014 sur la garde d'enfants et la petite enfance, abrogeant la Loi sur les garderies, modifiant la Loi de 2007 sur les éducatrices et les éducateurs de la petite enfance, la Loi sur l'éducation et la Loi sur le ministère de la Formation et des Collèges et Universités et apportant des modifications corrélatives et connexes à d'autres lois.*

The Speaker (Hon. Dave Levac): Shall the report be received and adopted? Agreed? Agreed.

Report adopted.

The Speaker (Hon. Dave Levac): Pursuant to the order of the House dated November 5, 2014, the bill is ordered for third reading.

Reports by committees? Last call for reports by committees.

Introduction of bills? Last call for introduction of bills.
Motions?

M^{me} France Gélinas: Speaker?

The Speaker (Hon. Dave Levac): We'll back up. We have a bill?

M^{me} France Gélinas: Yes, we have a bill and a sore leg. The two of them together make me really slow.

The Speaker (Hon. Dave Levac): I'll accept that and revert back to motions after.

M^{me} France Gélinas: Thank you, Speaker, for your indulgence.

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INTRODUCTION OF BILLS

HEALTHY DECISIONS FOR HEALTHY EATING ACT, 2014

LOI DE 2014 FAVORISANT DES CHOIX SAINS POUR UNE ALIMENTATION SAINTE

M^{me} Gélinas moved first reading of the following bill:

Bill 47, An Act to require certain food service premises to display nutritional information / *Projet de loi 47, Loi assujettissant certains lieux de restauration à l'obligation d'afficher des renseignements nutritionnels.*

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

First reading agreed to.

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

M^{me} France G elinas: This is the lucky sixth time for this bill. It's my menu-labelling bill, called Healthy Decisions for Healthy Eating. Basically, what it does is that it mandates the owners and operators of regulated food service premises to display the number of calories in a standard font next to each food item on the menu for every item that is sold at the premises as well as other information such as a checkmark for food items that have very high levels of sodium, that being defined as 1,500 milligrams, which is the maximum allowed per day. Regulated food service premises are food service premises that sell meals for immediate consumption and that belong to a chain of 20 or more Ontario locations that are brought under this act. There are also inspection powers and penalties provided. The Lieutenant Governor in Council is given regulation-making power, including powers to provide for exemption.

Hopefully, my sixth time will be my lucky time.

The Speaker (Hon. Dave Levac): Did I hear the member say she had two bills, or one got stuck—

M^{me} France G elinas: Just one.

The Speaker (Hon. Dave Levac): Just one.

I'll go back to motions. Motions?

Statements by the ministries?

STATEMENTS BY THE MINISTRY AND RESPONSES

HEALTHY LIVING

SAINES HABITUDES DE VIE

Hon. Dipika Damerla: It gives me great pleasure to rise in the House today to speak to new legislation that I introduced yesterday: the Making Healthier Choices Act, 2014. The first piece of the proposed legislation that I want to highlight today is the requirement for large chain restaurants and other food service premises with 20 or more locations to include calories on their menus. This legislation will not apply to small restaurants with just a handful of locations. We want to give families the information they need to make the healthy choice the easy choice every time they eat outside the home.

Earlier this month, our government announced regulation changes that will see Ontario take the next logical and important step in protecting children from smoking. We are doing this by eliminating smoking on playgrounds, sports fields and bar and restaurant patios, and also by banning the sale of tobacco on university and college campuses. Now we need to move the yardstick even closer to our goal of having the lowest smoking rate in Canada and provide greater protections for Ontario families.

Let me begin with e-cigarettes. E-cigarettes are a relatively new product, and in the short time they have been around, they're already emerging as a public health issue. According to researchers and smoke-free Ontario partners, young people find e-cigarettes appealing. We will be funding research projects to learn more about e-cigarettes to inform future decisions.

Under the proposed legislation, we would:

- ban the sale and supply of e-cigarettes to anyone under 19;

- require retailers to request ID from anyone who appears to be under 25 and wishes to purchase e-cigarettes and to post signs explaining age-based sales restrictions;

- ban the display and promotion of e-cigarettes in places where e-cigarettes and tobacco products are sold;

- prohibit the owner or operator of a place of entertainment from employing or authorizing anyone to promote e-cigarettes or the sale of e-cigarettes at the place of entertainment;

- ban the sale of e-cigarettes in certain places, such as vending machines and health care facilities;

- prohibit the use of e-cigarettes in certain places, such as enclosed workplaces and enclosed public places;

- require employers and proprietors of places where the use of e-cigarettes is prohibited to ensure compliance with the prohibition;

- protect home health care workers from the potential harmful effects of e-cigarette vapour;

- protect employees who try to enforce the proposed legislation from retaliation by employers; and

- provide for an enforcement regime.

This legislation would provide the Lieutenant Governor in Council with the regulation-making authority to:

- specify the wording and placement of any signs that must be posted under the legislation;

- prescribe additional places where e-cigarettes cannot be used or sold; and

- address emerging issues as evidence becomes available.

I'm confident that our proposed changes will be supported by public health and tobacco control stakeholders.

Another part of the legislation is proposed amendments to the Smoke-Free Ontario Act. These amendments would ban the sale of flavoured tobacco products and would allow the Lieutenant Governor in Council to make a regulation temporarily exempting menthol-flavoured tobacco products from the sales ban for a period of up to two years.

Our government has publicly committed to prohibiting the sale of tobacco products that contain flavours and additives that appeal to youth. Flavoured tobacco products are one of the few remaining ways that tobacco companies have of marketing to our kids. Research shows that flavoured tobacco products can make youth into regular smokers. With many flavours to choose from, from strawberry to watermelon to bubble gum, flavoured tobacco has become a gateway to addiction.

Additional evidence has recently emerged that indicates that youth are using menthol-flavoured products in high numbers. This new research is why our government is proposing to include menthol in our ban on the sale of flavoured tobacco. We have a responsibility to act on flavoured tobacco, and we are going to do that by banning the sale of flavours, be they bubble gum or mint.

We are working to prevent the next generation of Ontarians from becoming addicted to tobacco. With these measures, Ontario can demonstrate leadership in tobacco control by reducing the potential harm of e-cigarettes and by eliminating the sale of flavoured tobacco to youth.

I want to assure the members that we would work closely with our stakeholders to implement these proposals. This legislation also proposes to strengthen the Smoke-Free Ontario Act by increasing the maximum fines for youth-related sales offences such as selling tobacco to minors.

I urge all members to support our proposed legislation.

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

Mr. Bill Walker: I'm pleased to rise today to speak on behalf of the PC caucus with respect to the Making Healthier Choices Act. I have only just reviewed the bill, and at this time I have more questions than comments.

I understand that the bill includes the following agenda:

- ban the sale and supply of e-cigarettes to anyone under the age of 19;

- prohibit the use of e-cigarettes in certain places where the smoking of tobacco is prohibited;

- ban the sale of e-cigarettes in certain places where the sale of tobacco is prohibited;

- prohibit the display and promotion of e-cigarettes in places where e-cigarettes or tobacco products are sold or offered for sale;

- ban the sale of flavoured tobacco products, with a delayed implementation date for menthol-flavoured tobacco products;

- increase maximum fines for those who sell tobacco to youth, making Ontario's maximum fines the highest in Canada; and

- strengthen enforcement to allow for testing of substances used in water pipes—for example, hookahs and shisha—in indoor public places.

We support minors being restricted from purchasing tobacco and tobacco-related products. A number of health organizations, from the Lung Association to the Heart and Stroke Foundation to the cancer society and the Toronto Board of Health, have been very vocal and active in educating all of us about the health dangers of tobacco and tobacco-like products.

Marketing of any kind of tobacco or tobacco-related products to youth is shown to encourage youth to start this unhealthy habit, and we agree that we need to stop that here in Ontario by regulating e-cigarettes. But is an outright ban on menthol cigarettes good public policy? I think that we will hear a lot of debate, during this debate

on the bill, that banning menthol will only drive more smokers to cheap, illegal cigarettes, and that concerns me. For this reason, I would also like to see the government take more concrete steps to stop the selling of tobacco products to minors through illegal smoke shacks, especially as it is expected that some of these new measures will send users into the illegal market.

Also included in the new bill are measures to:

- make caloric information mandatory in eating establishments, including grocery stores, that provide eat-in and takeout food options;

- require calories for standard food and beverage items, including alcohol, to be posted on menus and menu boards in restaurants, convenience stores, grocery stores and other food service premises with 20 or more locations in Ontario;

- require food service operators to post contextual information that would help to educate patrons about their daily caloric requirements; and

- authorize public health inspectors to enforce menu-labelling requirements.

The Ontario PCs support the idea of helping consumers make informed choices for themselves and their families, especially since at least one third of our calories are consumed when we are away from home. As such, I want to say that this move seems like a good step forward, which was originally introduced and championed by the good member from Nickel Belt.

Obesity is indeed a serious problem facing children, some as young as five, so we support taking the necessary action in reducing that harm, but we'd like to know a lot more about how much flexibility the government will provide in how establishments meet this provision. I think the most important message today is that childhood obesity is on the rise, and we need to make it our public health priority, but measures such as banning junk food and labelling menus with calorie counts are only one part of it.

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I'd like to see a more wholesome strategy, namely, ramping up the daily physical activity for school-aged children. Physical education is where we need to be doing more. As a former recreation director, I'm fully supportive of physical activity for all ages and taking a proactive approach to health care wherever possible. The World Health Organization has warned us that the number of overweight children under five years of age is estimated to be over 42 million, and almost all of them are in developed countries like Canada.

Again, the proposals are a good step in the right direction. However, we do want to see the details and hear from the stakeholders before providing a more thorough comment. For example, to our knowledge, some restaurants are already doing their own forms of menu labelling. In fact, as many as 60% of them have voluntarily brought in these types of measures.

We look forward to getting more details on this bill from the ministry, namely, what flexibility will be given to multi-serving dishes—for example, is pizza to be

labelled by the slice or by the whole pizza—and how much time they’re giving establishments to comply with the new rule.

Another question we have is, are vending machine operators who own 20 or more machines also required to disclose calorie information? It is not clear if they’re included under this bill.

We look forward to the briefing with the ministry in the near future and hearing from health care providers, restaurant owners and the public on what can be done to improve health care in the future.

M^{me} France Gélinas: It is a pleasure for me to rise in the House and talk about the new bill. The first two parts of the bill are elements that I have been pushing for, for a long time.

The first part deals with menu labelling. Menu labelling is quite simple. When you go to McDonald’s, right there on the menu board, you will see: Big Mac, 450 calories, \$4.99. It’s as easy as that. At the point of purchase, when you are about to decide what you’re about to eat, you will see the amount of calories that you want to eat. This is what we call menu labelling.

This is an idea that I have pushed since 2009. I introduced a bill very similar to this one today. This is my sixth time, so I feel pretty lucky. If you don’t give up around here, Speaker, sometimes you get something done. I have a feeling this is about to come.

But in those six years, the body of evidence on this issue has really grown. We now know that consumers make healthier choices, in the sense that by order, you can see 390 less calories per order. The orders usually cost a little bit more, because more and more fast-food outlets are providing healthy choices, and the people are making healthy choices, and that shows in the number of calories that they choose to buy. That also shows it’s good for the bottom line, because those restaurants tend to sell a little bit more of their healthy alternatives.

But what we have also discovered is that we need to flag high sodium. We need to flag the foods that have an incredible amount of salt. Some of them, by looking at them, look healthy, and then you realize that they have something like 7,000 milligrams of sodium. On a daily basis, we should not consume more than 1,500 milligrams of sodium, but then this one dish will have 7,000 milligrams, and it is impossible to tell.

I’ll do a little quiz with you, Speaker. Let’s say I offer you an Italian sub on nine-grain whole wheat bread, or a Grandpa Burger with cheese. Usually, people would say the Grandpa Burger with cheese would probably have more salt than the six-inch Italian sub on nine-grain whole wheat bread. Well, you would be wrong. The Grandpa Burger has 1,100 milligrams of sodium, and the sub has 1,930 milligrams. It is impossible to guess, unless we give you that information.

All we are asking is that not only do you put the calories, but you put a check mark for the high sodium. Then go to the brochures that they all have, where you have in very fine print all of the nutritional information. That’s part 1—way overdue.

Part 2 is something that you will also be interested in, Speaker, because in 2008, you and I put together a bill that became law that banned flavoured cigarillos. Unfortunately, the tobacco industry had not even seen the ink dry on that bill before they had already found loopholes, and the loopholes were in the way that we described.

I’m happy to see now that we will be banning flavour. But I have started to read the bill, and nowhere in the bill does it actually include menthol. Much to the opposite, it includes a restriction clause, which means that we could exclude any of the flavours.

For anybody who follows this issue, we all know what happened in Alberta. In Alberta, they had basically passed a bill to ban all flavoured tobacco products, whether it be smokes, smokeless, the chew, the hookah pipe; it didn’t matter. If it was flavoured, it was banned—similar to what we’ll do here—and they had that little clause for exception. Well, the tobacco industry was really good at lobbying, like they always are, and they got menthol excluded.

The government says that menthol is included, but it is not written in the bill. What is written in the bill is the possibility for exemption. So there are a few things that we certainly will be cautious about.

The third piece is the e-cigarette. The e-cigarette is not regulated at all in Ontario. We see the amount of young people using e-cigarettes. The price, the marketing, the distribution system: All of it targets youth. It’s a good step forward.

J’aurais aimé rajouter quelques mots en français, mais je manque de temps. C’est un projet de loi qui ressemble beaucoup à mes projets de loi, puis qui a besoin de petites différences.

Merci.

The Speaker (Hon. Dave Levac): Merci beaucoup.

PETITIONS

AIR QUALITY

Mr. Todd Smith: “To the Legislative Assembly of Ontario:

“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 were, in fact, the result of factors other than the Drive Clean program, such as tighter manufacturing standards for emission-control technologies; and....

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

“Whereas the new Drive Clean test no longer assesses tailpipe emissions, but instead scans the on-board diagnostics systems of vehicles, which already perform a series of continuous and periodic emissions checks; and

“Whereas the new Drive Clean test has caused the failure rate to double in less than two months as a result of technical problems with the new emissions testing method; and

“Whereas this new emissions test has caused numerous false ‘fails’, which have resulted in the overcharging of testing fees for Ontario drivers and car dealerships, thereby causing unwarranted economic hardship and stress;

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

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

I agree with this and will send it to the table with Tyler.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have this petition that comes from Kent MacNeill, a constituent of mine in Val Caron. It reads as follows:

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

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

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

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

I fully agree with this petition, will affix my name to it, and ask Ethan—a good page—to bring it to the Clerk.

ENVIRONMENTAL PROTECTION

Mr. Ernie Hardeman: Mr. Speaker, I have a petition to the Legislative Assembly, signed by a great number of people from Oxford and, I believe, even from the great riding of Brant. I want to present it on their behalf.

“Whereas the purpose of Ontario’s Environmental Protection Act (EPA) is to ‘provide for the protection and conservation of the natural environment.’ RSO 1990...; and

“Whereas ‘all landfills will eventually release leachate to the surrounding environment and therefore all landfills will have some impact on the water quality of the local ecosystem.’—Threats to Sources of Drinking Water and Aquatic Health in Canada;

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

“That section 27 of the EPA should be reviewed and amended immediately to prohibit the establishment of new or expanded landfills at fractured bedrock sites and other hydrogeologically unsuitable locations within the province of Ontario.”

I will affix my signature, as I agree with the petition, and I’ll send it up with Moiz to the table.

ALZHEIMER’S DISEASE

Mr. Percy Hatfield: “To the Legislative Assembly of Ontario:

“Whereas Alzheimer’s disease and other dementias are progressive, degenerative diseases of the brain that cause thinking, memory and physical functioning to become seriously impaired;

“Whereas there is no known cause or cure for this devastating illness; and

“Whereas Alzheimer’s disease and other dementias also take their toll on hundreds of thousands of families and care partners; and

“Whereas Alzheimer’s disease and other dementias affect more than 200,000 Ontarians today, with an annual total economic burden rising to \$15.7 billion by 2020; and

“Whereas the cost related to the health care system is in the billions and only going to increase, at a time when our health care system is already facing enormous financial challenges; and

“Whereas there is work under way to address the need, but no coordinated or comprehensive approach to tackling the issues; and

“Whereas there is an urgent need to plan and raise awareness and understanding about Alzheimer’s disease and other dementias for the sake of improving the quality of life of the people it touches;

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

“To approve the development of a comprehensive Ontario dementia plan that would include the development of strategies in primary health care, in health promotion and prevention of illness, in community development, in building community capacity and care partner engagement, in caregiver support and investments in research.”

Speaker, I agree wholeheartedly with this petition. I’ll affix my name and give it to page Mikaila to bring up to the desk.

1540

HYDRO RATES

Mr. Todd Smith: “To the Legislative Assembly of Ontario:

“Whereas household electricity bills have skyrocketed by 56% and electricity rates have tripled as a result of the

Liberal government's mismanagement of the energy sector;

"Whereas the billion-dollar gas plant scandal, wasteful and unaccountable spending at Ontario Power Generation and the unaffordable subsidies in the Green Energy Act will result in electricity bills climbing by another 35% by 2017 and 45% by 2020;

"Whereas the soaring cost of electricity is straining family budgets, particularly in rural Ontario, and hurting the ability of manufacturers and small businesses in the province to compete and create new jobs; and

"Whereas home heating and electricity are essential for families in rural Ontario who cannot afford to continue footing the bill for the government's mismanagement;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately implement policies ensuring Ontario's power consumers, including families, farmers, and employers, have affordable and reliable electricity."

I agree with this, will sign it and send it to the table with Elijah.

CHILD CARE

Mr. Jagmeet Singh: Mr. Speaker, I have 762 signatures for the following petition to the Legislative Assembly of Ontario. It reads:

"Whereas the Education Act of Ontario currently allows the private schools to provide program for children younger than four years old;

"Whereas the best interest of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents, as declared by the United Nations resolution under the rights of the child;

"Whereas parents select Montessori education for their children to fulfill their child's individual developmental needs and characteristics;

"Whereas Montessori primary programs accept children from the age of two-and-a-half years to fulfill the three-age mix—from two-and-a-half years of age up to six years of age—working together in one class; such child-to-child teaching has been found repeatedly to produce often dramatically better outcomes than teacher-led instruction;

"Whereas Association Montessori Internationale is a leading international authority in all aspects of Montessori pedagogy and philosophy, including teacher training and school recognition;

"Whereas Bill 10 currently before the Ontario Parliament will exclude children younger than four years of age from attending private schools which would violate one of the basic principles of the Montessori philosophy and pedagogy for mixed-age groups; and take away parents' rights to a choice of education for their child;

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

"That the members of the Legislative Assembly amend the definition of private school in the Child Care and Early Years Act 2014 (Bill 10) to allow children who are two-and-a-half years old or older to be enrolled in private Montessori schools under the guideline and supervision of the Association Montessori Internationale."

I will provide this petition to page Kelsey.

ASTHMA

Mr. Jeff Yurek: I have a petition to the Legislative Assembly of Ontario:

"Whereas on October 9, 2012, 12-year-old Ryan Gibbons unnecessarily died of an asthma attack at school;

"Whereas one in five students in Ontario schools has asthma; and

"Whereas asthma is a disease that can be controlled; and

"Whereas it is the responsibility of Ontario schools to ensure asthma-safe environments;

"We, the undersigned, petition the Legislative Assembly of Ontario to request the Minister of Education to take measures to protect pupils with asthma by ensuring all school boards put in place asthma-management plans based on province-wide standards."

I agree with this petition. I affix my name and hope Ryan's Law passes through this Legislature.

OFFICE OF THE OMBUDSMAN

M^{me} France Gélinas: I have this petition that comes from all over Ontario. It reads as follows:

"Whereas there are a growing number of reported cases of abuse, neglect, and substandard care for patients at our hospitals and long-term-care homes;

"Whereas there are more and more cases of hospital acquired infections;

"Whereas people with complaints have no independent body to listen to their concerns;

"Whereas Ontario is the only province in Canada—including the three territories—where our Ombudsman does not have independent oversight of hospitals and other front line care organizations;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to expand the Ombudsman's mandate to include Ontario's hospitals, long-term-care homes and other front line care organizations."

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

HYDRO RATES

Mr. Robert Bailey: This is addressed to the Legislative Assembly of Ontario.

"Whereas household electricity bills have skyrocketed by 56% and electricity rates have tripled as a result of the

Liberal government's mismanagement of the energy sector;

"Whereas the billion-dollar gas plant scandal, wasteful and unaccountable spending at Ontario Power Generation and the unaffordable subsidies in the Green Energy Act will result in electricity bills climbing by another 35% by 2017 and 45% by 2020;

"Whereas the soaring cost of electricity is straining family budgets, particularly in rural Ontario, and hurting the ability of manufacturers and small businesses in the province to compete...; and

"Whereas home heating and electricity are essential for families in rural Ontario who cannot afford to continue footing the bill for the government's mismanagement;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately implement policies ensuring Ontario's power consumers, including families, farmers, and employers, have affordable and reliable electricity."

I'll send this down with page Nick.

OFF-ROAD VEHICLES

Mr. Michael Mantha: This petition is a support to my colleague's private member's bill yesterday. I know my friend from across the way, from Thunder Bay–Superior North, will love to hear this:

"Whereas a motion was introduced at the Legislative Assembly of Ontario which reads 'that in the opinion of the House, the operation of off-road vehicles on highways under regulation 316/03 be changed to include side-by-side off-road vehicles'"—

Interjection.

Mr. Michael Mantha: And I forgot my friend, Mr. Crack—"off-road vehicles on highways under regulation 316/03 be changed to include side-by-side off-road vehicles, four-seat side-by-side vehicles, and two-up vehicles in order for them to be driven on highways under the same conditions as other off-road/all-terrain vehicles";

"Whereas this motion was passed on November 7, 2013, to amend the Highway Traffic Act 316/03," by my colleague Mr. Crack—

Mr. Percy Hatfield: From Glengarry–Prescott–Russell.

Mr. Michael Mantha: From Glengarry–Prescott–Russell.

"Whereas the economic benefits will have positive impacts on ATV clubs, ATV manufacturers, dealers and rental shops, and will boost revenues to communities promoting this outdoor activity;

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

"We call on the Ministry of Transportation to implement this regulation immediately."

I wholeheartedly support this petition and present it to page Ethan to bring it down to the table and the Clerks.

FISHING REGULATIONS

Mr. Todd Smith: "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 ... abruptly ... 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'll sign this and send it to the table with page Joshua.

1550

PRIX DE L'ESSENCE

M^{me} France Gélinas: J'ai une pétition qui vient du nord-est de l'Ontario :

« Alors que les automobilistes du nord de l'Ontario continuent d'être soumis à des fluctuations marquées dans le prix de l'essence; et

« Alors que la province pourrait éliminer les prix abusifs et opportunistes et offrir des prix justes, stables et prévisibles; et

« Alors que cinq provinces et de nombreux états américains ont déjà une réglementation des prix d'essence; et

« Considérant que les juridictions qui réglementent le prix de l'essence ont : moins de fluctuations des prix, moins d'écart de prix entre les communautés urbaines et rurales et des prix d'essence annualisés inférieurs. »

Ils demandent « à l'Assemblée législative de l'Ontario :

« D'accorder à la Commission de l'énergie de l'Ontario le mandat de surveiller le prix de l'essence partout en Ontario afin de réduire la volatilité des prix et les différences de prix régionales, tout en encourageant la concurrence. »

J'appuie cette pétition. Je vais la signer et je vais demander à Johann to bring it to the Clerk.

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 equal access to these services.”

I wholeheartedly support this petition, and I present it—again—to page Ethan to bring down to the Clerks.

ORDERS OF THE DAY

SAFEGUARDING HEALTH CARE INTEGRITY ACT, 2014

LOI DE 2014 DE SAUVEGARDE DE L'INTÉGRITÉ DES SOINS DE SANTÉ

Resuming the debate adjourned on November 20, 2014, on the motion for second reading of the following bill:

Bill 21, An Act to safeguard health care integrity by enacting the Voluntary Blood Donations Act, 2014 and by amending certain statutes with respect to the regulation of pharmacies and other matters concerning regulated health professions / *Projet de loi 21, Loi visant à sauvegarder l'intégrité des soins de santé par l'édiction de la Loi de 2014 sur le don de sang volontaire et la modification de certaines lois en ce qui concerne la réglementation des pharmacies et d'autres questions relatives aux professions de la santé réglementées.*

The Acting Speaker (Mr. Rick Nicholls): Pursuant to the order of the House passed earlier today, I am now required to put the question.

On November 5, 2014, Mr. Hoskins moved second reading of Bill 21. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, please say “aye.”

All those opposed, please say “nay.”

I would say that the nays have it.

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

Interjection.

The Acting Speaker (Mr. Rick Nicholls): I just received a note to the Speaker of the Legislative Assembly: “Pursuant to standing order 28(h), I request that the vote on second reading of Bill 21 be deferred until deferred votes on Wednesday, November 26, 2014.”

Second reading vote deferred.

SECURITY FOR COURTS, ELECTRICITY GENERATING FACILITIES AND NUCLEAR FACILITIES ACT, 2014

LOI DE 2014 SUR LA SÉCURITÉ DES TRIBUNAUX, DES CENTRALES ÉLECTRIQUES ET DES INSTALLATIONS NUCLÉAIRES

Mr. Naqvi moved second reading of the following bill:

Bill 35, An Act to repeal the Public Works Protection Act, amend the Police Services Act with respect to court security and enact the Security for Electricity Generating Facilities and Nuclear Facilities Act, 2014 / *Projet de loi 35, Loi abrogeant la Loi sur la protection des ouvrages publics, modifiant la Loi sur les services policiers en ce qui concerne la sécurité des tribunaux et édictant la Loi de 2014 sur la sécurité des centrales électriques et des installations nucléaires.*

The Acting Speaker (Mr. Rick Nicholls): I recognize the minister for second reading of the bill.

Hon. Yasir Naqvi: Thank you very much, Speaker. I really appreciate your recognition in giving me the opportunity to speak on a very important bill, Bill 35.

A few weeks ago, our government demonstrated its commitment to protecting our critical infrastructure, like electricity generating stations, nuclear facilities and courthouses, in a way that also ensures our civil liberties are safeguarded. That is why it is truly a pleasure to rise in this House for the second reading of the Security for Courts, Electricity Generating Facilities and Nuclear Facilities Act, 2014.

The act, if passed, will repeal and replace the Public Works Protection Act, in short known as PWPA, ensuring that we strike the right balance between protecting Ontario's courthouses, electricity generating plants and nuclear facilities and respecting the civil rights of the people of this province.

The current legislation was passed 75 years ago at the start of the Second World War to protect the province's power plants, dams, bridges and other critical public infrastructure from sabotage. It was passed and enacted in three days with bipartisan support in this Legislature. Media reports from the time show the concern that motivated it, and while this legislation was seen as necessary all those decades ago, our government agrees with those concerned that the PWPA is too broad, too vague and outdated.

In December 2010, the Ombudsman produced a report that raised important questions about how the PWPA works and how it was used at the time of the G20 summit in Toronto early that year. In response to these concerns, the government asked the Honourable R. Roy McMurtry, a former Ontario chief justice, to review the legislation. In his report, Mr. McMurtry recommended its repeal and replacement. We have listened to Mr. Marin, the Ombudsman, we have listened to Mr. McMurtry, and we have listened to our civil liberty and policing partners. Now is the time to act and pass this very important bill.

The proposed legislation is more modern and focused on necessary security at courthouses, nuclear facilities and large electricity generating facilities. It also includes a more transparent process on how we can protect key infrastructure in the province. It achieves the necessary and delicate balance between protecting our communities and protecting our civil rights, and has led to a broad consensus amongst all our partners.

As many in this Legislature already know, this is not the first time our government has introduced this important legislation. In developing this bill, the government conducted extensive consultations to determine what measures would be needed to ensure security should the PWPA be repealed. We sought input and advice from nuclear operators and regulators, electricity producers, justice partners and, of course, municipalities. We also consulted with civil liberties advocates to be sure that the appropriate balance was struck between security and civil liberties.

Over 19 hours of debate have already taken place on this bill in the Legislature during nine days of debate in the previous Parliament. Speaker, 15 members of this House from all three parties have already had an opportunity to speak on this proposed legislation when this bill came forward in this House. Sixteen amendments were put forward by the opposition and have been incorporated in this proposed legislation. All of that process took place in the previous Parliament before the election.

The Ontario Bar Association, the Canadian Sikh Association, the Ontario Association of Chiefs of Police and Ontario Power Generation are just some of the 15 organizations who provided important feedback during public hearings and the Standing Committee on Justice Policy's review of the bill, especially with respect to religious accommodations at courthouses. All the debate, amendments and feedback are reflected in this bill.

The result of this process also shows that out of productive conversation and constructive dialogue comes real action to protect Ontarians.

1600

The proposed legislation is about doing three things: (1) repealing the Public Works Protection Act, (2) setting out a legislative amendment to the Police Services Act to address court security, and (3) setting out stand-alone legislation respecting the security at prescribed electricity generating and nuclear facilities in our province.

With respect to court security, the proposed legislation is aligned with the current powers granted to court security guards under the PWPA. The legislation will provide security staff with the ability to, where reasonable:

- require any person entering, attempting to enter or inside the premises where court proceedings are conducted to identify himself or herself and provide information to assess their security risk;

- search, without a warrant, any person who is entering or attempting to enter premises where court proceedings are conducted;

- search, without a warrant and using reasonable force if necessary, any person who is in custody where

court proceedings are conducted or who is being transported to or from such premises, or any property in the custody or care of that person.

I would like to emphasize that the legislation does not compel a person entering or attempting to enter a courthouse to submit to a search, identify himself or herself or provide information. They can simply walk away at any time. However, if they persist in entering the courthouse after refusing to provide information or submit to a search, court security personnel can (a) refuse entry and/or demand that a person leave the premises, and (b) use reasonable force if necessary to exclude or remove the person.

The proposed legislation also limits the types of essential public infrastructure it covers to prescribed electricity generating and nuclear facilities. Adding other categories of infrastructure would require amendments to the act, not just a new regulation. It would therefore be open to debate in this very House. The process for changing an act is very transparent and open, and the content of any proposed amendments would be subject to public debate.

There is also one important aspect of the PWPA that we have not replicated. The PWPA gives guards the authority to exercise their powers in the “approaches” to a public work. The approach to a facility was a concern for Mr. McMurtry and civil liberties groups because it is vague and hard to define. We listened to those concerns and we acted. This proposed bill would outline specified powers for guards that can only be used on the premises, and these powers would not apply off the premises. Since the approach falls outside the premises of the nuclear facility, any security issues should be addressed in partnership with the police of the jurisdiction.

Our government recognizes and echoes Ontarians' value and celebration of human and civil rights. We have a responsibility to Ontarians to ensure that our courts and critical infrastructure are protected. We have an equally great responsibility to protect and strengthen their civil liberties, like the freedom of assembly, and the principles of an open and transparent justice system. I believe that this legislation does indeed strike that necessary balance.

This is legislation that has been tabled a third time, the first two times going through ample debate on the floor of this House. The second time it was tabled, it worked its way, as I mentioned earlier, through committee, where the committee members did extensive, good work on this bill. They listened to many witnesses, important stakeholders that came forward. They undertook amendments to the bill. Many of the amendments that were put forward by the opposition parties are now incorporated in this bill. The bill that we see today, the bill that is being subject to second reading debate, is the bill that was amended through the committee process in the previous Parliament. It is due time that we, hopefully, expedite the debate and the passage of this bill in this House, given its importance in ensuring that not only we repeal an outdated piece of legislation in the PWPA but also have a new regime in place around the security of critical

infrastructure like our courthouses, electricity-generating facilities and nuclear facilities.

This work has been done with the advice of former Attorney General and Chief Justice McMurtry, and his work has been well inputted in this particular bill. I really hope to be able to pass this bill with the consensus of all members in the House, given the tremendous amount of work that has been put into this bill by all members. I want to thank all the members who have been strong advocates in making sure that we have a new law in place when it comes to securing our critical infrastructure and for the work they did through the consultation process and through clause-by-clause in the committee. I am confident that they will see their hard work reflected in this bill.

Most importantly, we heard from our partners, we heard from civil liberty groups, we heard from community safety partners and we heard from the opposition. Now is the time to act, and I urge all members in this House to support this important legislation.

The Acting Speaker (Mr. Ernie Hardeman): The member from Chatham–Kent–Essex.

Mr. Rick Nicholls: In my two minutes, I just want to share a few things when it comes to this particular bill that the minister has brought forward: Bill 35, the Security for Courts, Electricity Generating Facilities and Nuclear Facilities Act.

I have some concerns. I think a gentleman—his name was Tommy Douglas, if I recall—made a comment one time: He said, “The government, I submit, is using a sledgehammer to crack a peanut.” He made that famous statement after Prime Minister Pierre Trudeau invoked the War Measures Act in response to the October Crisis in 1970.

We see a lot of situations here—and this pertains to the G20. I fully respect the fact that we do need to have security measures. To the extent, perhaps, that the minister is suggesting in his deliberation—we question that to a degree. We will be supporting it anyway. We’ll help approve it through second reading.

But again, it’s just a huge, huge bill. Some of the measures—it’s repealing the Public Works Protection Act as one. There are also amendments to the Police Services Act. So there are a number of concerns that we do have within the bill. I know it has been brought forward and has fallen off the table a few times as well, but we’ll work hard to help get this bill passed through second reading and get it into committee, and we’ll see where it goes from there. It may come out with a few amendments as well, as they usually do.

The Acting Speaker (Mr. Ernie Hardeman): The member from Bramalea–Gore–Malton.

Mr. Jagmeet Singh: I want to raise a number of issues, and I’m glad that the minister has just spoken; I can respond to the minister. There are a number of issues with this bill, particularly when it comes to civil liberties. I ask the minister to just double-check with the civil liberties associations if they really are in line with it. The Canadian Civil Liberties Association has complained

about it and raised a number of serious issues with this bill, and those serious issues continue to persist.

In a free and democratic society, we want to ensure that courts are accessible, that they’re transparent, that people are willing and able to attend court. Currently, the provision that requires you to identify yourself to enter a courthouse—I attended courts regularly before when I was a defence lawyer. No one identified themselves. They would walk into a court. You’d walk through a metal detector. If there were any weapons or anything dangerous, they would be screened, and if there was nothing else, you went on your way. No one was asked to provide information to assess their risks. These are chilling. On the ability for people to enter a courthouse, these are barriers that discourage people from accessing the courts. This is not the right way to go.

1610

To further infringe on our constitutional rights to be free from arbitrary search and seizure, this bill says you can immediately search somebody or their car. Just because they are entering a courthouse, you can search their car—without any reasonable grounds, without any evidentiary basis for it. It also says you can search not only the car that they’re driving, but the car in which they are a passenger. Again, that is a serious infringement of civil liberties. There are no grounds provided for that.

I know the minister is a very reasonable individual. I’m hoping he’ll look at this. These are some serious areas.

There are some other things that are important. We absolutely support the repeal of the Public Works Protection Act. We need to repeal that. It is far too broad. But to replace it with something that is onerous, something that is denying civil liberties in a courthouse scenario, is not the right way to go. So I ask the government to certainly look at these serious problems with this bill.

The Acting Speaker (Mr. Ernie Hardeman): The Chair recognizes the member from Ottawa South.

Mr. John Fraser: I’m pleased to respond to my colleague the Minister of Community Safety and Correctional Services on Bill 35, the Security for Courts, Electricity Generating Facilities and Nuclear Facilities Act.

I think as legislators we understand that the most important role that we play is ensuring the safety and security of the people that we represent. I appreciate very much the comments from the member from Bramalea–Gore–Malton. We do have to strike a balance. That’s what we have done with this bill. I’m encouraged by the support from the member opposite as well.

We’re replacing a piece of legislation that was enacted in World War II, so it’s quite outdated. We had a report by the Ombudsman that made a suggestion to us that there were concerns that were raised because of what happened at the G20. We asked the Honourable Roy McMurtry, former chief justice, to review this, and he recommended that we replace the legislation. We listened to the Ombudsman. We listened to Justice McMurtry. So this new act is modern, transparent and focused on the

necessary security at our courthouses, our nuclear facilities and large electricity generating facilities.

This is the third time this legislation has been introduced. We do have a very large-scale event coming up in the next year in the Pan Am Games. I think that it's important that we move this legislation forward. It's important for the security and the safety of the people that we represent, and I encourage all members to support this bill to get it to second reading.

The Acting Speaker (Mr. Ernie Hardeman): Comments? The member from Elgin—Elgin—Middlesex—London.

Mr. Jeff Yurek: Thank you, Speaker. You should know that, since our ridings bump into each other. I'm glad to see you there in the chair today.

I'd just like to add a few comments to this bill and thank the House leader of the government side for giving his little deputation on the legislation.

I'm shocked by how this government hasn't time-allocated this bill yet. I'm sure that's in the works somehow. It seems that every bill we want to discuss in this Legislature is time-allocated—which totally takes away from the ability of members such as myself having time to actually debate the legislation and bring their points of view forward—through the insurance bill and any of the health bills that we've gone through. I commend you for not time-allocating this bill.

However, I'm sure when I sit down he'll have a time allocation motion coming forward to push this bill through quicker than possible. So I'm asking the government to bring democracy back to this Legislature. It really reflects upon what happened at the G20, where this government decided to use an archaic law and strip the powers from the people of this province to become a government abusing their power, per se, down at the G20 summit.

I'm glad they're looking at removing this bill. Because a bill that allows the government to take away the rights of the people of this province is dangerous for any government to hold, especially when this government is in power and does follow through with taking away people's rights. Just look at our windmill situation. Throughout rural Ontario, they come through and trample the rights of municipalities, no longer giving them the right to decide what they do with their own properties in their own municipalities. They just trample on their rights.

I'm glad they're making these changes because this government is out of control. It needs to rein in what it's doing and bring back democracy to the people of Ontario. Again, I look forward to the fact that we can actually have a bill that is not time-allocated. Hopefully, this continues for the rest of the session.

The Acting Speaker (Mr. Ernie Hardeman): The Minister of Community Safety and Correctional Services has two minutes to wrap up.

Hon. Yasir Naqvi: I want to thank the members from Chatham—Kent—Essex, Bramalea—Gore—Malton, Ottawa South and Elgin—Middlesex—London for their comments on my second reading leadoff.

Speaker, as I mentioned earlier, we are, through this bill, Bill 35, repealing a piece of legislation that is 75 years old, something that came about as a result of the Second World War—legislation which, listening to all the comments that I heard in the House, clearly everybody agrees is too broad in its scope—and replacing it with a modern, focused piece of legislation that ensures the security of our critical infrastructure, like our courthouses, like our electricity generating and nuclear facilities, but also ensuring the right balance in terms of public participation and civil liberties.

This bill is a result of some really thoughtful people, like Mr. McMurtry, who took his time on the advice of the government to review the old legislation, the Public Works Protection Act, and gave advice as to what a new, modern piece of legislation that protects our civil liberties and our critical infrastructure should look like. That is the work that is done here, not to mention reaching out to so many important partners within the community and working with them in crafting this bill.

That includes the opposition parties, as well, Speaker. As I mentioned, this bill has gone through over 19 hours of debate. It has gone through the entire committee process, so it's not like none of these issues have been addressed before. Sixteen amendments that were put forward by the opposition are now incorporated in this bill.

What we have in front of us, Speaker, is the bill that was passed through the committee and that we have brought forward to make sure we are all on the same page in terms of having a bill that reflects our values and ensures that Ontario is safe for all its citizens.

The Acting Speaker (Mr. Ernie Hardeman): Further debate?

Mr. Rick Nicholls: It's my pleasure to rise today and to add to the debate on Bill 35, Security for Courts, Electricity Generating Facilities and Nuclear Facilities Act. This actually is my first hour leadoff, Mr. Speaker. Normally, I would be in the Speaker's chair on Tuesday, but thankfully you have allowed me to deliver my remarks today, and I thank you for filling in for me. I appreciate that, Mr. Speaker.

To really get to the subject of the matter of today's Bill 35, we need to turn back the clock on various events that led us to this particular piece of legislation being debated and why it was made necessary.

The real issue is why the bill actually came into being in the first place. Bill 34 was originally introduced in 2012 due to the events that followed the McGuinty cabinet's decision prior to the 2010 G20 summit in Toronto to invoke regulation 233/10 under the Public Works Protection Act. This made the G20 zone a "public work" between June 21 and June 28. The media coverage leading up to the summit circulated around reports of police being granted special powers of arrest up to five metres on either side of the security fencing in the G20 zone.

I'll spend a few moments in my remarks a little bit later on describing in greater detail the events leading up to G20, the mistakes that were made, and, of course, the fallout of those decisions.

There was widespread confusion leading up to and during the G20 summit about exactly where the special powers of arrest applied amongst the public, police and in the media. It was only after the summit was over that the government publicly acknowledged that the police were never granted powers of arrest five metres outside of the area designated a public work under the regulation. Many felt that this suggested that the government had deliberately misled the public to bluff protesters from occupying the area surrounding the G20 security zone.

In December 2010, provincial Ombudsman André Marin said the “illegal” regulation resulted in a “massive” breach of civil rights.

In April 2010, an independent inquiry led by Ontario’s former Chief Justice Roy McMurtry also found the Public Works Protection Act to be “beyond troubling” and recommended that it be repealed. In 2014, the government is finally ready to repeal the act.

1620

The government’s first attempt at repealing the PWPA came back in February 2012. Several amendments at that time were made after the bill was reviewed by the Standing Committee on Justice Policy. The bill died on the order paper at third reading—with all-party support. Bill 34 was reintroduced as Bill 51 in April 2013, but died on the order paper at second reading when the election was called. There are no significant changes between last year’s Bill 51 and today’s Bill 35, just a small number of date changes and grammatical alterations.

Bill 35 seeks to repeal the Public Works Protection Act, a World War II-era measure to protect the province’s public works. It also seeks to clarify security measures dealing with courthouses, electricity generating facilities and nuclear facilities. These are all public works, in a sense, and to date are secured under the act.

Early in the 20th century, Ontario was a very different place. The province and our nation had to prepare for a wide variety of potential attacks on public infrastructure. Those were the days when strategies such as Defence Scheme No. 1 came to be. That was the famous Canadian plan for engagement should there be an American invasion. The Americans even had a plan of their own, entitled War Plan Red, created in 1930, to use in the event that war with Canada seemed imminent. It’s perhaps hard to imagine that countries that have grown so close would ever have needed to worry about the prospect of war. I know in my riding of Chatham–Kent–Essex, we truly value the relationship we share with our neighbours to the south. They are incredibly valued trade partners and, more importantly, they are our friends.

In the years leading up to when the Public Works Protection Act was drafted and eventually enacted, these sorts of concerns were very real for the governments of the day. Canada had recently joined the war efforts against Hitler’s Nazi regime. There was a legitimate concern for Nazi saboteurs targeting vital public works here in the province of Ontario. The Ontario of today is vastly different, and I’m sure you would agree, Mr. Speaker. But this was the reality of the day for the people of Ontario and the former members of this Legislature.

In his throne speech, Lieutenant Governor Albert Matthews outlined the extraordinary context in which the legislation was being passed:

“We meet today under circumstances of the utmost gravity. The possibility of war, in which we are now engaged, was fully realized and debated by you at the last session, when you passed unanimously a resolution calling, in such event, for the complete mobilization of all our resources.

“Legislation calculated to give effect to the determination then expressed will be immediately submitted to you. You will be asked to pass measures designed to increase agricultural and industrial production, and for the protection of our vital public works and services.”

Again, that was a throne speech given by Lieutenant Governor Albert Matthews back then.

The government had made it a priority to in fact protect our province’s vital public works in the face of an unprecedented global threat. Even though the world was at war and Canada had devoted itself to war efforts, there were several members of this House who were concerned that legislation might be going too far. A.W. Roebuck, a Liberal MPP and former Attorney General, cautioned the House against the dangers that the Public Works Protection Act could bring:

“In time of war, we must give up the individuality which is our pride and boast in peacetime. We must give up many of our comforts, much of our freedom and even life itself if need be. But one of our most prized institutions has always been the right of public assembly, and in considering this bill, we must be careful that we do not suppress that individual thought and criticism that is so necessary to our welfare.” Again, that was a quote given, in fact, by A. W. Roebuck, a former Liberal MPP and former Attorney General. He would not have been able to comprehend what the Liberals of 2010 were capable of.

The provincial government of the day had asked their federal counterparts to provide members of the Canadian military to guard public works, such as Ontario’s hydro-electric facilities, as it was a top priority to protect these public works from sabotage. The federal government refused, and the Public Works Protection Act was the provincial response.

For the record, Mr. Speaker, it was the Liberal Prime Minister William Lyon Mackenzie King who refused the province’s request. I want to make that perfectly clear, or else the government may try to blame Stephen Harper for all of this. That seems to be their response to everything. No matter the issue, the other side always seems to be able to pass the buck to the Prime Minister.

Interjections.

Mr. Rick Nicholls: I appreciate the fact that when you hit a hot button—we do get a reaction every once in a while, and that’s just fine.

Hon. Dipika Damerla: It’s an easy target.

Mr. Rick Nicholls: But you see, Mr. Speaker, that seems to be their response to everything. No matter the issue, the other side always seems to pass the buck to the Prime Minister.

But let's get back to the matter at hand. We'll get back to the matter at hand. We'll allow our friends in the government to calm down. Calm down; have a drink of water; breathe.

Effectively a wartime relic, the Public Works Protection Act was rarely, if ever, amended. In his landmark Report of the Review of the Public Works Protection Act, the Honourable Roy McMurtry provided a detailed history of the act. In the report, McMurtry stated, "As the PWPA was enacted in 1939 as an emergency wartime statute, it is perhaps not surprising that it is relied upon today in only limited circumstances. Prior to the G20, the PWPA had only been relied upon to conduct searches at courthouses, in the context of providing courthouse security." Again, that was a quote given by the Honourable Roy McMurtry. The report goes on to say that since 2001 Ontario Power Generation has used the Public Works Protection Act "to empower its guards" while securing "its nuclear and non-nuclear power generating facilities." The history of protecting our electricity generating facilities and nuclear plants should be noted. It is incredibly important to safeguard these structures.

We talk about structures, and I refer back to my particular riding of Chatham–Kent–Essex, and of course, last week I actually posed a question in this House regarding shrapnel that actually had flown from one of the blades of an industrial wind turbine. That, in itself, is extremely dangerous. You never know where it's going to land; you don't know when it's going to happen. But we need to have safeguards in place. So I just thought I would mention that aspect. You can be sure that if something blew off a nuclear plant and landed several hundred feet away, people would be concerned. The government would be on it like a loose mule in a corn patch—I didn't write that.

So you wonder why there isn't that same sense of urgency for this issue. But to be fair, the Minister of—

Ms. Ann Hoggarth: That was someone else?

Mr. Rick Nicholls: Yes, but I like the quote. It was great. It was a great little story: a loose mule in a corn patch, my goodness' sakes.

But we need to have that sense of urgency. To be fair, the Minister of Energy has said that he'll be looking into the matter, and I believe that it will in fact be looked into.

In addition to protecting our courthouses, the protection of utilities, such as power generating stations, is a legitimate use of the broad-sweeping act. But what happens when the broad powers of the Public Works Protection Act are abused by a reckless government keen on suppressing free speech?

This brings us back to the summer of 2010. It was announced by Prime Minister Stephen Harper that Huntsville would host the G8 summit from June 25 to June 26 and that Toronto would hold the G20 summit from June 26 to June 27. It was then confirmed that the G20 summit would be held at the Metro Toronto Convention Centre.

1630

For the G8 summit in Huntsville, the OPP was the local police service with jurisdiction. The G8 summit

took place without major incident. In committee hearings for Bill 34, the original version of the bill we are debating today, OPP Deputy Commissioner Larry Beechey noted, "The Ontario Provincial Police did not request or utilize the designation of the Public Works Protection Act for its policing role in the G8 summit."

It was a different story here in Toronto. At the time, the minister responsible and many other members of cabinet stated that they were simply acting on the demands of the Toronto police. In a letter to the Minister of Community Safety and Correctional Services—former MPP Rick Bartolucci—dated back on May 23, 2010, Toronto Police Chief Bill Blair did indeed ask for additional powers under the Public Works Protection Act, but I want to clarify specifically what was asked for. Here is what he asked for, and this is a quote from Toronto Police Chief Bill Blair: "[W]e request the Lieutenant Governor in Council to designate the area of, or highways within, the intended security perimeter as a public work for the period of June 21, 2010, through the end of the summit on June 27, 2010."

You can understand why the Toronto chief of police would make such a demand. In the run-up to the G20, global leaders had been subject to terrorist threats. In 2005, on the second day of the G8 summit in London, suicide bombers killed more than 50 people on the subway and on a bus. There are legitimate security concerns, and if I was a police officer, I would hope that proper security protocols were put in place for such an event.

At no point did Toronto's chief of police ask the government to hide the passage of regulation 233/10—

Interjections.

The Acting Speaker (Mr. Ted Arnott): There are a number of audible conversations taking place right over here, and I'd have to ask the members to quiet down so that I can hear the member from Chatham–Kent–Essex, if they would, please.

Mr. Rick Nicholls: So, again, at no point did Toronto's chief of police ask the government to hide the passage of regulation 233/10, nor did Toronto police advise the government to keep the revelation from the Legislature, which was sitting at the time.

On June 3, 2010, regulation 233/10 was issued under the Public Works Protection Act. The regulation had the effect of designating areas of the downtown core that were not already designated as public works. The regulation was passed in secret, without being brought to the House. Now, remember, this act was originally brought into effect—I'm talking way back—to protect Ontario from Nazi saboteurs at the onset of World War II, yet it was recklessly used by the Liberals in 2010 during peacetime.

The act's key provision in section 3, which states that a guard appointed under the act or a peace officer may "require any person entering or attempting to enter any public work or any approach thereto to furnish his or her name and address, to identify himself or herself and to state the purpose for which he or she desires to enter the public work."

In addition to these identification requirements, section 3 permits a warrantless search of any person entering or attempting to enter a public work, as well as any vehicle which is suspected of having been in the charge or under the control of any such person.

Now, the definition of “public work” in section 1 of the act is very broad and includes any railway, canal, highway, bridge, power works and any provincial and any municipal public building. It also includes other building, place or work designated as a public work. This is what allowed a large area of downtown Toronto to be designated as public work back at that time.

If there’s a refusal to comply with a direction made under the act, that person may be subject to a fine of up to \$500 and an imprisonment of up to two months. This is the section of the act that gave police the ability to detain people without a crime taking place.

Surely a government using such a powerful tool that effectively strips away the rights of citizens would find it necessary to inform the public about it, but sadly, this wasn’t the case.

A *Globe and Mail* article from last June described how the government made no attempt to clarify the application of the law to police, which led to historic mass arrests:

“Police, however, misinterpreted the law to mean that they could stop, search and arrest anyone who came within five metres of the outside of the fence. Officers even cited the law blocks away from the summit site as justification for arbitrarily detaining and searching people. The province allowed this misunderstanding to continue throughout the summit, which saw the largest mass arrests in Canadian history.”

This is an absolutely shocking fact, Mr. Speaker: The largest mass arrests in Canadian history occurred in peacetime under the Liberal government. This is something that should be common knowledge among the people of Ontario.

To reiterate another point from the *Globe and Mail* article, the province allowed this misunderstanding to continue. The provincial government decided to protect itself instead of the people of this province. Instead of admitting what they have done—gee, what a novel idea: admitting what you’ve done—the Liberals stayed quiet and allowed innocent people to be detained like criminals in excess of 24 hours.

Instead of doing the right thing and informing police of exactly which areas were covered by the regulations, they let the front-line officers take the brunt of public backlash. Our front-line officers work tirelessly to protect the people of Ontario, and they should be protected by their government. They should not be left to take the fall for the errors of this government.

You can certainly guess what happened when the province changed the law without proper public consultation or notice. There is a pattern there, Speaker. There was mass confusion amongst the general population, even among the police officers. When it was all said and done, more than 1,000 people were detained over the

summit weekend in what is considered the largest mass arrest in Canada’s peacetime history. Several hundred of those detained were released without any charges being laid against them. But keep in mind that the Liberal government was directly responsible for this historic event as they changed the rules of the game without any public scrutiny.

This breach of liberties was criticized heavily by many, including judges, human rights lawyers, professors, journalists and Ontario’s Ombudsman, André Marin. The Ombudsman described the powder keg that the government’s secrecy and total lack of transparency caused. I feel that the most powerful words came from Ontario’s Ombudsman himself. While the government may casually dismiss the concerns of the opposition as partisan, the Ombudsman had no partisan agenda. He’s an impartial and tenacious watchdog whose primary concern is protecting the people of Ontario. In his report, titled *Caught in the Act*, Ombudsman André Marin had the following to say:

“Regulation 233/10, passed to enhance security during the G20 summit, should never have been enacted. It was likely unconstitutional. The effect of regulation 233/10, now expired, was to infringe on freedom of expression in ways that do not seem justifiable in a free and democratic society. Specifically, the passage of the regulation triggered the extravagant police authority found in the Public Works Protection Act, including the power to arbitrarily arrest and detain people and to engage in unreasonable searches and seizures. Even apart from the Charter of Rights and Freedoms, the legality of regulation 233/10 is doubtful. The Public Works Protection Act under which it was proclaimed authorizes regulations to be created to protect infrastructure, not to provide security to people during events. Regulation 233/10 was therefore probably invalid for having exceeded the authority of the enactment under which it was passed. These problems should have been apparent, and given the tremendous power regulation 233/10 conferred on the police, sober and considered reflection should have been given to whether it was appropriate to arm officers with such authority. This was not done. The decision of the Ministry of Community Safety and Correctional Services, who sponsored the regulation, was unreasonable.”

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That, Speaker, was a quote again. I reference Ontario’s Ombudsman, André Marin. That was his quote.

There are a few points made here by the Ombudsman that are worth repeating. This likely unconstitutional regulation should never have happened. The problems found in passing the regulation should have been apparent. Sober and considered reflection should have been given. On all of these basic aspects of good governance, this provincial government received a failing grade.

The Ombudsman goes on to say—

Interjections.

Mr. Rick Nicholls: Well, you know what? There are rewrites, and you might get a chance to maybe make it better at some point in time.

The Ombudsman goes on to say in the report that even setting aside the obvious constitutional challenges that such a reckless regulation would bring, the passage of the regulation itself was poorly handled.

“Perversely, by changing the rules of the game without real notice, regulation 233/10 acted as a trap for the responsible—those who took the time to educate themselves about police powers before setting out to express legitimate political dissent.”

In the run-up to G20, many brushed up on police powers and civil freedoms, to ensure that they would not be breaking any laws and also to be aware of what police could and could not reasonably—emphasis on “reasonably”—ask for. Those who tried to do the right thing were punished by the government and set up in a “trap,” to use the Ombudsman’s wording.

By keeping the enactment of regulation 233/10 well under wraps, the public had no way of knowing that the rules of the game had in fact changed and that their everyday rights had been restricted.

Each and every Ontarian should read the Ombudsman’s report *Caught in the Act*. I know there’s a lot of talk about changing curriculums, but perhaps this report can be added to Ontario’s civics classes or history classes.

The decision that was made in the backrooms of power by the Liberal government is the type of decision that puts the very fabric of our institutions at stake. The Premier made it a special point to mention protecting the social fabric of Ontario during the election campaign, but the actions of the Liberal government in 2010 represent an unraveling of our free society.

By invoking these regulations in the Public Works Protection Act—a wartime relic, by the way—in peacetime, the government effectively declared war on its own people. It was shameful abuse of a law designed to protect the people and public works of this province in a time where the world was at war, not to stifle legitimate expression of dissent in times of peace.

And all this occurred without proper public scrutiny. There was no proper notice, no consultation and no legislative debate. Thankfully, the people of Ontario were able to get answers in the form of the Ombudsman’s report and the McMurtry report.

In his report, Justice McMurtry described the failure of the government to give sufficient public notice. He goes on to say, “I have concerns whether adequate notice was given to the public, especially in light of the fact that the regulation was not published in the Ontario Gazette until it had already”—already—“been revoked.”

This lack of adequate public notice puts both citizens and front-line police officers directly in harm’s way.

Nathalie Des Rosiers, general counsel for the Canadian Civil Liberties Association, stated at the time of the report’s release, “By using, cleverly, a piece of legislation which is obscure and outdated, I think it created significant misunderstanding and undermined the public’s ability to obey the law.”

Simply put, Speaker, it’s ridiculous to expect people to obey a law that they have no idea exists. Even the law-makers of this province in opposition weren’t aware of the existence of this regulation.

In a legal analysis of the Public Works Protection Act, McMurtry argued that “vague laws” undermine “two fundamental values of our legal system. Firstly, individuals are not provided with sufficient guidance as to what behaviour a law prohibits.” This is incredibly important. The lack of public awareness of the legal changes led to what was referred to by the Ombudsman as a “trap.” The report goes on to say, “Secondly, those in charge of enforcing the law are not provided with clear guidance as to how to enforce it. A vague law can lead to inconsistent and arbitrary enforcement.”

This is exactly what happened in June 2010, Mr. Speaker. The public was unclear on what their basic rights and freedoms were. In their eyes, and under the normal protection of the Canadian Charter of Rights and Freedoms, peaceful protesters were committing no crime as they exhibited their lawful right of assembly. Police officers, not having been given clear guidance on how to enforce regulation 233/10, were left on their own by the province to arbitrarily apply it. This led to increased tensions between officers and protesters.

I would say that this lack of public clarity puts officers at risk. To this day, officers of the Toronto Police Service have to deal with the baggage of G20. They have incredibly difficult jobs: to preserve and protect the security of every citizen of our nation’s largest city while also trying to keep themselves safe so they can go home to their families at the end of the day. We owe it to them to make sure legislation makes their jobs easier instead of secretly passing regulations that put them in harm’s way.

In the conclusion of the report, Justice McMurtry quoted the late Justice Jackson of the United States Supreme Court: “Justice Jackson ... stated that every emergency power, once conferred, ‘lies about like a loaded weapon ready for the hand of any authority that can bring forward a plausible claim of an urgent need.’” Indeed, it is a balance between the security of the public and preserving our fundamental rights and freedoms that all governments should strive for.

McMurtry goes on to say “that we live in difficult times with constant threats both domestically and from abroad. The police clearly need to be given adequate powers to carry out their duties. The police use their expertise on a daily basis to assess the powers they require. In instances when they take action that exceeds their powers, their actions are examined by various mandated bodies. This process, I believe, results in the proper balance between police powers and individual rights and freedoms. Therefore, any legislation that purports to grant special police powers must be specific and direct and developed in consultation with stakeholders and tested through thorough debate in our transparent democratic system.”

Compare this ideal process of open and transparent government to the way the Liberals acted in 2010. There

was no involvement of relevant stakeholders, no opportunity for them to provide meaningful input before regulation 233/10 was passed; it was not presented to this Legislature and there was no debate in our transparent democratic system. Instead, the government worked behind closed doors and irresponsibly allowed the regulation to fly under the radar.

Critics of the outdated Public Works Protection Act have also pointed out that since highways are public works, police would technically be allowed to conduct a warrantless search of any individual who enters any public highway here in the province of Ontario under the statute. Mr. Speaker, thankfully, the police officers across our great province have exercised some discretion and have not used this interpretation of the legislation.

Our officers do great work here in Ontario and we are grateful for what they do. But having outdated laws on the books that deal in such broad strokes is worrisome. This sort of example, while thankfully hypothetical, speaks to the need to repeal such horribly outdated legislation and replace it with laws that are more appropriate for the modern day. We need to ensure that laws are appropriate for current times and benefit citizens, instead of leaving them vulnerable to having their rights stripped away with minimal scrutiny.

1650

I and many Ontarians are pleased to see that this government is seeking once again to repeal this outdated legislation that they exploited only just a few years ago. As we have seen, old and publicly overlooked legislation can be used as a tool by governments looking to suppress their people in an effort to take away their ability, their fundamental right, to speak out against it.

The ramifications of the government's decision to suspend civil liberties and freedoms continue to be felt even now, several years after the fact. In a unanimous ruling over the summer, the three judges of the Divisional Court overturned a lower court decision that refused to allow the hundreds of Torontonians who were detained in the mass arrests during the G20 summit:

"If the appellant's central allegation is proven, the conduct of the police violated a basic tenet of how police in a free and democratic society are expected to conduct themselves. Their actions, if proven, constitute an egregious breach of the individual liberty interests of ordinary citizens."

The panel went on to say that "it is not hyperbole to see it as being akin to one of the hallmarks of a police state." A panel of judges described the actions of this government as being akin to the "hallmarks of a police state."

Everyone in this chamber has a tremendous amount of respect for our judges as fair and impartial arbiters, but surely they would never use a term lightly and would never evoke the words "police state" unless the government's actions were enough to warrant it.

One class action lawsuit is spearheaded by office administrator Sherry Good, who is representing the 900 people who claim that they were wrongfully detained,

including those "kettled" at the intersection of Queen and Spadina. A second class action suit is led by Thomas Taylor on behalf of over 800 people who were detained in a makeshift holding facility on Eastern Avenue. He described the harrowing situation in a press release: "Many were held for 24 hours or more in overcrowded wire cages and in freezing temperatures without enough food or water. All of this just because we exercised our right to speak freely. Most Canadians that I have spoken with cannot believe that this happened here. It should not be allowed to happen again."

Indeed, the suspension of basic rights and freedoms that outline our entire system of justice and governance—that should never be allowed again. As noted by the member for Renfrew–Nipissing–Pembroke, who was the critic back when the original version of this bill was debated a few years ago, cabinet was at the table for the passing of the regulation. Also at the table were Liberal members from Peterborough, Ottawa Centre, Ottawa–Orléans, Mississauga–Streetsville, Willowdale, the former member from Bramalea–Gore–Malton, Ajax–Pickering, and the former member for Algoma–Manitoulin. They have since lost a couple of those seats, perhaps in part for their collective silence on this secret regulation.

The cabinet and several additional members of the government were present when the G20 law was stamped in secret. Surely one of these members would have been at least somewhat concerned about the serious restriction of civil liberties that the regulation levied onto the people of this province that they are charged to serve. The House was sitting at the time, yet the matter was never brought up.

On November 1, 2010, the Minister of Community Safety and Correctional Services responded to the universal criticism of the scandal, agreeing that "the ministry could have, and should have, handled the enactment of regulation 233/10 better." You don't say.

The minister went on to note that in the future, the government "would take greater care to ensure that the Ontario public is given more adequate notice of regulation changes of this nature"—more adequate notice in the sense that they would be given any notice at all. Indeed, the people of Ontario should be made aware of the arbitrary suspension of their rights. The fact that this government was able to pass such a restrictive regulation without any public scrutiny should be a sobering reminder of what misguided governments are capable of. This is effectively the largest systematic violation of sections 7, 8, 9 and 10 of the Canadian Charter of Rights and Freedoms that has ever occurred in our great country's history.

Many Torontonians were shocked to learn that they were required to present identification in the downtown core blocks away from the secure G20 zone. However, switching gears, many expect and accept the fact that they could be searched or asked to present identification when entering a building like a courthouse.

The Ontario Court of Appeal's decision in 2005 is the leading decision dealing with the subject of security

screening when entering a building such as a courthouse. In this case, a woman was found to be in possession of marijuana when she was searched entering the John Sopinka Courthouse in Hamilton. In her ruling, Madam Justice Esther Rosenberg concluded that this particular search was indeed constitutional. I will now read from a particularly pertinent section of the decision, and I quote what Madam Justice Rosenberg had to say:

“First, courthouse searches like the one carried out in this case are not conducted for the purpose of criminal investigation. The state and the individual are not antagonists in the same way that they are in a criminal investigation. The search is not conducted for the purpose of enforcing the criminal law or investigating a criminal offence.

“Second, even if the person has a reasonable expectation of privacy in their personal belongings when entering a courthouse, that expectation is considerably diminished. Prominent signs warn everyone that they will be subjected to a security search and that they are not permitted to bring weapons or dangerous items into the courthouse. Regrettably, in this day and age, people expect that they will be subject to some kind of security screening when entering prominent public buildings such as courthouses or the Legislature.”

This is a reality that we all understand all too well. Members and visitors of this Legislature are reminded daily of the security presence in this building. Anyone who enters the building is asked to verify their identification or state their name and reason for coming to Queen’s Park. Visitors wishing to watch question period or even those who may be interested in watching daily proceedings or the debate of bills like this one have to empty their pockets and pass through a metal detector.

I would say that, all in all, people are accepting of these types of searches and requirements to provide identification in a place such as a Legislature or courthouse. Over the years that I’ve had the privilege to serve the people of Chatham–Kent–Essex as their representative in this place, I’ve had the honour of hosting numerous guests from my riding. They’ve all had the pleasure of meeting our security staff here, and they were all handled respectfully. Those guests who have decided to observe question period or perhaps I should say experience question period—

Hon. James J. Bradley: Yes, that’s better.

Mr. Arthur Potts: It is an experience.

Mr. Rick Nicholls: It is, because it really and truly is an experience. You’re absolutely right. Oftentimes they will sit in the members’ gallery—and I’ve seen them go through the metal detectors myself. Each time the searches were reasonable. As Justice Rosenberg pointed out, these searches are not conducted for the purpose of enforcing criminal law or investigating a criminal offence; they’re conducted to protect the members of this Legislature. The countless staff who work here every day and visitors themselves are all benefactors of this practice in the sense that they all enjoy a safe environment here at Queen’s Park.

It’s definitely a balancing act for security here. We want this place to be open and available to the public, but we are ultimately responsible for their safety. I feel, and I’m sure that this feeling would be held by every member in this House, that legislative security does a fine job of allowing the public to visit and utilize this place while simultaneously keeping us all safe.

We were all shaken by the tragedy that recently occurred in Ottawa. We all understand the need to keep our institutions, whether it’s a Legislature or a courtroom, safe. The Supreme Court of Canada has held that, “A search is reasonable if it is authorized by law, if the law itself is reasonable and if the manner in which the search was carried out is reasonable.”

1700

By the measures set out here by the Supreme Court, it is clear that regulation 233/10 wasn’t worth the paper it was written on. But it did come with a very real cost for hundreds who were detained during the G20 protests.

Bill 34 of 2012 was the Liberal government’s first attempt to make amends after they oversaw the largest mass arrests in Canadian history. While it incorporated many of the recommendations of the McMurry report, Bill 34 received plenty of criticism from expert stakeholder groups. The Criminal Lawyers’ Association was concerned that there was no exception in the legislation for counsel. This concern was shared by the County and District Law Presidents’ Association, and the Ontario Bar Association also made similar calls for a streamlined entry process for lawyers.

Our court system is heavily bogged down as it is, as I’m sure the government is well aware. While we need to protect our courtrooms and keep them safe, we must also keep them accessible and avoid overly restrictive policies that cause delays in the system. I’m glad to see that the government took these critiques into consideration when drafting Bill 51 and subsequently Bill 35.

As I have mentioned, there were a considerable number of concerns that stakeholders had with Bill 34. Our party carefully considered the recommendations of experts and concerned associations and introduced several amendments to strengthen the bill.

The following PC motions were carried at standing committee and incorporated into Bill 34, now Bill 35, and I’m very pleased to relate a few of those.

Schedule 3, Security for Electricity Generating Facilities and Nuclear Facilities Act, 2012:

—add a definition of “premises where a restricted access facility is located” that would include any real property, including buildings and structures on that property that are under direct control of its operator;

—change the power of security personnel to “request” that an individual produce identification, information, or submit to a search to “require.” This language is more consistent with the powers of court security personnel under schedule 2;

—remove the requirement for a person to consent to a search of the person, his or her vehicle, or property;

—clarify that only vehicles located on the premises could in fact be searched. We also, in our amendments,

were much appreciative of the fact that the government also said that yes, okay, let's add 'found on' to the arrest and offences provisions to make it an offence to be found on prohibited areas on the premises;

—add new arrest and offence provisions in relation to any person who obstructs or interferes with a peace officer in the exercise of the powers conferred by the act;

—strike out the regulation-making authority to clarify the extent of any premises where a particular restricted access facility is located.

Now, Speaker, these changes were all adopted and put into the reintroduced Bill 51 of the last session earlier this year. But it died on the order paper with the election. So here we are with Bill 35 before us. It's an attempt by the government to rectify a problem that should have never happened. Yes, this bill addresses many of the recommendations of the McMurtry report, and yes, this bill addresses several of the concerns of the Ombudsman's damning report. But what it doesn't do is offer any sort of penalty. The minister responsible for, as the Ombudsman described the ordeal, the largest violation of Canadian rights in the Charter era, did not receive any punishment. The cabinet and the hangers-on who sat around the table, knowing full well the gravity of the decision that was being secretly made, made a clear and deliberate choice. They could have stood up for the civil liberties of the people of Ontario. They could have followed their hearts instead of their political marching orders. But they didn't. And in the days that followed they could have informed the public of what happened. They could have gone to the press to clear the whole mess up. But they didn't.

I have a saying, Speaker. It's this: If "ifs" and "buts" were candies and nuts, we'd all have a Merry Christmas.

There were a lot of things they could have done but they didn't do. So when it came time for them to choose whether to serve the needs of their party or the needs of the people, they kept their own constituents in the dark.

I'd like to spend the next few minutes breaking down the bill before us today. Given that we've reviewed the history that led us to this moment, we can now begin to discuss this bill on its own merits.

Schedule 1 of Bill 35 seeks to repeal the Public Works Protection Act. The schedule comes into force on a day to be named by proclamation of the Lieutenant Governor. As noted by Justice McMurtry, the overly broad and vague language of the PWPA does not strike the required balance with individual rights and freedoms.

We certainly hope that there's no funny business between the eventual passage of this bill and the day that the PWPA is repealed. Hopefully the government won't be tempted to pass any secret regulations for old times' sake. I fully support this element of the bill, and I would imagine that most of the members in this Legislature from all parties would support that element. The Public Works Protection Act is an archaic war measure that has no place in modern-day Ontario.

Schedule 2, the amendments to the Police Services Act: This amends the Police Services Act of 1990 to

address court security. The proposed changes would in fact ensure that court security guards would have the powers to require all those entering a courthouse to show identification, to provide a reason for being there, subject themselves to a search and, if deemed necessary, allow security officers to search the vehicle they arrived in without a warrant. Anyone refusing to identify themselves or failing to leave on demand could face fines of up to \$2,000 or imprisonment for up to 60 days.

Many are concerned with the vehicle search portion of this bill. Some have questioned, for example: If you parked your car a couple of blocks away from the courthouse, could your car be subjected to a warrantless search? Well, I look forward to hearing from concerned stakeholders regarding this section of the bill, as courtroom security was the most contentious element of prior legislation. I'm sure that some of my colleagues will have some specific concerns from their own communities as the courts of this province come in a wide variety of shapes and sizes.

Schedule 3 enacts the Security for Electricity Generating Facilities and Nuclear Facilities Act, 2014. This provides for the appointment of security personnel as peace officers and sets out security regulations for electricity generating and nuclear facilities that are similar to those set out above for courthouses.

Firstly, it gives security personnel at these facilities the power to require a person who wishes to enter the premises or who is on the premises (1) to produce identification, and (2) to provide information for the purpose of assessing whether that person poses a security risk. Further, it gives security personnel the authority to search without warrant:

(1) a person who wishes to enter the premises or who is on the premises;

(2) any vehicle that the person is driving or in which the person is a passenger while the person is on, entering or attempting to enter the premises; and

(3) any property in the custody or care of that person.

Again, Mr. Speaker, the schedule itself acts on the recommendations of the McMurtry report.

In the report, it is recommended that "if the PWPA is to be repealed, it is imperative that those who secure our nuclear and power generating facilities be given the requisite specific legislative powers to do so."

I also found some of the regulations within this bill to be particularly noteworthy.

Regulation (g) allows the Lieutenant Governor in Council the ability to make regulations "providing for oversight of persons appointed under section 2, including, for example, providing processes for making and addressing complaints, reviewing actions and decisions, and conducting inspections and investigations."

Cabinet is allowed, under this regulation, to provide oversight of persons appointed under the act to provide security services. Oversight is usually not this government's strong suit, as we've seen from time to time. The Ornge air ambulance scandal was not the result of effective oversight. EHealth's total failure is not the

result of effective oversight. The government is constantly surprised by the actions of people they are responsible for overseeing. One would hope that the government provides meaningful oversight in this case.

I'm also a little bit concerned that it will be this government's cabinet that will be providing processes for making and addressing complaints. Over the past few years, we have seen a government that will do whatever it takes to minimize issues and keep important details from the public's scrutiny. This is the same government that is calling on the justice committee to write a report on the unprecedented gas plant scandal, which saw over \$1 billion of public funds squandered, without the testimony of key witnesses directly related to the illegal deletion of documents.

1710

The cabinet of this government will be in charge of laying the groundwork for conducting inspections and investigations of individuals covered under this act. One can only begin to imagine what processes this cabinet could dream up.

In conclusion, Mr. Speaker, I see that the time is winding down on my hour, and I'd like to transition to some closing thoughts on the matter. I said this earlier today, but it's worth repeating, in the words of Tommy Douglas, "The government, I submit, is using a sledgehammer to crack a peanut." He made that famous statement after Prime Minister Pierre Trudeau invoked the War Measures Act in response to the October crisis in 1970. There seems to be a trend of Liberal leaders invoking over-reaching, broad-strokes legislation that severely restricts the rights of Canadian citizens. While Tommy Douglas wasn't with us in 2010, his comment is just as applicable when assessing this case.

The Liberal government's legacy will be forever linked to incidents such as the G20 scandal and the secret passage of regulation 233/10. This directly resulted in the largest mass arrests in Canada's history. You can certainly understand why they want to quietly repeal the legislation that they so recently used as a tool against their own people. People should know that many members of cabinet, including the current Premier, sat on their hands and said nothing to stop the greatest restriction of individual rights and freedoms that our country has ever seen. No amount of positive legislation will change that fact. It is my sincere hope, Mr. Speaker, that such a violation of individual rights and freedoms never again—never again—occurs in this great province.

The abuse of power of this government, including the silence of several members who are still a part of this government, should never happen again. The debacle of the G20 arrests and regulation 233/10 left a stain on this city and province. The actions of this government have been described as akin to a police state. The civil liberties and freedoms that generations of soldiers have fought and died for were taken away in the name of political expediency.

Bill 35 offers us a chance to prevent such an injustice from occurring again. At the very least, it will prevent

abuses through the Public Works Protection Act, which will thankfully be repealed.

Bill 35 is straightforward. It addresses the concerns of former Chief Justice Roy McMurtry, who called for the repeal of the Public Works Protection Act in the months following the G20 scandal. It also seeks to put in place specific legislation dealing with the security at our province's courthouses, electricity generating facilities and nuclear facilities that are currently protected under the broad scope of the Public Works Protection Act. This is how these sorts of matters should be handled, with specific legislation instead of through laws that are far too broad in their scope and leave the door open for abuse by irresponsible government down the road.

This legislation removes the minister's discretion to grant special powers of arrest, powers which this government clearly abused. However, this bill does not address the profound lack of judgment that was demonstrated by the McGuinty cabinet and by several additional members who were at the table. During and in the wake of the G20 summit, they lacked a basic dedication to protecting fundamental rights and freedoms that should be held sacred by each member of this Legislature.

With the millions of dollars in cuts already planned in education, in addition to the cuts or tax hikes that will come if this government is even going to have a hope of balancing the budget in the next few years, there will be plenty of protests happening here at Queen's Park. Thanks to the actions of this government in 2010, people who assembled on the south lawn of Queen's Park were forcibly removed. I can only hope that this government is more tolerant of dissenting voices than they were only a few short years ago.

To the members of the government who were around and said nothing to protect the rights and freedoms of Ontarians, I sincerely hope that you have had a change of heart since 2010. To the new members of this Legislature, especially on the government side, let this historic example of abuse of power speak to the importance of proper notice, consultation and legislated debate. Surely regulation 233/10 would never have passed if members of this House were made aware of it.

I offer my support to Bill 35 at second reading. It is, in fact, my pleasure to do so. But do you want to know something? It is with a heavy heart that I acknowledge exactly why this is necessary in the first place.

Ms. Ann Hoggarth: Mike Harris had snipers on the roof for the teachers.

Mr. Rick Nicholls: Mr. Speaker, I appreciate the opportunity. I believe it's a sincere privilege to address the people in this House. I find it a little bit disconcerting, though, when I hear members of the government going back 15, 20 years ago and so on and relating to things. Let's get relevant. We need to get relevant now and talk to the way it is now, not the way it was. You know you've made mistakes in the past before.

Interjections.

Mr. Rick Nicholls: Hey, to err is human; we get that. But you know what? You need to maybe put a button on it, if you know what I mean.

Mr. Speaker, thank you very much for the opportunity. If need be, if the buttons don't work, I'll get my sewing kit and sew it up.

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

Mr. Percy Hatfield: It's a pleasure to rise in the House and comment on that most riveting hour-long presentation by the member from Chatham-Kent-Essex, but I particularly liked how he was quoting Tommy Douglas. I really got a thrill out of that because, as we all know in this House, Tommy Douglas was declared the greatest Canadian, going back few years ago, on the Canadian Broadcasting Corp. But we're walking in Tommy's shoes over here. We haven't lost sight of the journey that Tommy Douglas was on, and when we hear members of the Conservative Party quote Tommy Douglas, I think we've come a long way.

I want to give you a quote from Tommy. Tommy Douglas said, "The greatest way to defend" democracy "is to make it work.

"Unless democracy can give people full stomachs, clothing to wear, decent houses to live in, educational opportunities, security in their old age, health services for themselves and their families when they need it—unless democracy can do that, democracy will have failed.

"It's your job and mine to make democracy work."

That's Tommy Douglas.

When I hear the member opposite talk about some of the things that we may be facing in this bill, such as, if I give my friend Mike a ride to the courthouse and I leave or I go to Tim Hortons to wait for him, and if something happens with Mike in the courthouse and they come after me because I drove him there, and they don't need a warrant to search my car, that's not democracy. This bill needs to be fixed. This bill is almost there, but it needs amendments; it needs to be fixed. I certainly hope that when it gets to committee, you'll finally listen to the democratic voice on this side of the House: the Tommy Douglas voice.

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

Hon. Glen R. Murray: I always love these debates when everything is very black and white and there's the black hats and the white hats, and Tommy Douglas is a saint and Pierre Trudeau is evil and dah dah dah dah dah.

I lived through the War Measures Act in Quebec. I also saw Pierre Laporte kidnapped and assassinated, and fires and explosions going off at mailboxes in my neighbourhood that killed people. There was a reaction there that was easy for some people to freeload on because we were in a state of complete insurrection. It's easy to look at these things through the rear-view mirror, Mr. Speaker, and I think we need a bit more balance.

1720

Had Barack Obama been shot when he was here in Toronto, we would be having a different conversation here. I have to tell you, having hosted an international conversation, how the federal government picked downtown Toronto for the G20—where you've got more

pipes, more passageways, more tunnels and more windows to shoot people from than anywhere else—it was insane. I was mayor of a city that hosted the Pan Am Games. There was not one security threshold that we would have allowed. You had to do it. Mayor Miller suggested you do it over at the—

Mr. Arthur Potts: The CNE.

Hon. Glen R. Murray: —at the CNE grounds, which were surrounded by water. This was insanity by Mr. Harper. It was the stupidest thing, and it left the city of Toronto, the mayor of Toronto and us with an unmanageable security risk. So if you want to blame someone, blame the feds. The final thing—

Interjections.

Hon. Glen R. Murray: I'm not saying this because—

Ms. Lisa M. Thompson: You always find someone to blame.

Hon. Glen R. Murray: No. You talk to any security expert who will back up that decision—I don't care; from the most card-carrying Republican or a CIA agent, no one supported it.

The other thing is, what I and Bob Rae did—and what we should do—is get intervener status back so we can take the federal government to court, because what we tried to do after was sue the federal government for this horrible thing, under the Charter of Rights and Freedoms, which the Conservatives took away. We need to restore that so we can restore democracy here.

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

Ms. Lisa M. Thompson: It's my pleasure to join this debate and salute the member, my colleague from Chatham-Kent, because—

Mr. Robert Bailey: Chatham-Kent-Essex.

Ms. Lisa M. Thompson: And Essex. How could I forget Essex?

He talked about violation of rights and freedoms. The bottom line to all of this: When you violate rights, when you violate freedoms, when you have a lack of proper notice and consultation, it leads to mistrust. That's what we really have to focus on here. You can never legislate trust, and time and time again, this government is causing every sector in Ontario to mistrust them in terms of their actions and their intent.

We talk about democracy. It's interesting: I can't help but think of an announcement that was made today. The Minister of the Environment came out with an announcement today that actually was found to be very, very disappointing by a number of farm organizations in Ontario. It exercises the lack of trust that this government has in its farming organizations. It's disappointing, because the reality is, bee mortality has decreased 70%, and that is based on a report from Health Canada that was released today. It makes one suspect the announcement this morning, because when you talk to farm organizations, they thought they were working alongside this government, only to have the rug pulled out from under them. They're very, very disappointed with the announcement that this Minister of the Environment made

that was endorsed by the Minister of Agriculture, Food and Rural Affairs.

You know what? This government, time and again, does not respect democracy.

The Acting Speaker (Mr. Ted Arnott): One last question or comment.

Mr. Michael Mantha: I sat here and listened very closely to my friend from Chatham–Kent–Essex, and a lot of the comments that he was making actually resonated with me.

The one thing we have to remember is that we had well over 1,000 people who were rounded up and held without any identified charges. Their rights were infringed upon. They didn't know why they were being held, why they were being rounded up. We had the application of this Public Works Protection Act. This is the process that we're taking in order to correct some of those measures. That's a good step in the right direction; nobody is disputing that fact. But those individuals, those 1,000 people—never do we want to see another 1,000 people affected that way—were denied their rights. They were denied their opportunity for a proper explanation as to why they were incarcerated the way they were. We have to learn from those mistakes.

We also have to make sure that we are not creating another layer of burdensome regulations which will discourage people from actually getting involved in our democratic process and particularly from participating in our judicial system by going into the courts.

I just want to say to my friend from Windsor–Tecumseh: You will always be safe in my vehicle, my friend. Nothing will harm you there, and I will make sure to take care of you all the time. I look forward to being in the House all the time when you use your quotes. It's such a pleasure being in here.

To the member from Chatham–Kent–Essex, I really did listen to your comments. They were very valuable and they were instrumental to this debate. I hope the government takes to some of the comments you brought forward.

The Acting Speaker (Mr. Ted Arnott): That concludes our questions and comments. We return to the member for Chatham–Kent–Essex for his two-minute reply.

Mr. Rick Nicholls: Thank you very much, Mr. Speaker. Again, I'd like to thank my colleagues from Windsor–Tecumseh and Algoma–Manitoulin; also, the Minister of the Environment and Climate Change, as well as the member from Huron–Bruce.

You look at G20. I know I spoke at great length about that and I was getting a little emotional about it—I'd call it passionate about it. That caused me to perhaps be overly sensitive to maybe a few comments that I had heard from the other side. You know what? We're human. If I offended anybody, I apologize for that. I do. But you know what? Let's learn from our mistakes. That's key. We're all going to make mistakes. Mistakes know no colours, no political party. They're there.

But you know what? The G20 summit was in fact a very unfortunate—the summit itself was good, but what

happened with regard to the police, the protesters and perhaps the overuse of their governing powers; the fact, too, that the government didn't do anything about that at the time—that's history now. We need to look at it and say, "All right."

In the event that we have something spectacular and great—and perhaps the 2015 Pan Am/Parapan Am Games could be very much an example of that—we're going to have security, and we need to look at it. Let's learn from our mistakes. Let's learn from our past.

We need to get this bill passed. There may be some amendments, as was pointed out by my colleagues, to make this bill even better, but let's get it in place because we don't want to have the rights and freedoms of people infringed upon in this great province and in this great country of Canada.

Again, Mr. Speaker, it was an honour and a privilege for me to stand before this Legislature today and to state my case for why we will, in fact, support Bill 35, the Security for Courts, Electricity Generating Facilities and Nuclear Facilities Act.

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

Mr. Jagmeet Singh: Okay, sit back and relax. We have an hour together, folks.

Mr. Grant Crack: Half an hour.

Mr. Jagmeet Singh: Oh, it's just a half-hour. Well, if anyone wants to stay longer, you can stay longer. I encourage you all to enjoy.

Listen, someone asked me a question the other day—a Liberal colleague. He said, "There's not really that much difference between our parties." He said, "There's not really much ideologically different about our parties." I listened quietly and I said, "Okay, that's what you think." Well, I can tell you very clearly there is a huge ideological difference between what you're proposing in this bill and what we would propose.

Hon. James J. Bradley: You're far too right-wing for me.

Mr. Jagmeet Singh: Let me explain particularly to the minister without portfolio in the front seat there exactly why this bill is ideologically so different from what we would propose.

Let's set aside their initial problem. The Public Works Protection Act: There is absolutely no dispute about the fact that we need to repeal that act. We want to repeal it because it offers overly broad powers that strip people of their civil liberties, which resulted in one of the worst civil rights violations in the history of Ontario, in the history of this province, where over 1,000 people were rounded up, kept in metal barricades without any reason, without any justification. They were kept for three days without any charges. This is horrible. This happened because of the Public Works Protection Act.

It happened because this act was too broad, its powers weren't clearly defined and it was set up in a way that infringed on people's rights. Now what you're doing is you're replacing that act with a new act that does the exact same thing but does it in courthouses. I want to

understand. Where is the logic in that? How does that make any sense?

1730

I ask the Chair of Cabinet to answer this question to me when he gets a chance: Why, when you enter a courthouse, do you need to identify yourself? Where is the safety in having to identify yourself? Currently, in some of the busiest courthouses in the GTA, in the busiest courthouse in North America, which is Brampton, no one asks you to identify yourself. You walk into the courthouse and you go through a metal detector. If there are any weapons or dangerous material, that gets screened out and you go on your way. There's absolutely no need to have to identify yourself. That is so regressive, that is so chilling, on the principle—which we should all agree with—that an open court system is a hallmark of a democratic society.

If you believe in a democratic society, you have to believe that our courthouses need to be open, because people need to see that justice is being done. They don't only need to believe that there is potentially justice being done; they need to see it. And courts can't be obtuse. They can't be opaque. They need to be places where people can come in, they can see a court hearing proceed, they can see how evidence is called. They need to be able to experience that to actually believe that our justice system is fair. It's one of the hallmarks. Any society which is not free, which is not democratic—they don't have transparent courts. It's one of the first hallmarks. So you want to encourage people to actually go to a courthouse.

How do you encourage it? You make it easier. Anytime you want someone to go somewhere, if you make it difficult to go there, they won't go there. If you know now that there's a law that says if you go to a courthouse you'll have to identify yourself—well, what if I want to go watch a case that's maybe somewhat sensitive in nature? Maybe my friend was protesting, exercising his or her democratic right to dissent, was arrested—perhaps wrongfully—and I want to go and see what happens. I want to see if my friend is being treated fairly. I want to know if the court system here in Canada and here in Ontario is just. But I'm nervous because if I go to a court and they ask me who I am, maybe they'll look me up and maybe they'll find out that I was also at the protest. Maybe I'll get charged too. Maybe I'll get nervous. Why would you have to identify yourself to enter a courthouse? How does that make it more safe and secure? There's no evidence to suggest that's in any way safe.

More importantly, the fact that you have to provide information to the individual screening, the individual who is manning the doors, that you have to provide them with information so that they can assess your threat of risk—what type of information are you going to be asked? “What court are you going to? What case are you here for? Why are you here?” Why do you need to answer any of those questions? In fact, knowing that those questions could be posed to you would probably make you feel less comfortable going. You probably

don't want to go somewhere when you know that they're going to start asking who you are, why you are coming, what your reason is for coming, what court case you are here to see. These are all things that create a chilling effect on the public attending a courthouse. More importantly, there's really no connection between requiring all these things and making it safe.

The Minister of Correctional Services and Community Safety mentioned that there is a balancing act going on here between civil liberties and security. There's no balancing act here. When it comes to the courts, you're clearly stripping civil liberties. You're stripping some of the constitutional rights and freedoms that we rely on. One, for example, is the right to be free from arbitrary search and seizure. Now, courts have deemed that entering a courthouse you should be subject to a search, and that's fair. If you're walking into a courthouse, your person, in terms of whether you're carrying any weapons or explosives or chemicals that could cause damage to people—those are some things that we definitely want to keep out of courts, so you are subject to a search. But why would you include in this piece of legislation the ability to have a warrantless search of the vehicle? Their logic behind that is just simply not there.

In addition, the way this law is written you cannot only search the driver of a vehicle; you can search the vehicle in which someone was a passenger. They weren't even driving that car. Warrantless, without any just cause, without any reasonable grounds, you can search the vehicle in which you were a passenger. So someone drops you off, and this law allows them to search that car, the car that you were a passenger in. That's an extreme violation of civil liberties. There is no balancing act going on here. Furthermore, there's really no logical nexus between that infringement of rights and security. I want you to explain to me: How do you think it's improving security in any way to be able to search, without any warrant, the vehicle of the person that dropped me off to court?

I think one of the things that you fail to see is that there are existing powers that the police have. If someone says something that leads them to believe that they might cause harm, if someone is under investigation for potentially committing an offence or having committed an offence or if someone is about to commit an offence, all the same laws, all the same powers that police currently have, still exist. If I walk into a courthouse and I say something that leads the police to believe that I might have some dangerous material in my car or in my friend's car, well, then I've given reasonable grounds. That's what we want to see our society based on. We want to see that these decisions that are made by the police should be backed up by evidence. There should be reasonable grounds for the decisions made.

I just want to focus on the specific areas of concern. These include schedule 2, and under schedule 2, section 138.1(1), further, point 1: “Require a person who is entering or attempting to enter premises where court proceedings are conducted or who is on such premises,

“i. to identify himself or herself, and
 “ii. to provide information for the purpose of assessing whether the person poses a security risk.”

Again, what information are you looking for? Are you going to ask them, “Hey, are you a security risk?” What do you expect the person to say?

All the existing powers of the police still exist. You can still engage in a reasoned, thoughtful investigation if there is some sort of reasonable grounds, if there is some evidence that suggests that there’s a problem. You can still arrest someone based on those reasonable grounds. You still have the right to lawful arrest. So why would you include this provision where you have to provide information to be able to get into a courthouse? How onerous is that?

Furthermore, if you refuse—say they ask me a question, and I don’t want to answer the question. They say, “What’s your political affiliation? Do you support this cause? Are you an environmentalist? Do you believe that there is something wrong with the way this person was arrested?” Maybe I don’t want to answer that because maybe I think, “Yes, the person was wrongfully arrested. I think the state was wrong. I don’t agree with the decision that was made.” Maybe I’m nervous to answer those questions, and I don’t. By not answering those questions, I’m denied entry to the courthouse. That’s a serious infringement on civil liberties. That’s a serious infringement on the principle that a free and democratic society requires open and transparent courts.

Again, I want to draw this analogy. The Public Works Protection Act created a climate in which this government, the Liberal government, put forward regulations which seriously infringed the civil liberties of everyday people in Toronto. In fact, folks who weren’t even protesters, people who were just out and about on the streets of Toronto, were rounded up and kept in steel pens. Everyday folks were impacted in such a serious way. There’s really no remedy. How do you remedy the fact that someone’s liberties were stripped away for three days? Someone has been made to feel like they were sub-human; how do you remedy that?

There has been so much public outcry around what happened in the G20. There have been numerous reports released talking about how horrible that was, how wrong this government was to engage in those activities. Justice McMurtry now released a report about this and spoke about how serious this infringement was and talked about how seriously flawed the Public Works Protection Act was.

In Justice McMurtry’s report, the government is cited that they relied on the support to formulate this bill; they did do a lot of hard work, and you didn’t rely on this bill, because Justice McMurtry simply says in his report how horrible the Public Works Protection Act is—and that was great work—and so you’re repealing it.

1740

In terms of the court security, Justice McMurtry recommends that, yes, we need to have a separate piece of legislation around that. But nowhere in Justice

McMurtry’s recommendations does he say anything about requiring people to identify themselves. Nowhere does he say anything about requiring people to provide information so that they can be assessed in terms of their risk to be able to go into a courthouse. Nowhere in his recommendations does he say that. What Justice McMurtry does say, though, is that people should be subject to a search when entering a courthouse. Well, that’s not in dispute. No one denies that.

I want to make it very clear: There is a huge distinction between your regressive ideology that believes in closed courthouses, that believes in discouraging people from coming to courts, that requires you to identify yourself to come into a public space, that requires you to provide information so that people can assess whether you should be able to go into a court or not—all of these things do not improve safety whatsoever, but what they do is they have a chilling effect, they have a barrier-creating effect, they discourage people from entering a courthouse, which is very contrary to democracy and very contrary to the ideals and principles of the New Democratic Party.

They may be your principles and may be your beliefs, but I guess this is where we draw the clear dichotomy between what you believe in and what we believe in, because we absolutely do not believe in a closed court system. We don’t believe that people have to be subject to providing a reason to enter a public space. No one needs to do that. We certainly don’t believe that people need to identify themselves to be able to enter a courthouse. That’s absolutely not necessary.

In fact, it’s not even what goes on right now. Like I said, in the busiest, most secure courthouses in Canada, which are here in Ontario, they don’t do that. They’re not asking questions like, “Why are you coming to this court? Where are you going to court? What is the court case?” They don’t ask those questions.

In fact, you could actually take some guidance from our party. In Manitoba, they put forward the Court Security Act. Now, this Court Security Act was, in fact, very progressive. It has been tested by the Supreme Court. There were certain elements that were challenged. It has been shown to be constitutional. It has a number of ingredients, a number of elements, which are security-based, security-focused, and do not infringe civil liberties. They’re very specific in the language used in the Manitoba Court Security Act about screening individuals and not searching individuals, because coming into a courthouse shouldn’t be a situation where you’re afraid that your personal information might be searched; your personal documents might be searched; you might be subject to an exhaustive, invasive search.

The purpose of an individual who is providing security at a courthouse is not to search anyone coming in. You want to screen them for any dangerous materials. You want to screen to ensure that the person coming in doesn’t have any serious dangerous weapons, doesn’t have any explosives or any other material that could cause harm to someone. You’re screening for that. We

don't want to allow for an exhaustive and invasive search. We want to ensure that people who are coming in are screened so they don't pose a security threat. That's what the Manitoba security act does. It proposes that. It has none of these elements of requiring someone to identify themselves. The Manitoba security act doesn't require you to provide information for why you're going into the courthouse. It simply says that there are grounds for a screening to ensure that there are no weapons coming in, and that if there are any concerns around that screening, someone could be brought back to the screening area and rescreened to make sure that there are no weapons.

That makes sense. That's a very logical way to ensure that courts are secure and safe, but that at the same time people do not feel that their civil liberties are being taken away; people don't feel discouraged to go to courts.

I just want to highlight the principle of public scrutiny of courts and why open courts are so important. There's a quote from someone leading in the judiciary: "Public scrutiny of the courts is an essential means by which we ensure that judges do justice according to the law, and thereby secure public confidence in the courts and the law." This is by Lord Neuburger of Abbotsbury, Master of the Rolls for England and Wales. The concept is that public scrutiny, public discourse around the way justice is being done, ensures that the public has confidence in the justice system. Mr. Speaker, that's what we want to ensure. We want to ensure that what goes on in our democracy, whether it's here in Parliament—we make sure our doors here are open because we want people to see that democracy is transparent.

Wherever there's a lack of transparency, people become cynical. People lose their faith, their resolve or their trust in democracy. We don't want to see that happen in our justice system as well. So having an open system, having an open Parliament and having an open courthouse, where the public can come in and view what's going on, ensures that there's a level of public scrutiny. If there's something going in the courts that people don't agree with, they can then raise that issue. People can have a discussion around that issue. People could raise that issue with their parliamentarians, and there could be something done about it. When we lack transparency and when we create barriers to transparency, we are doing an insult and a disservice to democracy.

Just in terms of the history of this bill, I want to highlight some of the things that—the government has recognized their faults or recognized their mistakes, and I wanted to acknowledge that. Initially, the requirement wasn't just to identify oneself; the requirement in the previous iteration of this bill was that you had to provide ID. To get into a courthouse, you had to produce identification. At least the government recognized that that was the wrong way to go. That was definitely not a progressive way to go. Now they're still requiring you to identify yourself, but at least that's one improvement.

There's one element of Bill 35 that we, as the NDP, are very proud of and that I personally feel very proud of.

It's that we fought in the last session to include an accommodation. This accommodation was to require the courts to accommodate people for their creed, for their religion or for their disability. If you want to come to the courthouse, your religious beliefs or expressions should be accommodated and should be respected. If you have a disability, those disabilities should be accommodated, and it should be by law. We're very proud that our amendment was passed in committee and that our amendment made its way into the bill now. That is one positive step forward, that the current version of the bill includes our NDP amendment which requires that the courts accommodate individuals' religious beliefs and disabilities to ensure that our courts are truly open and accessible, that people from all faiths, with all religious expression, with all articles of faith, can enter the courthouse. This is of particular significance for those who wear a yarmulke, for those who wear a hijab, for Sikhs who wear a turban or carry a kirpan. To allow all people, regardless of their faith, the ability to enter a courthouse is absolutely essential for a democracy, absolutely essential for a truly accessible court system. So I'm very proud that that's in here.

The accommodation, as it reads here, is subsection 6: "When a person who is authorized by a board or by the commissioner as described in subsection (1) exercises powers under this section with respect to other persons, he or she shall ensure that those persons are accommodated in accordance with the Canadian Charter of Rights and Freedoms and the Human Rights Code, and this includes accommodation in connection with creed or disability."

This is a wonderful amendment. This is something that is certainly a step forward. It's troubling that it didn't exist before. I know a number of people who have been barred from access to the courts, who have not been able to go to their own court dates or who have not been able to fight a traffic ticket in court because they were not able to enter court with their articles of faith. So this is definitely a step forward, and I'm proud that, as part of the NDP, we were able to move this amendment forward.

In the third schedule of this bill, there's nothing really of significance—there is certainly something of significance but nothing that's a significant problem. There are no significant problems with the third section. The third schedule of this bill relates to the Security for Electricity Generating Facilities and Nuclear Facilities Act.

Essentially, when the Public Works and Protection Act is being repealed, it's a law that speaks about the protection that the government is allowed to enforce and regulate with respect to public spaces. Two of those major public spaces—one is courthouses, and the other one is electricity-producing facilities.

There's quite a large distinction between a courthouse and a power plant. In a power plant, we don't have that same level of accessibility required. We don't have that same democratic value where we need our power plants or our electricity generating facilities to be completely accessible. The fact that we have some elements here that

create barriers to access to a power plant, to an electricity generating facility, is not a major concern.

1750

What is a concern—and I think it's something that I asked the government to look at, and we'll certainly bring it up if this bill goes to committee—is the use of private security guards and the powers that will be extended to those private security guards.

Our peace officers or police officers, or those folks who are given authority by the province, by the state, by the municipalities, have a certain level of responsibility that we have conferred upon them. To confer similar powers to private security officers or private security guards is something that we have to do very carefully. We have to do that in a measured manner. We have to ensure that it doesn't actually result in further infringements of individual rights.

Again, while I'm not raising any specific concerns with schedule 3, I am raising the general concern about the idea of expanding powers to folks who are private security officials.

That's the bill in a nutshell. There are three sections to the bill. Two of them deal with public spaces, one being courthouses, the other being power plants. The first deals with the repeal of the Public Works Protection Act.

Just to turn to that Public Works Protection Act, it speaks to a larger problem, and some of my colleagues have brought this issue up. The way our current Parliament works, in every law, there's a great deal that's left in regulation. While we can debate the legislation here in Parliament, while in committee we talk about the legislation—and if there's a change that needs to be made to the legislation, it's brought here into the House. We debate it and we discuss it. These issues then make their way into the public.

The problem with regulation-making powers is that regulations can be made and changed at the whim of the ministry and the minister. What that does is, it obscures what's going on. It makes it less clear. It makes it less open to public scrutiny. What happens often is some of the most serious infringements or serious scandals flow from this problem. When the ministry or the minister makes regulatory or regulation changes without public scrutiny, that's where we see some serious problems happen. In fact, many of the problems that we've seen over the past decade at least, if not longer—many of those scandals, many of those issues, many of those problems could have been avoided if there was public scrutiny with the changes. But there's not, because the regulation-making authority that the ministries and the ministers have makes it more difficult for the public to have scrutiny over what's going on.

With respect to G20, I think it's very important that we highlight the significance of G20, in that G20 was a very distinct and very—it's a point in our history that's going to stand out, and it's going to stand out for all the wrong reasons. We have to make sure that we improve upon the past. We have to make sure that we lay blame appropriately, that the people who actually made the

mistake are held accountable so that in the future those mistakes don't happen. The first step is to acknowledge there was a mistake made; the second part of that is to make sure that we know who made the mistake. Who was responsible for it? Who do we hold accountable so it doesn't happen again?

Now, the Liberal government will say that Prime Minister Harper should not have held G20 in Toronto. There is some merit to that argument; I accept that. There was a lack of thoughtfulness in determining where this would be held. But once it was decided that it was going to be in Toronto, much of the responsibility in terms of security falls at the feet of the Liberal government.

The location, again, was decided by the federal government, but once it was decided, it was this government that made decisions about how that security would unfold, and one of those major decisions that was made was in relation to the Public Works Protection Act. It was this government that chose to use this act. It chose to change regulations, essentially, in secret, with really no public discourse. There were some postings about the changes that were made, but they weren't in any manner that the public at large knew about. The media wasn't able to cover it in any significant way. People didn't know about their rights, and they didn't know that the changes you made resulted in people just going to work, people just walking the streets being arrested, people being searched, people being detained, over a thousand people being kept in metal pens. These violations occurred under your government and by your government. I think that's important, and you have to take responsibility for that.

Much of the criticism about the Public Works Protection Act was the fact that it was too broad, that it conferred too many rights upon the individuals who were responsible for our security, namely the police in this case, and the police were responsible for some serious violations of civil liberties.

Now, one of the things I've learned in life is that if you make a mistake, you've made one mistake, but if you make a mistake and don't fix it, you've just made two mistakes. You have an opportunity now to correct the mistake by repealing the Public Works Protection Act. Don't make another mistake by not looking at it and making sure that this bill doesn't infringe on civil liberties. Don't make a second mistake by replacing one bad piece of legislation with another bad piece of legislation. While there's at least one element that I'm very honoured and proud of in this schedule 2 that will allow for accommodations, I'm very troubled, again, with these requirements that will infringe significantly on individual civil liberties.

The effect of this is broader than just one person. When you create a culture, when you create this barrier, this sentiment where it's difficult or you create an atmosphere where it's difficult to go to a courthouse, it's not just impeding the individual civil liberty, it's creating a shift where the public is no longer welcome in the courthouse. It's creating a shift where the public no longer has the same ability to provide scrutiny over what

goes on in the courthouse and, in effect, it actually works towards eroding the public trust or faith in the administration of justice. In a society where you rely on the rule of law, it's important that the public feels that the rule of law is something that it has faith in, that it has trust in, that it actually believes delivers justice.

If we look at what's happening in the States, if we look at what's happening with Ferguson currently, where the public feels that there is no justice, the public feels that there is such a great level of unfairness going on in their communities, people are absolutely losing their faith in the justice system. A lot of what we can do to re-instill that belief and that faith in the justice system is in making sure it's truly open and transparent.

People always fear what they don't know, people always distrust what they can't understand. The more we understand what goes on in our courts, the more the public understands, the more the public can see it, the more they can have trust in it, the more they can actually believe it works. And actually, more important than just trusting it blindly, the public can go to the courts and see what's wrong with it, and if there's something with it, they can bring those issues up. Public scrutiny in a lot of ways is better than some of the professionals who do this for a living every day. Sometimes we become blinded to what's actually going on, and if we see that something has been done for so long in a certain way, we think it's the only way. Sometimes having someone who doesn't see this every day, someone who doesn't do this for a living—they can actually come in and provide a fresh new insight and say, "Listen, why is it that the courts work in this manner? Why is it that the trial happens this way? This doesn't make sense. This doesn't seem fair."

Sometimes those insights actually do a lot towards progressing democracy. Sometimes those insights can do

a lot towards improving democracy; in fact, they can improve the justice system. That's why it is so fundamentally important that we maintain a culture where courts are accessible.

I'll tell you a quick story. The way I got into criminal defence was as a student, I used to go to the courthouse and watch trials. I sat in on a trial and I saw what was going on, and I saw a lawyer by the name of Richard O'Brien cross-examining a police officer on the stand. When I watched him cross-examine that police officer, challenging why he had arrested and detained a young black male, I saw an opportunity to actually be a part of creating some level of justice, some way of being a check and balance to the power of the police—that in some circumstances, when people overstep or misuse their powers, there was a check and balance to that. Much like the opposition acts as a check and balance to the government, I saw that there was a potential to be a check and balance to the inappropriate use of powers in the courts.

The fact that I was able to go to court openly—I walked in and was able to sit down and listen to what was going on—helped me to decide my future career. That's one of my personal reasons why I think it's so important for us to instill open and transparent courts as a part of our democracy.

I notice that it's now pretty close to 6 o'clock and I think that I shall wrap up now.

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

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Ted Arnott): It being 6 of the clock, this House stands adjourned until tomorrow at 9 a.m.

The House adjourned at 1800.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Tonia Grannum, Trevor Day, Anne Stokes

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Baker, Yvan (LIB)	Etobicoke Centre / Etobicoke-Centre	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
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Barrett, Toby (PC)	Haldimand–Norfolk	
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French, Jennifer K. (NDP)	Oshawa	
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Gélinas, France (NDP)	Nickel Belt	
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Hatfield, Percy (NDP)	Windsor–Tecumseh	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
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Jones, Sylvia (PC)	Dufferin–Caledon	
Kiwala, Sophie (LIB)	Kingston and the Islands / Kingston et les Îles	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Marie-France (LIB)	Ottawa–Orléans	
Leal, Hon. / L'hon. Jeff (LIB)	Peterborough	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
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MacLaren, Jack (PC)	Carleton–Mississippi Mills	
MacLeod, Lisa (PC)	Nepean–Carleton	
Malhi, Harinder (LIB)	Brampton–Springdale	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Mantha, Michael (NDP)	Algoma–Manitoulin	
Martins, Cristina (LIB)	Davenport	
Martow, Gila (PC)	Thornhill	
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Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
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Naqvi, Hon. / L'hon. Yasir (LIB)	Ottawa Centre / Ottawa-Centre	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Government House Leader / Leader parlementaire du gouvernement
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Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Sandals, Hon. / L'hon. Liz (LIB)	Guelph	Minister of Education / Ministre de l'Éducation
Sattler, Peggy (NDP)	London West / London-Ouest	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
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Takhar, Harinder S. (LIB)	Mississauga–Erindale	
Taylor, Monique (NDP)	Hamilton Mountain	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Vernile, Daiene (LIB)	Kitchener Centre / Kitchener-Centre	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
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