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**Thursday 5 March 2015**

**Jeudi 5 mars 2015**

Speaker  
Honourable Dave Levac

Clerk  
Deborah Deller

Président  
L'honorable Dave Levac

Greffière  
Deborah Deller

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Hansard Reporting and Interpretation Services  
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111 Wellesley Street West, Queen's Park  
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111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 5 March 2015

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 5 mars 2015

*The House met at 0900.*

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

*Prayers.*

### ORDERS OF THE DAY

#### PROTECTION OF PUBLIC PARTICIPATION ACT, 2015 LOI DE 2015 SUR LA PROTECTION DU DROIT À LA PARTICIPATION AUX AFFAIRES PUBLIQUES

Resuming the debate adjourned on December 10, 2014, on the motion for second reading of the following bill:

Bill 52, An Act to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers Procedure Act in order to protect expression on matters of public interest / *Projet de loi 52, Loi modifiant la Loi sur les tribunaux judiciaires, la Loi sur la diffamation et la Loi sur l'exercice des compétences légales afin de protéger l'expression sur les affaires d'intérêt public.*

**The Speaker (Hon. Dave Levac):** When this item of business was last debated, the member from Dufferin–Caledon had the floor and has time remaining.

**Ms. Sylvia Jones:** It's a pleasure to begin again what I began in December. That was, of course, talking about Bill 52, the anti-SLAPP legislation or Protection of Public Participation Act.

I want to recap some of what I had covered previously. Of course, Bill 52 stands for strategic litigation against public participation, which are lawsuits that are pursued for the sole purpose of silencing or punishing those with an opposing viewpoint. SLAPPs are also referred to as "litigation chill," which we're going to cover in a little more detail this morning. Part of what defines a SLAPP is the fact that it has a meritless case and is intended more to intimidate or to punish the defendant rather than seek justice for a wrong suffered by the plaintiff. Typically, SLAPPs are withdrawn shortly before trial. However, the trial dates are often drawn out and by this time they've served their purpose as they've forced the defendant to go through an extended period of duress, often at great financial cost.

What Bill 52 proposes to do is to establish a new legal procedure that can be used if someone is sued for voicing their opinions on matters of public interest. If enacted, Bill 52 would allow the defendant in this situation to move

a motion that would allow them the chance to prove to a judge in a timely manner—and I think that's the important consideration here—that the legal proceedings brought against them arise from a communication they made regarding the public interest. If the judge was satisfied that this is the case, the legal proceeding would be dismissed. However, if the judge was not satisfied, the lawsuit would continue.

The judge would also be able to award compensation regarding costs on the motion if they deemed it appropriate. If the judge dismisses the legal proceeding due to the motion and finds that the suing party brought the proceeding in bad faith, the judge may award the defendant damages as the judge considers appropriate. If the suing party has proceedings before a trial, the defendant who has moved a motion under Bill 52 may also supply a copy of the motion that was filed to the court to a tribunal, and the tribunal proceedings shall be stayed until the motion is dealt with in court.

Bill 52 will also place a 60-day timeline on the hearing of the motion so that the matter may be dealt with in a timely manner. This is a key factor in limiting SLAPPs' negative effect on the court system. It is also important for countering the effect of potentially having tribunal proceedings stayed while the motion is before the courts.

I think I want to focus in a little more detail on that 60-day concept, because this is not going to stop people who have actually libelled or slandered someone. What it's going to do is it's going to expedite the process and ensure that within that 60-day period a decision is made whether it should proceed.

In the way of an example, I would like to talk about one litigation chill that is near and dear to my heart and to the Progressive Conservative Party. That is a litigation chill letter that was sent, of course, by Kathleen Wynne to Tim Hudak, Lisa MacLeod and the PC Ontario Fund. The statement of defence all surrounded a couple of comments that were made by my then-leader, the member from Niagara West–Glanbrook, and my colleague from Nepean–Carleton. They were issued litigation letters—we often call them lawyer's chill letters—basically to tell them to cease and desist from speaking any further about a particular issue. Of course, that issue was the gas plants and the decisions made surrounding it.

The important part of why I'm bringing this particular example up is that this began in September 2011, and it's still in process. So we're now here, in March 2015, and Tim Hudak, Lisa MacLeod and the PC Ontario Party still have that legal proceeding, that threat of a legal process, continuing to hang over their heads.

“In September 2011, during the provincial general election campaign”—in the interest of full disclosure, this is a court document filed in the Ontario Superior Court of Justice—“the Ontario Liberal Party promised to cancel the construction of the Greenfield South power plant,” or the gas-fired plant, “in Mississauga ... a project formerly conceived and approved for construction in April 2005 by the Ontario Power Authority. The construction of the Mississauga gas plant was commenced in June 2011.

“On October 6, 2011, the Ontario Liberal Party won the provincial election, including the Mississauga ... seats in the vicinity of the Mississauga gas plant, and the government proceeded to take steps to stop the ongoing construction of the Mississauga gas plant.”

There are a number of details and dates that come forward. It makes reference to the Auditor General’s estimated cost of relocating the gas plant. It talks about September 10, the Ontario Power Authority awarding a contract; the city of Oakville opposing the building of the Oakville gas plant; and on and on we go.

In this case, “The plaintiff was the campaign co-chair of the 2011 Ontario Liberal Party campaign that made the decision to cancel the Mississauga gas plant. As a member of the executive council of Ontario, the plaintiff also signed the cabinet document that authorized the Liberal government to enter into arbitration with TransCanada over the cancellation....”

We can go into a lot more detail, but my point is that a litigation letter, a lawyer’s chill letter that said to cease and desist any further discussion about the process surrounding the Mississauga and Oakville gas plants cancellation, is a perfect and obvious example of Bill 52.

This process began, as I stated earlier, in 2011, and here we are in 2015 and it has gone no further in court. The court has not reviewed whether this is actually moving forward. Yet we’re talking four years later, and it’s still hanging over our heads.

If Bill 52 were passed in its current process, this would not still be on the courts. This would not be bogging up the system. This would not be part of continuing to be that threat that reminds my two colleagues and the party I belong to that they’re supposed to talk about what clearly was government policy of community and general interest. Bill 52 would have allowed us to have those very public, needed conversations without the worry of having any of their comments taken through a lawyer’s letter. So I just highlight this example as one reason why we need to move forward on Bill 52.

#### 0910

As many people in this chamber know, we’ve had a number of different examples—a couple of private members’ bills and at least one other government bill—where we have attempted to move forward on making changes to the current strategic litigation against public participation process, so we do need to continue with that idea.

The other thing—I’m not going to give a carte blanche that the entire legislation is great. There have been some concerns raised, without a doubt. The forestry industry in

northern Ontario, of course, has gone through some terrible economic challenges in the last number of years, but they’re not all related to the economy; some of them are related to some very strategic and pointed opposition from certain groups.

One of the recommendations of amending Bill 52, which would be to ensure that when we are talking about protecting the public from public consultation, or the ability to participate, is that we ensure it’s not one large financially backed entity against a business or an individual or an industry. So perhaps we could look at some amendments that would—I’ll just read what the recommendation is: If the legislation could be amended to specifically “apply to volunteers and small community organizations with annual budgets of less than \$100,000.” That was one recommendation made by the Federation of Northern Ontario Municipalities.

I would hope that when we are at the committee stage, we can look at those types of amendments that ensure this is, in fact, about protecting the individual’s right to participate and not an opportunity for large, financially backed organizations to be protected from saying whatever they want about whomever they want.

The act is also amended to establish qualified privileges that apply in respect to “an oral or written communication on a matter of public interest between two or more persons who have a direct interest in the matter” and “applies regardless of whether the communication is witnessed or reported on by media representatives or other” individuals. It’s actually an important amendment as far as completing the goal of Bill 52, actually protecting public participation. I think we all understand that the world is a very different place now with tweets and Facebook posts, and we can’t just be looking at the more mainstream, traditional forms of public participation, i.e. newspaper, radio and TV.

As it stands, there are currently privileges regarding oral or written communication that are possessed by individuals who have a direct interest in a matter, a public interest. What Bill 52 does is amend the Libel and Slander Act to extend these privileges to individuals, reporters recounting or repeating any discussions in the matter by those who do possess a direct interest in the matter. This is important because if a journalist is writing a story on something an individual said at a public meeting, while that individual could have been discussing a matter they had a direct interest in and be fairly protected from legal action, the journalist would technically not be protected as they arguably do not possess a direct interest but, rather, an indirect one.

Journalism and reporting is a tenet of a healthy democracy. If we’re serious about protecting public participation, we absolutely must also protect the sanctity of the press to report on the news of the day and on the issues important to their local citizens.

Bill 52 is a necessary and much-needed improvement for dealing with SLAPP litigation. Just like I said in my previous discussion on Bill 52, in which I discussed examples of cases that could very well be considered SLAPP lawsuits, I would like to continue on that note.

There's an example that, again, many of us are quite involved in or quite aware of, and that is a young woman named Esther Wrightman. Esther Wrightman lived in southwestern Ontario and was very publicly opposed to the siting of some industrial wind turbines in her community. It's not unusual; we have many individuals across Ontario who have raised various concerns and various issues with the siting and placement of IWTs—industrial wind turbines—in their communities.

What makes Esther Wrightman's example unique is, again, that she was sent a lawyer's letter saying, "Cease and desist, we don't want you to talk anymore about this project, and if you do, you will be sued accordingly," and then there was a very large number, which was the threat: "If you continue, we're going to sue you and basically take you for everything you have and then some."

Unfortunately, it was effective in the case of Esther Wrightman. She ultimately ended up selling and moving out of the province. However, that lawyer's letter, that litigation chill, is still on the books. The originators of it, the owners of the IWT proposal, have not removed that chill, that concern, that stress. While I have not personally been the victim of one of those letters, I can imagine what it did to Ms. Wrightman, her family and, quite frankly, anybody in the community who wanted to continue opposition to the industrial wind turbines. It's a very, very effective tool to ensure that people stop talking about projects they are opposed to.

You know, we can get pretty specific here, talking about individual pieces of legislation, but the reality is that most of us understand that everyone deserves and has the right and should use it. We as legislators often tell our community, our students and our municipalities to get involved: "If there's something that is concerning you that's happening in your neighbourhood, your town or your municipality, get engaged and get involved." If we do not offer some legislative protection in the form of Bill 52, we're sending mixed messages, because we are not protecting people who want to speak out publicly on items that are happening that impact their community and impact their ability to enjoy their property and their community.

I still think it's a sad state of affairs that Ms. Wrightman was left with no choice, in her mind, but to sell her property and move out of the province so that she would not have that threat of litigation held over her head while she was attempting to get a remortgage or while she was attempting to make any expansions or changes to her business models. It's all there in the public realm, where there is a very substantial claim against her, simply because she wanted to share in a very public forum why she did not support the siting of industrial wind turbines in her community. It's a sad state, here in Ontario, when people don't have the opportunity to speak out against issues, whether it's the cancellation of gas plants, as is the case with my colleagues from Niagara West–Glanbrook and Nepean–Carleton, or in the case of Ms. Wrightman with industrial turbines.

We need to make sure that our legislation is protecting an individual's right to speak out. I understand that

within this chamber, we are all very well protected. But that's 107 members. It doesn't compare to the responsibility we have to the other 13 million who live in the province of Ontario. It shouldn't just be what we say in here that is protected. It should be the ability for everyone, regardless of where they are living in the province and what role they play—whether it's public or private or in business—they should also be protected.

**0920**

It is a fine line. Nobody wants to get to a stage where "I can say anything about anyone" and be above the law. There has to be the opportunity for people to protect their good name, their business's good name.

With Bill 52, with that 60-day opportunity, it would be reviewed and it would be decided in a very process-systemic way: Is this actually chill? Is this actually slander? If it is, absolutely go through the courts, take it through the process. But if it isn't, shut it down.

We wouldn't then have these lawyers' letters and litigation from—what did I say?—2011 still sitting in a court docket, clogging up our very challenged court system in March of 2015. Make no mistake: This is not about any intention of Ms. Wynne to bring Tim Hudak, Lisa MacLeod and the PC Ontario Fund to court. This is all about saying, "You keep talking about the Mississauga gas plants, and we're going after you." It was a very—to coin the phrase—strategic opportunity for them to threaten and to scare people out of talking about the process behind the Mississauga gas plant.

Mercifully, we have been able to ignore that threat, I think probably because my colleagues are MPPs and understand how the law works. But it doesn't make it any more—it's not right that that is still sitting there from 2011 and here we are four or five years later.

With that, I'm going to wrap up, but thank you for your time.

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

**M<sup>me</sup> France Gélinas:** It was quite interesting to listen to the member from Dufferin–Caledon. I was actually also in the House when she did the first 40 minutes of her lead. That was before Christmas. As she started to go through, a lot of what she had said sort of came back to me.

Bill 52, An Act to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers Procedure Act in order to protect expression on matters of public interest, certainly has a long title, but it's basically what people refer to as anti-SLAPP. She has given examples from her riding of people they had taken freedom of speech away from. This bill is an effort from this Legislature to bring a little bit more balance between the right of an individual to speak up if they see something that they are opposed to, and the right of the person who is being spoken against to defend their good name.

Right now, the balance is tilted through a judicial process that is so cumbersome and lengthy that it really precludes people from speaking up, because they receive those lawyers' letters and they feel quite intimidated,

afraid as to how much it will cost them to defend themselves. The bill is an effort to bring a little bit more balance between the two.

Ça m'a fait plaisir d'écouter la députée de Dufferin-Caledon. Elle avait commencé ses commentaires avant Noël, avant la pause parlementaire, et les a finis ce matin. C'est quand même intéressant. Ce que le projet de loi essaie de faire, c'est vraiment de prévenir les instances qui limitent la liberté d'expression sur les affaires d'intérêt public. On appelle ça des poursuites-bâillons, où les gens reçoivent une lettre d'un avocat ou d'une firme et se sentent mal à l'aise de continuer à prendre leur revendication.

Je vous remercie, monsieur le Président.

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

The Minister of Citizenship and Immigration—sorry, Tourism, Culture and Sport and Pan/Parapan.

**Hon. Michael Coteau:** Which one?

**The Deputy Speaker (Mr. Bas Balkissoon):** My apologies.

**Hon. Michael Coteau:** Thank you very much, Mr. Speaker. It's an honour to speak on Bill 52 today and to respond to the member from Dufferin-Caledon and the member from Nickel Belt. I think this is an important piece of legislation. The Protection of Public Participation Act, the anti-SLAPP legislation, is an important piece of legislation that was brought forward in 2013 by our government as Bill 83. I remember the previous Attorney General did bring it forward.

Really, this bill has one intention, and it's to fast-track any request that is brought forward to dismiss a case that's considered when people are using any form of intimidation to stop people from expressing themselves. I think this piece of legislation is important, because it does one really important thing: It strengthens our justice system and allows people to express themselves and to take a position on an issue without the fear of being dragged through the courts for years and ending up with a massive legal bill. Taking those 60 days to hear a case, to figure out if someone is misusing the justice system, I think is a great step in the right direction for the province of Ontario.

There are other jurisdictions in different parts of Canada and Quebec that have similar legislation, and there are different parts of the United States where they have similar legislation. I'm proud that our government has taken this step to move forward on this, because at the end of the day we want to build a society where people can freely get out there, bring up concerns and talk about important issues and not fear big corporations dragging them through the court system for years.

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

**Mr. John Yakabuski:** It's a pleasure to make comments on my colleague from Dufferin-Caledon's speech, which was split between today and the last time this bill was debated.

As my colleague said and as the minister said, this legislation has been around since 2013. You have to ask

yourself, you have to question the commitment of a government that is taking this long to get a bill through this House. However, we're going to do what we can to help them, because they can't seem to get this thing figured out by themselves.

I want to say, Bill 52 is a bill that we're going to support. It's not without the reservations of some out there. There are a lot of people who are concerned about this bill. But I understand the principle of trying to protect the little guy from the big guy. That's part of the bedrock of our society. That's why we have democracies. Democracies were formed in order to protect the little guy.

But I have to ask myself—maybe this government has to ask themselves why they've gone so far to protect the big guy over the little guy when it comes to their industrial wind turbine policies and how impossible it is for someone to have a fair chance of winning against one of those groups, because, you see, those companies, their pockets have been filled—

**The Deputy Speaker (Mr. Bas Balkissoon):** I would ask the member to tie it in to the comments.

**Mr. John Yakabuski:** It is tied in to the bill, Speaker. Thank you very much. It is tied in from the fact that if you've got a principle of protecting the little guy, you've got to look at your own record here. You've protected these big, gigantic wind farm developers so they're bankrupting people who bring a legal action against them. You know why? Because you made sure of it. In the way that you passed this law, the Green Energy Act, you made sure that the little guy would not be protected. Shame on you.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Timmins-James Bay.

**Mr. Gilles Bisson:** I just want to put a couple of things on the record in response to the comments made by the honourable member.

I think the legitimate issue here is that in a democratic society, people have the right to oppose or propose. In the particular case of development, there is always somebody who is opposed to a development of some type. That, to the consternation of the developer, is a real problem—economically being able to move forward with the project. Certainly, we see that in forestry. There's a real sense on the part of the forest industry that there are people who actually have it as a goal for them not to be able to do the business that they're in.

**0930**

Clearly, Ontario is in the forestry business and clearly, there are ways of being able to do that; we've done it for years under sustainable development. I think the industry accepts that there are going to be people who are opposed, but you have to have a system in place that doesn't allow them to basically hold them to ransom when it comes to the market that they're trying to penetrate. Because a large part of what happens in the forest industry is being able to sell your product, like any other business, and unfortunately at times there are those who try to picture the forest industry in a way that it really is not in the market that they're trying to sell their

wood in. So they're worried about legislation like this and what it would mean to them should people continue down the road that some people have started on when it comes to trying to picture the forest industry for what it's not.

On the other side, there are people who have some legitimate concerns.

I think the real test in this bill is going to be, when we get to committee, does this bill find the medium between those two sides? Because clearly, the public has the right to express its views; and clearly, they have the right to say what it is they feel; and clearly, industry has got to be in a position where, when this is done, there's some sort of mechanism that allows you to deal with, how do you mitigate that in court or how do you not have it mitigated in court, depending on the situation? I think the real test will be when we hear from those at committee who speak to that issue.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Dufferin–Caledon, you have two minutes.

**Ms. Sylvia Jones:** Thanks, Speaker. I really appreciated those last comments from the member from Timmins–James Bay because I think it really is a balance. I think we need to ensure that public participation is an active part of the democratic process, whether it's in committee where we're hearing from witnesses and getting suggestions on amendments, or, quite frankly, after government decisions and policies have been made. People have the right to voice their opinions. We've seen both examples very recently.

I will say that there aren't a lot of SLAPP litigation processes that are happening right now in Ontario. I think that's a good thing. But the ones that are out there are very disturbing and are there for a very strategic reason: that is, to end the debate and end the discussion. As my colleague said, we've seen it with the cancellation of the gas plants; we've seen it with the industrial wind turbines.

In my own community, we had an example with a water-taking permit, where the adjacent surrounding neighbours were all issued cease-and-desist letters from the company's lawyers. So it can be a very draconian, nasty, nasty way to do business and silence your opponents. If Bill 52 is properly amended and properly brought in, I think we have an opportunity here to improve the system to ensure that that public participation continues in a measured and reasonable way across all of Ontario.

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

**Mr. Jagmeet Singh:** I am very pleased to join in the debate on Bill 52, the anti-SLAPP legislation. Before I begin, I want to make it very clear that the New Democratic Party absolutely supports this legislation. In fact, our leader brought forward anti-SLAPP legislation years and years ago, approximately in 2010, and we have been committed to the idea of public participation. So we're absolutely supportive of this initiative and we would have loved to see this bill move along faster.

I actually remember, when I first spoke on this bill, that I implored the government to do two things. One, I

said that there were a number of other bills that received priority; this bill did not receive the priority it deserved in the previous sitting of this Legislature. I had asked the government to prioritize this bill.

Secondly, I said that once you prioritize this bill, you need to move along with this bill in a manner that's expedient, because this is something that doesn't cost the government anything but it enshrines and protects a fundamental principle in our democracy; that is, the right to dissent, the right to participate and the right to get up and say, "I don't like what's going on." It's a very fundamental right and something that's absolutely critical for us here as legislators to protect.

When we are talking about the concept of public participation, literally the idea is that anyone in this province should be able to speak on any issue in a respectful manner, but in a forceful manner, should be able to get up and say, "Listen, I don't like the development in this particular community. I don't like the way this project is going about. I think there's an environmental risk that outweighs the benefit of this particular project."

Anyone, any citizen, should be able to get up, any resident should be able to get up and say, "Listen, I don't like what's going on. I don't appreciate the government's actions in terms of the way they're proceeding with a particular initiative. I don't agree with it." They can get together with a number of other citizens and say, "Listen, together we don't agree with what's going on."

When it comes to greenbelt initiatives, protecting the greenbelt or whether it comes to developments in rural or urban settings where they don't want a particular business to develop in a certain community because it might ruin the other existing infrastructure, the existing businesses, people should be able to say, "We don't like it."

What we've seen time and time again is when community members come together and raise their voice, when they come together and say, "Listen, we have a problem with what's going on," they've been strategically silenced: SLAPPs have been used as a tool. SLAPPs have been used as a tool to strategically commence a lawsuit against someone to discourage them from participating in a particular—whether it's raising a concern, whether it's a form of dissent, whether it's a protest, whether it's a coalition of people, this is a type of lawsuit that's been used time and time again to silence people.

There has been a number of examples in the province of Ontario. We have the Environmental Commissioner Gord Miller, and he writes in his annual report 2008-09, "The public's right to participate in decision-making over matters of public interest is a cornerstone of our democratic" process. "Efforts aimed at suppressing this right should be discouraged by the Ontario Legislature and other public agencies. The ECO sees a need for provincial legislation that would put both sides of development disputes on equal footing. Such legislation could serve to halt SLAPP suits in their tracks."

This is absolutely correct. The Environmental Commissioner raises a very important point. This is literally a cornerstone of our democracy: the right to dissent, the

ability to get up and protest, the ability to say, “I don’t like what’s going on.” This is something we need to protect.

As parliamentarians, we are the ambassadors for democracy in this province. It’s incumbent upon us to make sure we do whatever we can to protect people’s rights. One of their essential rights is that; the essential right in a democracy is—if you look across other countries, people don’t have the right to criticize their government. People don’t have the right to criticize what’s going on in their communities. That is what sets free nations apart from those that don’t enjoy freedom. That’s what sets nations that enjoy liberties and enjoy human rights apart from countries that don’t enjoy those rights and those liberties. That’s what makes us unique and that’s something that we need to protect.

This law is certainly a step in the right direction. It is certainly a law that will protect public participation. It is a law that would legislate the protection of a democratic value. So for that reason, it’s certainly an excellent step forward.

In fact, the advisory panel that was struck was made up of a number of very skilled and talented lawyers: the chair, Mayo Moran, was a dean of the faculty of law; Brian MacLeod Rogers, a very well-respected entertainment and libel and defamation lawyer; as well, Peter Downard, who was at Fasken Martineau and also very well-versed and experienced in defamation law.

Just to give you some examples: the feeling people have when they get together, let’s say, in downtown Toronto, if we use an example. People in an urban setting have a vibrant community. Perhaps a big-box store decides to purchase and buy out a number of other small stores and says, “We want to put in our big-box store right here in the middle of the community.”

Folks in the community get together and say, “Listen, this would disrupt the fabric of the community that we’ve built, the community that we’re a part of, that we enjoy. We like the uniqueness of the way we have developed this community. We have unique stores and shops. We like the way it’s set up. A big-box store would come in and disrupt that and it would change the fabric of this community in a way that we don’t want to see happen.”

**0940**

So they get together and say, “Listen, we’re opposed to this happening. When this issue goes before the OMB, we’re saying, ‘We don’t want this to happen.’” They create a coalition and say, “Listen, this is unacceptable. This will change the fabric of our community. This will not improve it. In fact, this will ruin the way we enjoy this area, so we’re against it,” and they get together and start protesting.

Now, if those folks are protesting, all of a sudden the big company that wants to develop this big-box store sends them a letter and wants to initiate a lawsuit. They receive the letter. Imagine the feeling: You receive a letter and it says, “So-and-so company is suing you for \$4 million for defamation because you got up and said that this big-box store, or this company, is going to ruin

your community. That’s defamation. You’re saying that this store is bad. You’re attacking the company.” You receive this letter in the mail and it says, “You’re being sued for \$4 million.”

The chilling effect of that, receiving that letter, reading that, those words, being sued for \$4 million—it has such a chilling effect. It’s such a discouraging thing to see. In fact, people become very afraid. They are afraid that they could lose their entire life savings, that they could lose their home. They are not thinking about continuing their public participation. They are not thinking about continuing the discourse or about continuing to raise the concerns that their community has. They’re thinking, “Listen, we’ve got to stop, because we don’t want to get sued for this \$4 million.” So they stop talking about the issue. They’re discouraged from talking. Some people—and I don’t fault them for doing that—are so afraid that they absolutely stop. They don’t talk about the issue anymore, and they move on their way.

Some brave souls continue to fight, and they end up being sued and they end up being brought before the courts. In the courts, they have to fight to clear their name. Often you have citizens, members of the community, that don’t have deep pockets. They don’t have a lot of resources. They’re regular folks, everyday folks, with bills to pay, and they are up against companies that have deep pockets, that have lawyers on retainer, that have millions of dollars to throw and hundreds of thousands of dollars to throw at any sort of lawsuit that they want.

What happens is you have this disparity, this imbalance. This imbalance discourages everyday folks from raising their concerns and encourages companies to silence the voices of those people who might have a problem with their projects. That’s the unfairness of this: that it’s not a level playing field. You have people who have deep pockets and resources and experts and lawyers, and you have everyday folks who don’t have those same resources. They feel compelled, then, to no longer participate. That’s not what we want to see in our society. That’s not what we want to encourage.

In fact, we want the exact opposite to happen. We want people to be able to get up and say what they feel. We want people to come together as communities and voice their concerns. We want to encourage that. As it stands, without having protection through an anti-SLAPP legislation, we don’t have that protection right now.

What does this law essentially do? To put it in simple terms, it allows the person who is being sued a quick way to point out that this lawsuit is actually just a way to silence them, and to have the lawsuit dismissed. That’s what this legislation proposes to do. Essentially, that component of the early dismissal, the ending of a lawsuit that’s unfair, pointing out that the lawsuit is strictly designed, or strategically designed, to silence them, to silence public participation, and showing that to a judge, that, “This is why I’m being sued, and that’s why I’m asking to you to dismiss this case outright”—that’s the purpose of this legislation, and that’s an excellent purpose.



The mechanism of the way this is done is something quite unique, because it changes hundreds of years of defamation law and libel law. It's always a touchy thing when you change hundreds of years of jurisprudence. However, it's something that's appropriate and that's necessary for us to do.

So what is the mechanism, how does it play out, and where do we need to really look at what this law is doing?

One of the things that is important is that it allows for a time limit. What happens often is, if you are involved in the court system—and as a criminal defence lawyer, I've experienced this time and time again—the court systems often move very slowly. It's something that we need to improve. It's a question of access to justice. People sometimes wait years and years for a matter to be settled in court. Really, if we talk about the rule of law being the bedrock of a free and democratic society—that it's law-based in terms of the decisions, not by force, not by might; it's by the rule of law, and the law is applied equally to the citizens, to the residents of that community—that gives us some faith that we live in a system that we can rely upon, that's going to be treating everyone fairly.

The problem is that, in a system of the rule of law, in a system of law, if it takes years and years to get any settlement, to get any decision in a court, it erodes some of the trust we have in that system. If we want to rely on the system to be able to get us a fair decision, but it takes years and years for that decision to happen, it takes away some of our faith in the fact that the system is actually going to protect our interests.

Well, that's even more true in cases where someone is being sued in a defamation lawsuit. In those cases, we have examples of people who wait years and years, they have to fight for years and years, to actually get the case dismissed. That is absolutely discouraging. Having the weight of a multi-million-dollar lawsuit hanging over you impacts everything: It impacts your day-to-day life, impacts your ability to go to work, impacts your relationships, and impacts your participation in the community. It has a severe impact on you.

We need to ensure that there's a way to limit that time so that people don't have this lawsuit hanging over their head for years. We want a way to dismiss this in an expedient manner, in a quick manner. There's a 60-day time limit that's applied here, and that's absolutely essential and fundamental. It's so important to have this, because that allows the lawsuit to be dismissed in a quick way. So, 60 days, two months; your motion is heard and you can show that this lawsuit is strategically being used to silence you—there are certain criteria—the lawsuit is then dismissed and you can move on with your life. That is absolutely what we need to see, and that's very encouraging.

The grounds: The way the law is going to work is that the law lays out some fundamental principles, and these principles are exactly what we'd like to see in this bill. Let's talk about those principles. The law is defined by

these four components, and these four components are found in section 137.1. Clause (a) reads, “to encourage individuals to express themselves on matters of public interest.” That's exactly what we want to see. We want people to feel encouraged to participate, to express their concerns, particularly where it's something about public interest. If the public has an interest, people should be able to get up and say: “This is how I feel about this issue. These are my concerns. This is what I like; this is what I don't like.” We want to see that happen. We want to encourage that.

Clause (b) reads, “to promote broad participation in debates on matters of public interest.” The idea that people should be able to debate matters of public interest, to discuss it amongst each other and amongst community members, that's something we want to see happen. And this bill lays that out as one of the purposes of the bill, and that's also very encouraging.

Clause (c) reads, “to discourage the use of litigation as a means of unduly limiting expression on matters of public interest.” That's exactly what some of these cases of lawsuits that are used to silence people—that's exactly what they're being used for. The litigation that we want to discourage is litigation that purposely limits expressions on matters of public interest. If people are talking about matters of public interest and there's a lawsuit that's designed to limit that expression, that's exactly what we want to discourage. We want to discourage that type of litigation.

Finally, clause (d) reads, “to reduce the risk that participation by the public in debates on matters of public interest will be hampered by fear of legal action.” This is really the final point in terms of the actual purpose, and (d) is very purposely the last component of what this law is all about, because of the fear that people have of legal action. People have this fear embedded in them. If they receive a letter from a lawyer outlining the potential that they will be sued, that has such a chilling effect, such a discouraging effect; it instills so much fear that people no longer want to participate. That's what we want to get rid of. We don't want people to fear legal action against them for participating in something that has a public interest. That's what we want to discourage. That's the type of litigation we want to end, and that's what this law seeks to do.

It's very encouraging that those four components of the purpose of the law have been laid out. It really informs the rest of the bill, and it informs what we're trying to do. This is what Andrea Horwath, as the leader of the New Democratic Party in Ontario, also tried to do in her private member's bill that was first introduced about four years ago. This is a core principle of the New Democratic Party, something we strongly support and stand for. I just want to read out—just to get a sense of what people feel when they're being faced with a lawsuit—some of the concerns and some of the personal emotions that go through one's mind when you're faced with a lawsuit.

#### 0950

There was a case of a SLAPP, a strategic lawsuit against public participation, in the case of Geranium Cor-

poration v. the Innisfil District Association. In this case, Geranium was a developer and they were proposing a Big Bay Point mega-marina and resort on Lake Simcoe. As a result of this development, a number of individuals wanted to raise their concerns. What happened in this case is, in responding to multiple lawsuits and an unprecedented claim for \$3.2 million in OMB costs against the Innisfil District Association and its lawyers, one defendant swore in an affidavit to OMB—these were the feelings that people had. They challenged this development, and the lawyer who was representing the Innisfil District Association that was concerned about this development said, “Listen, we don’t agree with it; we don’t like the way it’s being developed.” They indicated, “I feel threatened, harassed, and intimidated by Geranium’s legal claims, and fear exposure to lawsuits and the costs associated with defending them.”

Another quotation from another individual who was the subject of a lawsuit said, “I do not write letters to the town, county, province or local papers in fear of repercussions from the Big Bay Point developers, Kimvar Enterprises Inc., and Mr. Earl Rumm.” “From fear of being implicated in a lawsuit myself, I would not write a letter or voice my personal opinions about the project in any way whatsoever.”

Finally, another quote from someone who was sued: “I do not have the funds or means to defend myself in a lawsuit, which increases my fear of publicly speaking out as an individual.” “I would not testify at an OMB hearing with the lawsuits pending and the threat of new legal actions. I would not be able to defend myself financially from such a wealthy developer.”

This really captures the feelings and the emotions that people have. This is a legitimate concern. People in the community want to say, “We don’t like the way this development is proceeding”—something that I can imagine myself doing. If something happened in my community and I didn’t like the particular development—maybe I didn’t like the way it was designed; maybe I thought it wasn’t incorporating the community in a way that was positive; maybe it was taking away from the character of that area; whatever it was—and I wanted to say, “Listen, let’s get together and talk about this issue. Let’s have a public debate on this,” and I organized a public debate. I say, “Let’s get together and talk about the pros and cons of this,” and I get up and say, “Listen, there are a number of cons. I think this is going to be deleterious or negative for our community for a number of reasons,” and I list those reasons. And the next day I see in registered mail at my door that I’m being sued because I got up and said that there were some cons to this development. That is absolutely unacceptable. The thought that someone could be sued simply for getting up in a community and saying, “Hey, I don’t agree with this. I don’t think this is a good idea because it could hurt our community”—simply by saying it could hurt a community, the developer could then turn around and sue me and say, “We’re going to commence a lawsuit against you for millions of dollars because you’re jeopardizing our project”—and they

could. They’re within their right to do so. That’s a problem. We don’t want that to happen. We don’t want people to fear legal actions, and that fear of legal action discourages them from participating and from voicing their concerns and having an opinion and laying out their concerns. It shouldn’t be the case. That’s why we absolutely support this piece of legislation.

Normally, when we speak about legislation, we like to look at other examples: Has there been another jurisdiction where this has been implemented and how has it worked out? This is something I really want to stress, and I hope that when we take this to committee—I ask the Attorney General to also consider this as well.

We have a great leader in terms of another province that has implemented first-of-its-kind-in-Canada anti-SLAPP legislation in Quebec. I’m sure the Attorney General is well aware of this, but we need to look at their experience. I was just reading up on some of their experience. They’ve implemented it for a number of years and they’ve been able to look at some of the pros and cons and how it’s worked. So though they’ve noted that it has discouraged some strategic lawsuits against public participation—it has discouraged some SLAPPs—and it has allowed for the speedy dismissal of some of the SLAPPs, there is still a significant number. I’ll give one example.

This law was introduced in Quebec in 2009, approximately, and on January 19, 2011, there was a company, Petroliia, a Quebec oil and gas company, that sued Le Soleil, which is a newspaper, and Ugo Lapointe, who, at the time, was head of a mining watchdog group called the Coalition Québec meilleure mine. Though there was anti-SLAPP legislation that was implemented—which was good and which is something we’d like to see here—these two individuals for the newspaper were writing about the developer and some of the activities they were engaging in were not something the community wanted to see. The mining watchdog group was raising concerns, and Mr. Lapointe was also raising concerns about it. They were still hit with a strategic lawsuit. We need to look at their case studies and how the law has played out in Quebec, to make sure we don’t get caught up in the same problems, that we can improve off of where they’ve seen that maybe there are some shortcomings in their legislation.

We need to make sure that, in our deputations, if possible, we encourage perhaps even the staff of the equivalent of the Attorney General in Quebec to perhaps speak about their experiences and how they would improve a law in its infancy, because we have a great opportunity now: the law is being crafted, and, in committee, we could potentially improve some things. If we look at other jurisdictions, particularly a very similar jurisdiction—though Quebec has a civil law system which is somewhat different—it would still be very informative for us to look at what’s going on there and to see how we could improve our legislation. So I ask that, certainly in committee, we consider hearing from Quebec and from some representatives in Quebec who could talk about their experience there.

Other examples of SLAPPs being used here in Ontario: SLAPPs are commonly used against environmental activists, people who are concerned about the environment, and against people who are concerned about developments in their communities, and here's another example. The example is the Rural Burlington Greenbelt Coalition. They were opposing the dumping of untested fill at the Burlington Airpark. When they cited government documents that supported their criticism of the dumping of the fill, two members of the coalition were slapped with a \$100,000 defamation suit each.

SLAPPs are still being used. It's something that's still going on. Sometimes we think we don't know of examples. There are still a number of examples around the province, so it's important for us to keep that in mind.

One of the areas where I had indicated that this is changing the way defamation and the way the law has been for hundreds of years: I want to touch on that just briefly and talk about how it's being changed. While I think it's appropriate that we need the change, I think we also need to be sensitive to some areas that we might want to look at.

One of the areas of concern—this was raised by a number of very experienced lawyers who had argued defamation cases, and some of the most important defamation cases here in Ontario. The issue that was raised by these lawyers was that we need to be very careful about the implications of these changes that we're proposing here. While I agree with the changes and while they flow from the recommendation of the anti-SLAPP legislation panel that was struck—and members of the panel are, of course, very skilled lawyers—one of the things we need to look at is that there is a changing of the onus, and that changing of the onus could open up certain people to more exposure to defamation. We need to be aware of that.

#### 1000

The portion of the law that talks about when you can dismiss a case is under subsection 137.1(3). The way the order to dismiss works is: "On motion by a person against whom a proceeding is brought, a judge shall, subject to subsection (4), dismiss the proceeding against the person if the person satisfies the judge that the proceeding arises from an expression made by the person that relates to a matter of public interest."

There are a number of grounds that the judge has to be satisfied by. The judge has a look at the case and say, "Listen, if these things are present, then I will not dismiss the case, and if they are not present, then I can move ahead with the motion."

The areas are the following:

—"the proceeding has substantial merit." If you can show that the proceeding has substantial merit, that's one of the grounds you need to show so that you can continue with the defamation;

—"the moving party has no valid defence in the proceeding." If there's no defence of the proceeding at all, then you can continue with the defamation claim;

—"the harm likely to be or have been suffered by the responding party as a result of the moving party's expression is sufficiently serious that the public interest in permitting the proceeding to continue outweighs the public interest in protecting that expression." This is the area where we have a balancing. The balancing is important, but what it does is—we have to understand that there are certain people who always satisfy the test of being in the public interest.

If someone decides to make defamatory comments against, for example, an elected official, one could always argue that it's in the public interest to raise concerns about elected officials because elected officials are in the public and they represent the public. One could argue that it's always in the public interest for someone to get up and say, "I have a concern with this member who's an elected official." They could say things that are negative about that elected official. We have to be careful that if defamatory comments are used against people who are in a position of some public importance, they are now potentially open to more defamatory comments with less remedy.

The example that was given to me was the example of *Scientology v. Hill*. In that case, it was a prosecutor, someone who worked for the Ministry of the Attorney General—a provincial crown prosecutor. That prosecutor was involved in search warrants surrounding the Church of Scientology. Long story short, the issue was that some of the actions of this prosecutor resulted in the Church of Scientology suing Mr. Hill, a very respected prosecutor, for defamation. Eventually, Mr. Hill won the case and was able to show that there were no grounds for the defamation, but if we apply this current legislation to Mr. Hill's scenario, Mr. Hill would potentially not be able to dismiss the defamation against him because the new laws have changed the onus somewhat.

It's something to keep in mind. In the Hill example, it was absolutely unfair what happened to Mr. Hill; and the thought that something like that would not be caught, or that Mr. Hill would not be protected and in fact would potentially be in a more difficult position because of this law, is something that we need to consider. That's something that would balance our concerns somewhat.

Again, we absolutely need to have protection of public participation. It's just something for us to look at—that there might be cases where we are now exposing people who are in the public or who satisfy the public interest to more exposure and perhaps more lawsuits, and not really giving them a defence. It's something to consider.

We have another very recent example of SLAPP suits being used just a couple of years ago. People raised some significant concerns about Marineland and the treatment of animals in Marineland. We can all think about the animals that we kind of fondly remember, whether it's in commercials or whether it's going to water parks in the past. We look at the whales and the—

**Interjection:** Dolphins.

**Mr. Jagmeet Singh:** —dolphins and the seals and we think, "These animals are cute," and they inspire a lot of

affection in us. So it would make sense that if someone, if trainers working at Marineland realized that there was mistreatment of these animals, they would want to come forward and say, “Hey, listen, what’s going on at Marineland? They’re not treating these animals right. They’re not being treated in an appropriate manner.” So they raised their concerns. It seems like something that would be reasonable to do.

There was, in fact, a coalition of folks who cared about these animals and were concerned about their treatment. They received information from trainers saying that there were some problems. Right now, Dylan Powell of Marineland Animal Defense is facing a \$1.5-million SLAPP, and this was launched when he decided to shine light on Marineland’s operations. He discussed some of the issues around the way the animals were treated. In 2012, the Toronto Star broke a story that Marineland was burying animals on-site in mass graves without permits. A \$1.5-million claim was filed against Dylan and the Marineland Animal Defense. It changed the media focus on the mass animal graves to a mass lawsuit.

So, one, it changed the story. It took attention off Marineland, and the story became this massive lawsuit, but it also discourages people who want to raise concerns. That story hit the media. People know that there was this massive lawsuit. The impact of it is that people know that if they raise their concerns, they might suffer a potential lawsuit—they might be threatened with a lawsuit and they might face a lawsuit.

People get discouraged when they hear that. It’s a real issue. It’s a real fear that people have. So we really need to look at what we can do to protect those folks. It’s a real issue. We have people across this province who are facing lawsuits, and it’s not just environmentalists; it’s not just people who are concerned about the welfare of animals. It’s people that—something as simple as developments in their own communities.

I gave that example. It’s important for us to really put our minds to scenarios. People can just talk. Even public debate has resulted in cases where people were threatened with lawsuits. If you organize public debate currently and you organize debate on a potential development or a potential action of a major corporation, you, right now, are susceptible to a potential lawsuit. It’s a real fear. It’s a real concern. People talk about it all the time. The fact that simply receiving a letter in the mail has such an impact, such a fear associated with that, just the threat of a lawsuit, is another area that we need to talk about.

While this law will certainly address the concerns raised by lawsuits when they are actually commenced and dismissing those lawsuits, what about the scenario where you just receive a letter in the mail? I benefit from having legal training. I understand that a letter by itself isn’t a lawsuit. A letter by itself has to be followed up by additional steps for it to become a legal action. A letter doesn’t actually commence legal action. It’s just a threat to commence a legal action.

But we also need to understand that there is often a lack of education about what those letters imply. So if I

receive a letter in the mail and I don’t know about the law system to a great extent—I receive a letter and I’m a layperson—I might think that that letter itself is the lawsuit. If I receive a letter, there’s no lawsuit commenced, but that letter in and of itself could discourage me from talking about the issue.

This legislation doesn’t do anything to address that letter. We need to consider, perhaps, a number of different ways to address this, but one of the ways is, people need to know more about the system in general. When it comes to protecting public participation, which is the essential ingredient of this law, we also need to look at the ways that public participation is silenced or discouraged without the actual commencing of a lawsuit, that those letters in and of themselves can discourage people, and at what we can do to ensure that those folks who are silenced through simply a letter in the mail—what we can do to encourage them to, one, know their rights, know that a letter in itself should not cause you to fear, should not cause you to feel that you have to be silent. So that’s something we need to consider as well.

When we look at other examples of strategic lawsuits to silence public participation, we also need to look at the climate and the priority that this government has given this bill. We have to look at some of the history.

Now, the government claims that there was an election that deterred this bill from being brought forward, but we have to actually roll back the clock a little bit further. This law has been introduced a number of times in the previous session. Even before the election was called, this law had been introduced. It was not given the time, it was not given the priority, and it was not given the importance that it deserved.

#### 1010

Again, this is a law that doesn’t cost any money. This is not going to, in any way, impact the budget. This is not a law that’s going to require any extra resources. This is simply a law that protects public participation. So it makes absolutely no sense that this law was not given the priority that it should have.

In the previous session I spoke about the fact that there were a number of other laws that were pushed in and they were given priority over this law. It made no sense at the time, and I want to reiterate that now you have an opportunity. The law is now being debated at second reading. Please give this law the priority it deserves. It is something of fundamental importance to our society and it’s now the government’s responsibility to make sure that this law goes through in a timely manner.

We want to ensure that people are protected, and having legislation come forward, debated and then never brought into third reading, never passed, will not actually offer that protection. I know a number of stakeholders who have said, “Listen, this law had been brought forward; the government hadn’t really given it any time—now it died on the order paper and it’s being reintroduced again.” We need to make sure that the government follows through on this and that it’s not simply satisfying people’s concerns by just bringing the bill forward. We

need to satisfy their concerns by actually implementing it into law. Again, I encourage the government to do so.

We need to make sure that we get this bill right the first time. When it comes to committee hearings, we need to have significant committee hearings and make sure we hear from all the experts. Let's not ram this bill through committee. Make sure the committee hearing is thoughtful, that we have proponents of the bill come forward and that we also have people who are concerned about the scope of the bill come forward so that we can craft the best bill possible. I think that's essential. That's absolutely important.

One of the things that's very encouraging is that the panel that was struck came up with a number of recommendations. We've seen this government hear recommendations in the past and then never implement them. I can think of an example when it comes to the Special Investigations Unit here in Ontario. The Ontario Ombudsman came forward with a number of very, very clear recommendations—legislation that needed to be changed to improve the SIU—that could have been implemented by this government, and that report was provided and has been shelved, and none of those recommendations have been implemented.

We've seen, time and time again, important reports—reports that have been very informative—being brought forward and not implemented. In this case, though, I have to say that this is one of the rare examples where I looked through the report provided by the anti-SLAPP panel and all of the major recommendations have been put forward in this bill; they've been addressed, and that's very encouraging.

Using this as an example, I know you can do it. We've seen in this bill that the recommendations provided by the panel have been implemented into this law. Since I know you can do it, I ask you to do it as well in other areas.

When it comes to police accountability—it's an important issue, and we have recommendations by an objective, independent third party, someone who is well respected, André Marin, who talks about concerns that he has with the ability of the SIU to do its job, concerns about the Ministry of the Attorney General not encouraging the SIU or not allowing the SIU or creating barriers for the SIU to do its job. These are concerns raised by the independent watchdog for Ontario. Those recommendations weren't implemented. There are recommendations for child and youth services that we've seen tabled before and not implemented. Now that we know that you can actually implement recommendations, and you've done so in this bill—and I applaud you for it. We'd like to see you implement other recommendations that have been submitted by other panels and by other reports.

One of the issues that comes to mind, when we're talking about the idea of protecting public participation, is the lack of awareness and lack of education in terms of what the community knows about their rights. If we're talking about the idea of public participation, hand in hand with that is making sure that the community is

aware of what their rights are in terms of public participation.

I want to take this opportunity to discuss what the government can do to ensure that there's a climate in this government, in this province, that supports public participation. If we're talking about legislating the protection of public participation, if we're talking about legislating protection so that people don't fear engaging in democracy, this is what this bill is about.

We also have to look at the climate that's being created here in Ontario. One of the things that I want to talk about is the concept of the right to dissent. People don't know what their rights are and often are misinformed—I understand that we're close to—

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

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** This House stands recessed until 10:30 a.m.

*The House recessed from 1015 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Robert Bailey:** I'd like to announce some visitors from the Leamington area, who are here today in the gallery: Andrea Cassidy, Jacqueline Galy, Kimberly DeYong, Sandra Dick, Heidi Omstead, Kim Johnston and Natalie Mehra. It's about the obstetric services in the Leamington hospital.

**M. Gilles Bisson:** J'aimerais introduire à l'Assemblée législative quatre étudiants du comté de Timmins-Baie James qui sont ici pour le Parlement des jeunes : Francis Létourneau de Hearst, avec Renée-Anne Pitre de Hearst; on a, de l'École secondaire Thériault de Timmins, Josée Lavoie; et, intéressant, de l'École Renaissance, Maël Bisson. Je n'ai aucune idée s'il est de la parenté, mais je vais le savoir parce qu'on s'en va dîner aujourd'hui à 11 h 35. So, on va avoir la chance de voir si Maël est apparenté avec le M. Bisson de l'Assemblée.

**The Speaker (Hon. Dave Levac):** I've had that problem in the past with my family, not knowing my relatives.

**Hon. Reza Moridi:** It's my pleasure to welcome ward 1 Councillor Greg Beros of Richmond Hill and also Mr. Mike Ostafichuk from Richmond Hill Branch 778 Ban-shee Squadron and a comrade of the Richmond Hill Legion. Welcome to the Legislature.

**M. John Vanthof:** J'aimerais introduire, avec le Parlement jeunesse, Lionel Lemieux, Jessy Côté, Mélissa-Lyne Roy, Toni-Aliane Hacquard, Samuel Harvey et Brittany Pépin. Ils viennent de la circonscription de Timiskaming-Cochrane. Bienvenue à Queen's Park.

**M. Grant Crack:** C'est un grand plaisir pour moi ce matin de souhaiter la bienvenue à tous les participants de la neuvième édition du Parlement jeunesse qui sont ici ce matin. Un bonjour très spécial pour les participants de ma circonscription de Glengarry-Prescott-Russell : Camille Sigouin, Jean-Sebastien Boyer, Jérémie Racine, Zoé

Lavergne, Marielle Racette, et aussi Éric Dubois, Geneviève Latour, Éric Marcotte, Marie-Christine Castonguay et Étienne Camirand. Bienvenue, tout le monde.

**M<sup>me</sup> France Gélinas:** Moi aussi, ça me fait extrêmement plaisir d'accueillir les jeunes du Parlement jeunesse francophone, plus spécifiquement deux jeunes hommes de mon comté : M. Olivier Bélanger et M. Chad Savard.

I would also like to take this opportunity, while I'm up, to welcome two physicians from the Mood Disorders Centre of Ottawa. Dr. Anne Duffy and Dr. Paul Grof are here with us at Queen's Park. Welcome to Queen's Park. Bienvenue à Queen's Park.

**M<sup>me</sup> Marie-France Lalonde:** C'est avec grand honneur que je veux souhaiter la bienvenue au Parlement des jeunes francophones que j'ai eu le plaisir de rencontrer hier soir, et particulièrement certains membres de ma circonscription : Gabriel Cyr, Jenna Rossi, Mackenzie Wall, Mélissa-Samuele Anthonin, Laurianne Mbuluku, Réginald-Yves Lundi. Et un grand merci à Camille Sigouin qui est étudiante dans mon bureau de circonscription. Je vous souhaite une belle session.

**Mrs. Lisa Gretzky:** It gives me great pleasure to rise today to welcome Andrea Cassidy, Jacqueline Galy and Kimberly DeYong. They're here today with Save OB Leamington, the Essex County Health Coalition, the Ontario Health Coalition and residents of Essex county to save the obstetrics and gynecology services at Leamington District Memorial. They're not in the gallery yet; they were doing a press conference. They should be up soon.

**Hon. Deborah Matthews:** I am delighted to welcome Peter Killorn, who is visiting us from Halifax, and Tess Killorn, his sister. They are the brother and sister of the wonderful Bill Killorn, who is the director of issues management in the Premier's office. Welcome, and enjoy watching your brother work today.

**Mr. Taras Natyshak:** I want to welcome Sandra Dick, Heidi Omstead, Kim Johnston and Natalie Mehra. If members are wondering where they got the cute little baby bonnets, they are courtesy of these folks, who are here to raise awareness about the closure of the OB unit at Leamington District Memorial Hospital.

**Mr. Bob Delaney:** On behalf of the member for Eglinton-Lawrence and page Arlyne James, I'm pleased to welcome Arlyne's mother, Sheliagh Flynn James; her brother, Conall James; her uncle, Brian Flynn; and her cousin, Devlan Flynn. They'll be in the members' gallery this morning. Would members please offer them a welcome.

**The Speaker (Hon. Dave Levac):** Thank you. Sergeant-at-Arms?

Associate Minister of Finance.

**Hon. Mitzie Hunter:** I'd like to welcome the family of our page captain Fardin today. His mother, father and brother are in the gallery. We'd like to welcome Farzana Huq, Khairul Islam and Farhan Islam. They are my wonderful constituents. Please welcome them.

**L'hon. Madeleine Meilleur:** Je voudrais souhaiter la bienvenue aux jeunes d'Ottawa qui participent au Parlement jeunesse francophone, de l'École secondaire De La Salle et de Samuel-Genest, les deux meilleures écoles secondaires de l'Ontario.

**Hon. David Oraziotti:** I want to welcome Nathan Salituri, who is here from Sault Ste. Marie as part of the francophone model Parliament.

**Hon. Mitzie Hunter:** Also in the members' gallery, we have Dr. Robert Brown, a retired professor from the University of Waterloo and president of the International Actuarial Association. We have Jim Keohane, the president and CEO of the Healthcare of Ontario Pension Plan and member of our technical advisory group on retirement security. We also have Victoria Hubbell, who is a senior vice-president, strategy and stakeholder relations, at HOOPP. They're here today providing briefing sessions on the findings from Dr. Brown's report, A Case Against Shifting Public Sector Defined Benefits Plans to Defined Contributions.

I'd like to congratulate HOOPP on being one of the pension companies internationally recognized for their earnings. Congratulations.

**M<sup>me</sup> Sophie Kiwala:** Je veux dire une grande bienvenue aux étudiants qui viennent de Kingston et les Îles au « model Parliament » des jeunes francophones : Isaac Goggin, Sébastien Gravel, Vincent Bélanger et Nathan Feuillat. Bienvenue.

**Mr. Jim Wilson:** I'd like to ask all members to join me in welcoming grade 5 students from Father F.X. O'Reilly school in Tottenham. Welcome to the Legislature.

**The Speaker (Hon. Dave Levac):** With us in the Speaker's gallery today is a former member from Carleton East in the 33rd, 34th, 35th and 36th Parliament, Monsieur Gilles Morin. Welcome.

#### USE OF PROPS IN THE HOUSE

**The Speaker (Hon. Dave Levac):** As I have done before—

*Interjections.*

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

As I have done before, I noticed an item that could be considered and classified—and it is by me—as a prop. The disappointing part about this is that advice was already provided to those who put it on the desks. That they still did it anyway is not impressive to me, and I'm not happy.

1040

I also suggest to you that House leaders must agree to these issues, and normally, what is done is they are found on the outside galleries or in the lobbies, and with the approval of all three House leaders, they do unanimous consent.

So I am not happy that this is happening, just as I was not happy the last time I had to speak to this regarding a separate issue with almost the same intent, to use it as a prop.

It is now time for question period.

## ORAL QUESTIONS

### BY-ELECTION IN SUDBURY

**Mr. Steve Clark:** My question is to the Acting Premier. On December 11, a particular federal MP stood up to address the Canadian House of Commons and made statements like “New Democrats have,” “New Democrats support” and “New Democrats also feel.” That was your new member from Sudbury. Those words were spoken on the afternoon of December 11, the same afternoon the Premier claims to have told Andrew Olivier she was appointing Mr. Thibeault.

Acting Premier, if your Premier had already decided to appoint Mr. Thibeault as the Liberal candidate on December 11, do you really think it’s appropriate that he was passing himself off as a New Democrat and collecting his federal paycheque until your operatives could sway Mr. Olivier with an alleged bribe?

**Hon. Deborah Matthews:** I have to say that Glenn Thibeault is an excellent addition to our caucus, to our government. He is a very strong advocate for the people of Sudbury and we welcome him here on the government side.

Throughout his career, Glenn has shown an unwavering commitment to the people of Sudbury. I’ve had a chance to speak to this before and I will speak to it again. He has fought tirelessly for supports for persons with developmental disabilities, and I know that’s an issue that’s important to you and other members of your caucus. He has fought tirelessly for quality services for families struggling with autism. He was a director of the United Way. He led many successful campaigns in support of community development. He was a proud volunteer with Big Brothers Big Sisters and he coached minor hockey and football. He’s helped empower Sudbury youth to achieve their full potential.

We are delighted that Glenn Thibeault has chosen the Liberal Party—

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

**Mr. John Yakabuski:** You’re not here to promote Glenn Thibeault.

**The Speaker (Hon. Dave Levac):** The member from Renfrew–Nipissing–Pembroke will come to order. Supplementary?

**Mr. Steve Clark:** Back to the Acting Premier: The Premier said she made the decision to appoint Mr. Thibeault on November 30. She allegedly told Mr. Olivier on December 11. Pat Sorbara offered Mr. Olivier an appointment to step aside on December 12. Mr. Thibeault made his announcement public on December 17. Confusingly enough, on December 17, many residents in Sudbury opened their mailboxes to find a taxpayer-funded mail-out from the federal NDP member on Sudbury’s parliamentary budget.

Acting Premier, do you think it’s appropriate for the member to send out a mailer if, as you claim, the Premier made the decision to appoint him in November?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. I will be extremely tight in my expectation of bringing attention when I stand. If it continues, we’ll get straight to naming.

**Hon. Deborah Matthews:** Let’s speak about the track record of the member from Sudbury. While he was in Ottawa, he advocated for greater retirement security, enhanced consumer protection and significant investments in the Ring of Fire. These are all issues and expertise that he brings to Ontario. As an MPP, he’s been appointed the parliamentary assistant to the Minister of the Environment and Climate Change, where he’ll work on the defining issue of our generation. Yesterday he was in attendance at the Prospectors and Developers Association of Canada conference, advocating for Sudbury’s mineral exploration and development industry.

He is a very, very strong voice for Sudbury, and that’s why the people of Sudbury sent him to Queen’s Park.

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

**Mr. Steve Clark:** Back again to the Acting Premier: If Mr. Thibeault knew on November 30 that he was running for you, as the Premier has said over and over and over again—if that’s true, it’s absolutely unethical, an abuse of his parliamentary budget and taxpayers’ dollars to promote himself that close to stepping down and running at a different level.

Acting Premier, do you support Mr. Thibeault’s use of taxpayers’ money to promote himself if he was already your candidate?

*Interjections.*

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

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Lanark will come to order.

Deputy Premier.

**Hon. Deborah Matthews:** Speaker, this morning, I had a little glimmer of hope that things were changing in the PC Party, because the member from Whitby–Oshawa said, “For too long, our party has been out of touch with everyday Ontarians.” I agree with the member from Whitby–Oshawa. She said, “For too long, we focused on identifying problems instead of providing solutions.” I agree with the member from Whitby–Oshawa.

This is what gave me hope. This is what she said: “Well that changes today. Today is a new day. Today, all of us here, this team, we have a new attitude and a new plan.”

I was hoping for new questions, Speaker.

*Interjections.*

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

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. I remind all members: When I stand, everyone sits. I also remind the government side that when I ask you to be seated, you are to be seated.

New question.

## BY-ELECTION IN SUDBURY

**Mr. Jim Wilson:** My question is for the Acting Premier. Yesterday, the government caucus voted against our motion asking for the simple recognition that the Premier's office must be above suspicion, and a commitment that we preserve the integrity of Ontario's highest political office.

It's shameful that the Liberal government continues to protect Liberal fundraiser Gerry Lougheed Jr. and the Premier's deputy chief of staff, Pat Sorbara, in the face of serious allegations that they offered bribes to convince someone not to run for office.

Acting Premier, despite precedents and expectations that these individuals be stripped of their taxpayer-paid positions until the accusations are resolved, you and your government and your Premier continue to refuse to take the honourable and right action. Your refusal to even acknowledge the dark cloud cast on democracy begs the question: What are you trying to hide?

**Hon. Deborah Matthews:** The Premier and our entire caucus take this matter very seriously, and the Premier has spoken to that repeatedly.

The investigation is independent of this House. The investigation is being conducted by competent people who actually know how to conduct investigations. Elections Ontario determined that the allegations against the Premier and the member from Sudbury were baseless. However, we will continue to co-operate fully, Speaker.

I actually agree with the PC House leader when he said, "Stop interfering in an ongoing investigation, and let it run its course."

When asked about charges laid against a PC staff member this week, the PC member from Whitby-Oshawa said, "I really don't have a comment ... on this because it's before the courts."

Even this morning, when she was asked about that, she said, "I'm leaving it in the hands of the police and the justice system to continue their investigation and I'm confident that they will reach"—

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

**Mr. Jim Wilson:** When something wrong happens on this side of the House, we suspend the member. The member steps aside. In this case, that staff member stepped aside.

Why don't you learn? When I was Minister of Health, I stepped aside for 10 weeks when someone on my staff said something stupid to a Globe and Mail reporter. There was absolutely no accusation of criminal wrongdoing. There was no breach of the Election Act.

You've got an OPP officer who swore in an affidavit that you broke the law in trying to bribe Mr. Olivier. You've got the Chief Electoral Officer going as far as he—

**The Speaker (Hon. Dave Levac):** I can't accept that. I'd ask the member to withdraw.

**Mr. Jim Wilson:** Withdraw.

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

**Mr. Jim Wilson:** —allegation that you broke the law: I think the OPP officer deserves some respect. She wouldn't have sworn on an affidavit if she didn't have reason to believe that the law has been breached; ditto with the Chief Electoral Officer. As you know, he has gone as far as he can in his powers. He is recommending that the OPP look at this, and that's exactly what they're doing.

Do the right thing, and step aside. Tell us today you're going to do the right thing.

*Interjections.*

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

Deputy Premier?

1050

**Hon. Deborah Matthews:** Well, Speaker, if we want to talk about the member's record, let's go back to 1998, when former NDP MPP Floyd Laughren resigned his seat to become chair of the Ontario Energy Board. Let me quote from the Hamilton Spectator: "Veteran MPP Floyd Laughren, the former New Democrat finance minister, is calling it quits to accept a \$120,000 a year government appointment." Who was energy minister? Who appointed that member? None other than the current interim leader of the official opposition. If we want to talk about your record, let's talk about your record.

To make it worse, the Leader of the Opposition was asked to explain how this could have happened, and his answer was, "If you're looking for logic in this business, you're in the wrong place."

Well, we are looking for logic, Speaker, and we are looking to let the investigation happen outside this House.

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

*Interjections.*

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

I would ask the member from Renfrew to let me do that job, whether I sit up or stand up, whatever. I'll do it.

**Mr. John Yakabuski:** I wanted a government appointment as their choreographer.

**The Speaker (Hon. Dave Levac):** I'm not prepared to engage anyone in a conversation.

Final supplementary?

**Mr. Jim Wilson:** They mention the case of Floyd Laughren—back to the Acting Premier: I think you owe Mr. Laughren an apology. The chronology in that case was, Mr. Laughren had stepped down from office. He was eminently qualified to be chair of the Ontario Energy Board, and he was appointed some months later, after he stepped down from office and voluntarily left this place. You owe him an apology. And I hate to admit it, but he actually did a really good job as chair of the Ontario Energy Board, and we were all very proud of him, even though he wasn't much of a Treasurer.

When Greg Sorbara stepped down for simply being named in a warrant, he said this: "A rather serious mistake has been made, but the interests of our government are greater than the interests of my personal career as



finance minister.” Now, I didn’t always agree with Mr. Sorbara, but that’s a class act. Why don’t you show some class, dismiss these individuals—

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

*Interjections.*

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

Deputy Premier?

**Hon. Deborah Matthews:** Perhaps you could turn around and speak to the woman behind you, the member from Haliburton–Kawartha Lakes–Brock, who resigned her seat in 2009 and accepted a paid position on the same day. The Sudbury Star reported, “Scott Trades Seat for Head Office Job.” PC “Laurie Scott was given the job Friday of getting the opposition ready for the next election in exchange for giving up her seat in the Ontario Legislature.”

We have no idea who had conversations with whom. She may very well have stepped down voluntarily. But would she have been willing to do that—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Leeds–Grenville, the member from Renfrew–Nipissing–Pembroke and the member from Prince Edward–Hastings will come to order—second time.

**Hon. Deborah Matthews:** Speaker, I know we can’t always trust PC math, but we’ve seen the numbers, and we wonder, who is stepping down for Patrick Brown?

*Interjections.*

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

#### BY-ELECTION IN SUDBURY

**Ms. Andrea Horwath:** My question is for the Deputy Premier. The Liberals are trying to rewrite history. Yesterday, the Premier insisted it was common knowledge that she was going to appoint Glenn Thibeault in November. Horse feathers, Speaker. On December 12, Gerry Lougheed said to Andrew Olivier, “The Premier up to now, has always said to me, she’s in favour” of nomination races. “So I want to make that really clear, she’s never said to me, ‘I want to appoint him,’” and, “to be fair to Glenn, Glenn has never said, ‘I want to be appointed.’” This isn’t rhetoric or spin. It’s the Premier’s Liberal kingmaker on tape.

When will the Liberals start telling the truth about the Sudbury bribery scandal?

**Hon. Deborah Matthews:** As the Premier has said time and time and time again, she made the decision when she met Glenn Thibeault that he was going to be the candidate.

You know what? She wasn’t the only one who thought that Glenn Thibeault would be an excellent candidate. Let me read the editorial from Northern Life. This is what they had to say:

“We say elect Glenn Thibeault. He’s a seasoned politician with deep roots in the community, whose skills put him head and shoulders above the other candidates.

He has been a very effective constituency man, an articulate member of the opposition and past executive director of United Way.

“Thibeault will be working for the government in power, and we believe he’ll make a difference.... Sudbury is the mining capital of the world and we need to be plugged into government to maximize our economic growth and sustainability.”

So it wasn’t just the Premier who thought he would be the best candidate. The people of Sudbury made that decision.

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

**Ms. Andrea Horwath:** Yesterday, the Premier stood up and insisted that she’s been answering questions for weeks. It’s true that the Premier has stood up and she has talked, but she hasn’t actually answered a single thing. This is a really important question. There’s no spin. There is nothing complicated. It isn’t a trick question. The question is pretty straight up: Who told Pat Sorbara and Gerry Lougheed to offer Andrew Olivier a job?

Gerry Lougheed says it was the Premier. I’m asking the Deputy Premier now: Who was it?

**Hon. Deborah Matthews:** The leader of the NDP knows full well that it’s not appropriate to comment on a police investigation. In fact, on December 11 last year, the leader of the NDP held a press conference at the media studio right here at Queen’s Park. She was questioned then on criminal allegations against an NDP candidate. Allow me to read to you what the leader of the third party said during this press conference:

“Right now, this is a matter that’s in front of the police.... I can’t talk about the details at this point because the police are investigating.” The member was asked question after question, many by Richard Brennan, but refused to answer. She was asked 14 times, and then what did she say? She said, “I’m not going to talk about this any longer. I’ve said to you what I need to say. The police are investigating the matter.”

The NDP keep asking, week after week, questions about a matter before the police. I think the leader—

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

**Ms. Andrea Horwath:** I am disgusted that the Deputy Premier—

*Interjections.*

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

**Ms. Andrea Horwath:** I am disgusted that the Deputy Premier would actually raise an issue of a woman who complained about sexual harassment and try to get me to talk about someone’s personal sexual harassment case. That’s what that was all about. Shame on you, as the Deputy Premier, to raise that in this House. Shame on you.

We all know that the Premier—

*Interjections.*

**The Speaker (Hon. Dave Levac):** No. It’s from all sides. Order, please. Thank you.

Finish, please.

**Ms. Andrea Horwath:** We all know that not her chief of staff, her campaign director, her Sudbury kingmaker, Sudbury's former riding association president, Andrew Olivier, Glenn Thibeault, the OPP, Elections Ontario or any of the other evidence we've seen backs up the Premier's story. Can the confidante of the Premier, the Deputy Premier, actually back up this story of the Premier's version of events?

**Hon. Deborah Matthews:** I would like to point out that I was not the one who mentioned anything to do with the allegation other than to say that the leader of the third party was asked repeatedly about a matter that was under police investigation, and she repeatedly refused to answer the question because it was under police investigation. It is exactly what they have been subjecting the Premier to week after week.

Let me quote again—

*Interjections.*

**The Speaker (Hon. Dave Levac):** It goes both ways.

*Interjections.*

**The Speaker (Hon. Dave Levac):** It's not helpful when I stand and it continues.

1100

**Ms. Andrea Horwath:** Don't we have a committee going on right now on sexual harassment?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Excuse me. Order, please. Wrap up, please.

**Hon. Deborah Matthews:** Let me remind you what the leader of the third party said about a matter that was in front of the police: "Right now this is a matter that's in front of the police ... I can't talk about the details ... because the police"—

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

#### BY-ELECTION IN SUDBURY

**Ms. Andrea Horwath:** My next question is for the Deputy Premier. There are taped calls. There are police warrants. There are letters and an independent report from Elections Ontario. They all say that Andrew Olivier was offered a bribe. Instead of answering plain questions, Ontarians get the same response, day after day, and yet today, another new low by the Liberals in terms of this discussion.

I ask the Deputy Premier, the Premier's closest confidante: When was the Deputy Premier told; when was she told that there would be no nomination meeting? Was it before or after the bribery attempts were made?

**Hon. Deborah Matthews:** I, for one, am delighted that Glenn Thibeault decided to leave the NDP and join the Liberal Party. He made a very good decision, and the people of Sudbury made the decision to send him to Queen's Park. There are many reasons that they did that.

I think that the Northern Life editorial says it best: "He's a seasoned politician with deep roots in the community, whose skills put him head and shoulders above the other candidates. He has been a very effective

constituency man, an articulate member of the opposition and past executive director of United Way.

"Thibeault will be working for the government in power ... we believe he'll make a difference ... Sudbury is the mining capital of the world and we need to be plugged into government to maximize our economic growth and sustainability."

The people of Sudbury spoke.

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

**Ms. Andrea Horwath:** Ontarians deserve to know who gave the order to offer Andrew Olivier a job. The Liberals have been asked this question 50 times, and we have 50 responses but zero answers.

It's not complicated: Who was making the decisions in the Sudbury bribery scandal?

*Interjection.*

**The Speaker (Hon. Dave Levac):** Minister of Economic Development, come to order. Thank you.

Deputy Premier.

**Hon. Deborah Matthews:** I know that this will get the leader of the third party angry, but do you know what? I have to go back and quote her own words back to her: "I can't talk about the details at this point because the police are investigating."

She was pushed. She was pushed hard. Fourteen times she was asked the question, and finally she said—she said; the Premier has not said this—"I'm not going to talk about this any longer. I've said to you what I need to say. The police are investigating the matter," and shut down the conversation.

Speaker, she knows full well that when an issue is before the police, then comments are not appropriate.

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

**Ms. Andrea Horwath:** Premier, this is the third week that we've been trying to get answers about the bribery scandal that happened in Sudbury. Instead, Ontarians see the Premier and the Deputy Premier playing games, slinging muck, refusing to answer questions.

Somebody was making the decisions in the Sudbury bribery scandal. The Deputy Premier was aware of the conversations that the Premier had with her soul. Was she aware of any conversations the Premier had with anyone else about a nomination meeting being cancelled in Sudbury?

**Hon. Deborah Matthews:** I'm tempted to ask the leader of the third party why she didn't respond to the questions that were asked to her about a criminal investigation. I would also like to know why they are not asking questions about poverty. Why are they not asking questions about homelessness? Why are they not asking questions about insurance? Why are they not asking questions about economic growth? Why are they not asking questions about health care? There are many, many issues.

On this side of the House, we're working hard to address the needs of the people of this province. I think it would be refreshing to have a real policy question instead of another—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.  
**Hon. Deborah Matthews:**—question, Speaker.

#### BY-ELECTION IN SUDBURY

**Mr. Victor Fedeli:** My question is for the Acting Premier. Just like the gas plants scandal, it's the deputy chief of staff at the centre of OPP allegations. This time, it's allegations in the Sudbury bribery scandal, and it's her words that will be your Premier's undoing.

The Premier stated that she made the decision to appoint the Sudbury candidate in late November, but in December, Pat Sorbara said "She's"—meaning the Premier—"gonna"—that's a future tense, and that's very critical. "She's gonna have to make a decision around the appointment." The tape doesn't lie. On December 12, she hadn't yet made her decision.

Acting Premier, will you admit that the Premier's version and the version found on the tape are quite different?

**Hon. Deborah Matthews:** Speaker, I appreciate the question, but as I said earlier, I was really, really hoping that the members of the PC caucus would listen to one of their own, the member from Whitby–Oshawa, who said this morning, "For too long, our party has been out of touch with everyday Ontarians." Would we agree? I think we would agree with that. "For too long, we focused on identifying problems instead of providing solutions." Then she said, and this is what gave me hope—the member who you, I believe, are supporting for leader said, "Well, that changes today. Today is a new day. Today, all of us here, this team, we have a new attitude and a new plan." I thought we might see that reflected in question period today.

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

**Mr. Victor Fedeli:** Again to the Acting Premier: Just because she's talking doesn't mean she's answering. This is just like the gas plants scandal all over, where Liberal operatives said one thing, but recovered emails previously deleted clearly laid out the truth. This time, it's your operatives' words which were caught on tape.

Gerry Lougheed went through a hypothetical scenario with Andrew Olivier on December 11—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. I'm going to continue to ask for decorum. I will continue to ask all members to race to the top.

Finish your question, please.

**Mr. Victor Fedeli:** Speaking as if he were Olivier, Lougheed says on the tape, "What are you giving me ... to step down...? Otherwise ... I'm gonna go sell memberships and see what my chances are." Mr. Olivier would not be told that he could still sell memberships if a decision had already been made in December, like the Premier claims. She's been snared by her own story, which is opposite the tape's.

Deputy Premier, will you admit the Premier misled this House?

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

**Mr. Todd Smith:** Same old story.

**The Speaker (Hon. Dave Levac):** The member from Prince Edward–Hastings, second time.

Please withdraw.

**Mr. Victor Fedeli:** Withdraw.

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

**Hon. Deborah Matthews:** Speaker, I can tell the member opposite that the Premier of this province, the leader of the Ontario Liberal Party, is a woman of enormous integrity. She is telling the absolute truth. In fact, she is a woman who thought through very clearly what she needed to do.

She is a woman who is building a strong government. She wanted Glenn Thibeault on this side of the House, working for the people of Sudbury. What she did is, when she met him in Sudbury, she said, "This is the man I know I want in my caucus." She decided at that time that he would be the candidate, and then he went on to become the member.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Stormont, come to order.

**Hon. Deborah Matthews:** It was a hard-fought election. I'm sorry the PC Party lost their deposit, but that's how it goes sometimes. But he's a strong candidate, and he is a strong member.

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

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Prince Edward–Hastings, withdraw.

**Mr. Todd Smith:** Withdraw.

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

#### BY-ELECTION IN SUDBURY

**Mr. Gilles Bisson:** Integrity? She broke the law, Speaker. I don't see integrity in that.

Anyway, my question is to the Acting Premier. Pat Sorbara and Gerry Lougheed are on tape offering Andrew Olivier anything he wants in order to get out of the way, offering him what the OPP and Elections Ontario have described as a bribe. But it doesn't stop there. Pat Sorbara told Andrew Olivier that he's the third person the Premier has called in order to push aside a potential candidate.

**1110**

Can the Deputy Premier tell this House who else the Premier has pushed aside and what rewards the Premier offered them?

**Hon. Deborah Matthews:** Speaker, I hate to go back to Scarborough–Guildwood, but I think we have to go back to Scarborough–Guildwood. You might remember there was a by-election there in 2013. The NDP had a very fine candidate who wanted the nomination, Amarjeet Kaur Chhabra—

**Mr. Paul Miller:** The NDP had a nomination meeting. No comparison.

**The Speaker (Hon. Dave Levac):** Member from Hamilton East–Stoney Creek, come to order.

**Hon. Deborah Matthews:** —a very highly respected person in that community, and who the leader of the third party decided she wanted to run there was Adam Giambone. So instead of having a clean appointment, she chose to run what—I'm not going to say this, but others do. The president of the NDP Scarborough–Guildwood riding association, Viresh Raghubeer, said to the Toronto Star, “I am very disappointed. We are confident that things need to be investigated further and we needed further proof as to what happened at the nomination meeting. Whenever you try to speak about democracy in the party”—

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

**Mr. Gilles Bisson:** It was called a nomination, and Adam Giambone did the work that you do as a candidate seeking nomination. He got more votes. That was the story. But my question back—

*Interjections.*

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

**Mr. John Yakabuski:** Throw them all out.

**The Speaker (Hon. Dave Levac):** There are some people I can start with. Thank you.

Please finish.

**Mr. Gilles Bisson:** The Deputy Premier can try to deflect as much as she wants. After offering Andrew Olivier anything he wanted so he'd get out of the way and Glenn Thibeault could have an uncontested nomination that the Premier wanted, Pat Sorbara told Andrew Olivier, “By the way ... you're ... the third person I've ever heard” the Premier “even ask this of.”

I ask you again: Who are those people and what did she offer?

**Hon. Deborah Matthews:** Let's go back to 2013, the Scarborough–Guildwood by-election and the candidate, Amarjeet Kaur Chhabra. According to media reports, an independent probe into this nomination was overruled by the central party, leading the president of the NDP Scarborough–Guildwood riding association to say—and let me repeat— “I am very disappointed. We are confident that things need to be investigated further and we needed further proof as to what happened in the nomination meeting. Whenever you try to speak about democracy (in the party) you are demonized.”

Viresh Raghubeer, the president of the riding association, is saying that speaking about democracy makes you demonized in the Ontario New Democratic Party.

#### TRUCKING SAFETY

**Ms. Harinder Malhi:** My question is for the Minister of Transportation. Last fall, there were some concerns raised regarding the testing and training of those who drive commercial vehicles. While I understand that safety is our government's number one priority, those living in

Brampton–Springdale want to know what measures are in place to ensure that truck drivers are being properly trained.

Can the Minister of Transportation please confirm whether our government is committed to developing the mandatory truck driver training?

**Hon. Steven Del Duca:** I want to begin by thanking my colleague the member from Brampton–Springdale for the leadership that she is showing in her community. This is an example of that kind of leadership.

Thank goodness I've got a real question on a transportation issue. Let me first mention that we've actually seen the number of fatalities and collisions involving large trucks decline by 41% between 2002 and 2011. This is a remarkable statistic, but we know there is always more that can be done to improve road safety. That's why both myself and the Minister of Training, Colleges and Universities made a commitment last fall to develop a system that ensures mandatory truck driver training is in place.

We've already taken tangible steps towards that goal. On February 18, MTO led the first official consultations on mandatory truck driver training, and on February 25 I was pleased to attend a round table with the Truck Training Schools Association of Ontario. We are committed to moving forward with this mandatory truck driver training, and we are putting in the work to make sure it happens.

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

**Ms. Harinder Malhi:** I want to thank the minister for his response. I'm very happy to hear that our government is committed to developing a mandatory truck driver training regime.

The minister mentioned that our government has already taken tangible steps forward on this important issue. Those living in my constituency of Brampton–Springdale will be pleased to hear that our government has been consulting with industry leaders, but I'm certain that they would want to hear more about the details of these consultations.

Mr. Speaker, can I ask the minister to please tell members of the House more about the consultations that have been conducted to develop mandatory truck driver training in Ontario?

**Hon. Steven Del Duca:** I want to thank the member from Brampton–Springdale for the supplementary. I was very pleased to attend the Truck Training Schools Association of Ontario round table last week. Over 100 individuals representing enforcement, municipal and industry organizations were in attendance at that event.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Lanark, come to order.

**Hon. Steven Del Duca:** Our government is committed to working together to develop a system that will give Ontarians the confidence to know that commercial drivers are getting the training they need to succeed on our roads. We will get the best results by hearing directly from those working on the front lines, whether it's

carriers, instructors or insurance providers. That's why round tables like the one I attended are so incredibly important. Together, we can and we will deliver a robust program to measure competency and administer mandatory training for commercial truck drivers. We will work to get it right, and we'll find a standard that keeps us at the forefront of road and highway safety in North America.

#### BY-ELECTION IN SUDBURY

**Ms. Sylvia Jones:** My question is to the Acting Premier. On September 25, your leader and the cabinet made a trip to the great city of Sudbury. On that same trip, Gerry Lougheed Jr. hosted a \$1,750-a-plate fundraiser for you and your cabinet ministers. Was anything promised to Mr. Lougheed in return for his loyalty to the Ontario Liberal Party?

**Hon. Deborah Matthews:** I think it's important that the member from Simcoe–Grey probably wants to correct his record, Speaker. I have a Broadcast News release here from Wednesday, January 28, 1998. It says: "Former NDP Treasurer Floyd Laughren has been appointed to chair the Ontario Energy Board effective March 1. Energy Minister Jim Wilson made the announcement today. Laughren is the current longest-serving member of Queen's Park."

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please. I listened very carefully. Truthfully, I'm trying to allow this weaving in and out. I need to have this woven into an answer.

**Hon. Deborah Matthews:** I'm just wanting the member to correct his record, but I can do that a little bit later, Speaker.

The leader of the Ontario Liberal Party, the Premier of Ontario, made a decision to appoint Glenn Thibeault to be our candidate in the Sudbury by-election. The people of Sudbury endorsed that decision and elected him, and we are delighted that he is here.

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

**Ms. Sylvia Jones:** Let's get back to the question that was asked. We all understand the importance of loyalty, but there comes a point when integrity must trump all. Staff and people are loyal because they do exactly what is asked of them. Is that the real reason your leader is so loyal to Pat Sorbara and Gerry Lougheed, because they did exactly what she asked them to do when they spoke to Mr. Olivier on her behalf?

*Interjections.*

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

**Hon. Deborah Matthews:** Speaker, the innuendo and the—it's beneath the dignity of this House that people would impugn the integrity of someone. I think it's also important to remind people that the police are investigating, so the Premier and others have to leave that investigation to those experts outside this House who are conducting the investigation.

I think the member opposite would be interested to know that Mr. Lougheed has also donated—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member for Dufferin–Caledon, come to order; a second time, and you asked the question.

**Hon. Deborah Matthews:** —and again in 2011—

**The Speaker (Hon. Dave Levac):** The member from Dufferin–Caledon is warned.

Carry on.

**Hon. Deborah Matthews:** Gerry Lougheed is a very generous person. I think people in Sudbury—I bet even the member from Nickel Belt would acknowledge that he is a community leader and very generous. His generosity extends to the Conservative Party with donations to the Conservative Party. I don't think you're looking for anything from him either.

1120

#### BY-ELECTION IN SUDBURY

**Mr. Jagmeet Singh:** My question is to the Acting Premier. Pat Sorbara is on tape telling Andrew Olivier that the Premier has pushed aside other people in the past and potentially offered them incentives. Has Pat Sorbara been instructed to tell the police who these people are?

**Hon. Deborah Matthews:** Speaker, the member is a lawyer. The member knows exactly what can be said and what cannot be said. The member opposite knows that the police investigation must be conducted outside of this House. It is not just the leader of the third party who knows that when a matter is before the police, there are limits to comments you can make; the member from Brampton also knows it.

The leader said, "I am not going to talk about this any longer. I've said to you what I need to say. The police are investigating this matter." Speaker, they know that these questions are inappropriate, and I would welcome a question on auto insurance.

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

**Mr. Jagmeet Singh:** I think members in this House know full well that the job of the opposition is to hold the government to account, and that is what we will do.

The Premier has pushed aside at least two other people in the past. She has dealt with these other two people the same way she's dealt with Mr. Olivier. At least, that's what Pat Sorbara told Andrew Olivier in the taped phone call that we have.

Has Pat Sorbara been told to tell investigators exactly who these people are and what they were offered?

**Hon. Deborah Matthews:** As I have said many times, this investigation is independent of this government and of this House. We would welcome, we are begging for, questions on policy issues that matter to the people of this province. There are people here from Leamington who, I know, have questions for the Minister of Health.

We're begging you, pleading with you, to please ask a substantive question that relates to government policy.

## AGRICULTURE INDUSTRY

**Mr. Lou Rinaldi:** Speaker, my question, through you, is to the Minister of Agriculture, Food and Rural Affairs. Minister, the people in this province are interested in and excited about the government's local food strategy. In my riding of Northumberland–Quinte West, there are great opportunities to support local producers and promote local food, like the Cobourg Farmers' Market. We know that more consumption of local food is better for our health and supportive of our local agricultural community and economy. I know that through the Local Food Act, our government continues to promote the good things that are grown and harvested across the province.

Speaker, would the Minister of Agriculture, Food and Rural Affairs please provide an update on proclamations under the Local Food Act?

**Hon. Jeff Leal:** Speaker, let me tell you, that was an outstanding question from the member for Northumberland–Quinte West on a very important policy in terms of local food.

We know that buying local food supports our communities. It helps dollars circulate locally, creates jobs and helps our agri-food sector. That's why we introduced the Local Food Act. I want to pay tribute to the member from Sarnia–Lambton on the tax credit to donate to local food banks. That has been a great success.

I know the member from Northumberland–Quinte West, along with Diane, goes to the farmers' market in Cobourg every Saturday with their grandkids—a great event for them.

But, Mr. Speaker, I'm happy to say that a number of our supply management groups are now helping food banks in Ontario. The Chicken Farmers of Ontario has set an annual donation target of 100,000 chickens per year. The Dairy Farmers of Ontario, the Ontario Dairy Council and the Ontario Milk Transport Association contribute over one billion litres of milk every year. And my good friends the Egg Farmers of Ontario, through a new program, will provide 12,000 dozen eggs—

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

**Mr. Lou Rinaldi:** Thank you to the minister for that answer.

The food donation tax credit is an integral part of our government's commitment to support farmers, increase access to nutritious locally grown food and promote the good things that are grown right across the province.

But minister, with more local food available, it's important that Ontarians understand how and when to access this great food. Part of the Local Food Act requires the government to set aspirational food literacy goals and targets. Not only will food literacy support local food, but it will also promote growth and build opportunities for our agri-food sector.

Speaker, can the Minister of Agriculture, Food and Rural Affairs please update the House on the status of these targets?

**Hon. Jeff Leal:** I want to thank my good friend from Northumberland–Quinte West for the supplementary.

You sense his excitement when he is going to the Cobourg Farmers' Market every Saturday.

This has allowed us to develop a closer relationship, understanding our local food. That is why, under the Local Food Act, we recently announced a set of targets to encourage and increase food literacy across this wonderful province. We want to increase the number of Ontarians who (1) know what local foods are available, (2) know how and where to obtain local foods, (3) prepare local food meals for family and friends—even meals for the opposition and new friends. They want to make local food more available through food service providers.

We all win when food literacy improves. Mr. Speaker, setting these goals is a very exciting step forward. It's healthy for Ontarians. And see the member at the Cobourg Farmers' Market this Saturday.

*Interjections.*

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

*Interjections.*

**The Speaker (Hon. Dave Levac):** I am hanging in. I am going to ask and remind members that it is not convention to use people's names. Quite frankly, it doesn't elevate the debate; it lowers it. Please refer to members by either their titles or their ridings.

## BY-ELECTION IN SUDBURY

**Mr. Bill Walker:** My question is to the Deputy Premier. Gerry Lougheed has been described as a king-maker, as a renowned fundraiser and as a long-time Liberal Party operative. It is apparent he has the ear of your Premier and her inner circle. As such, he had the prerogative to offer appointments, jobs or whatever entitlements to Mr. Olivier.

Deputy Premier, outside of this case, and Andrew Olivier not included, has Gerry Lougheed Jr. ever approached any other individual about a legal appointment on behalf of the Premier?

*Interjection.*

**The Speaker (Hon. Dave Levac):** Member for Beaches–East York: second time.

Deputy Premier?

**Hon. Deborah Matthews:** As I said earlier, Gerry Lougheed Jr. is an outstanding member of the Sudbury community. He is extraordinarily generous personally, and he has also spearheaded fundraising campaigns for many causes, including the hospital there. Even the member from Timmins–James Bay says he's a great guy.

I just want to go back to the situation when Floyd Laughren resigned his seat to become chair of the Ontario Energy Board. We heard from the former Minister of Energy, the member from Simcoe–Grey, that he resigned his seat before he was appointed, and, actually, history does not bear that out.

This news release I started to read said he “has been appointed chair effective March 1. Jim Wilson made the announcement today. He is expected to announce his resignation from the Legislature later today in Sudbury.” So I am sure the member opposite will want to correct his record.

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

**Mr. Bill Walker:** Again to the Deputy Premier: There is no doubt Gerry Lougheed Jr. is well connected in Sudbury. That fact stands. And as the Deputy Premier just said, Mr. Lougheed felt—he is very generous, but not with provincial appointments. But he felt he could make calls to individuals on behalf of the Premier. There is no indication the Premier herself did or said anything to stop or deny him that entitlement.

Separate from this ongoing bribery investigation case, has the Premier ever before acted on the recommendation of friend Gerry Lougheed Jr. in appointing individuals to one of the province's agencies, boards or commissions?

**Hon. Deborah Matthews:** Speaker, as I said before, Gerry Lougheed Jr. is an outstanding member of the community in Sudbury. He has been supportive not just of the Liberal Party, but the Conservative Party as well.

I do want to go back to the question of who is going to step down for Patrick Brown. There is a history of members resigning their seats for a new leader. David Tilson—

*Interjections.*

1130

**The Speaker (Hon. Dave Levac):** Stop the clock. As I've tried to indicate to members on a constant basis, I am truly trying to listen carefully to all of the responses and questions. I'm also going to indicate to you that it does get bothersome and tiresome that people are trying to tell me how to do the job.

Most of all, for the sake of all of you, I think we need to move the level up, for me to hear. I'm hearing these interjections on an ongoing basis back and forth, even when persons are trying to put a question. You're not helping me at all, and I wouldn't mind your help.

I'm going to ask the member to again focus on the answer. Thank you.

**Hon. Deborah Matthews:** Speaker, this is an issue that has been discussed to the exclusion of every other issue in the province of Ontario for the past three weeks. I find it interesting that the member opposite isn't asking about his hospital in Markdale. I'm surprised he isn't asking for an update on that terrific announcement that the Minister of Health made, an issue that affects every person in his community.

#### BY-ELECTION IN SUDBURY

**Ms. Catherine Fife:** My question is to the Deputy Premier. The Liberal government is now facing four OPP anti-rackets branch investigations. Does the Deputy Premier think this is acceptable for the people of this province?

**Hon. Deborah Matthews:** As my colleague the member from Ottawa Centre has said, it's hard when you get two black eyes. You get one black eye because a member of your party has crossed to another party, and it's another black eye—and that hurts—when you lose a seat that you hold. We actually have had this experience ourselves. We know it hurts when you lose a seat. But two black eyes, we understand, are hard to take.

The people of Sudbury have spoken. The people of Sudbury had access to those tapes that were on Facebook and YouTube through the campaign. The people of Sudbury chose Glenn Thibeault.

Northern Life had, I think, a very illuminating editorial on February 2. They said, "We say elect Glenn Thibeault. He's a seasoned politician with deep roots in the community, whose skills put him head and shoulders above the other candidates."

The people of Sudbury have spoken, and we're glad they did.

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

**Ms. Catherine Fife:** Again to the Deputy Premier: You will remember that the police investigated Rob Ford for Project Traveller and Project Brazen 2. This Premier is now facing twice as many police investigations as Rob Ford. More is not better, in this regard. And now the Liberals have hired Rob Ford's chief of staff, because maybe they're hoping he knows a thing or two about politicians and their trusted insiders facing down the police.

Is the Deputy Premier proud that the Liberal government has one-upped Rob Ford when it comes to police investigations?

**Hon. Deborah Matthews:** I'm delighted that the member has weighed in on this. I sure would be interested in knowing her story about her nomination when she decided to run for the NDP. All of us have stories about our nominations. On our side of the House, we have to fight for our nominations. I actually had a contested nomination in 2003. Many of us had contested nominations.

I'm not sure what the NDP constitution has to say about appointments. I do understand they do not allow appointments but they have other ways of ensuring certain candidates do get uncontested nominations.

So there is a certain degree of hypocrisy that has been expressed in this House—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member will withdraw.

**Hon. Deborah Matthews:** I withdraw.

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

#### PUBLIC PARTICIPATION

**Mr. Han Dong:** My question is for the Attorney General. Upholding and ensuring equal access to the justice system is a very important element to the people in the province of Ontario.

After the ministers' mandate letters were made public prior to the last session, I noticed that ensuring access to justice was a priority for the office of the Attorney General. A number of constituents in Trinity-Spadina have been reading the news about a bill she introduced in the past session. The Protection of Public Participation Act generated a positive response from the members of the legal community in that it addresses the issue of equal access to justice and ensures the equality of the justice

system. Personally, I am curious to know how this bill accomplishes this very difficult task.

Mr. Speaker, through you to the Attorney General: Could she please elaborate on how Bill 52 ensures access to justice for every member of this province?

**Hon. Madeleine Meilleur:** I want to thank the member from Trinity–Spadina. He brings a very, very important question. He is a great representative of his riding and we welcome him to Queen’s Park.

The Protection of Public Participation Act is a very important step in ensuring access to justice, because it aims to eliminate what are called “strategic lawsuits.” These types of lawsuits are designed to silence public participation rather than being based on legitimate concerns. Using intimidation tactics to silence one’s opponents is a misuse of our court system—one of the central institutions of a fair and democratic society. By protecting citizens against strategic litigation, our government is protecting the right of Ontario residents to speak out on matters that are important to us.

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

**Mr. Han Dong:** Mr. Speaker, I thank the Attorney General for informing this House of how Bill 52 is working for Ontarians in keeping the justice system open, accessible and democratic. It is great to hear that progress is being made in this area. My constituents and I were very disappointed when a similar piece of legislation, Bill 83, died on the order paper when the last general election was called.

However, I would appreciate it if the Attorney General could clarify some of the details within the bill itself. Mr. Speaker, through you to the Attorney General: Could she please elaborate on what a “strategic lawsuit” is and clarify how this bill would work if it were to be passed in this Legislature?

**Hon. Madeleine Meilleur:** I want to thank again the member from Trinity–Spadina. On this side of the House, we’re not used to having a member from Trinity–Spadina, so welcome again.

I want to thank him for his question, as the definition of “strategic lawsuit” can be difficult to understand. Strategic lawsuits are launched to silence potential critics rather than to obtain a remedy for harm done by a particular criticism. This can come in the form of financial intimidation by threatening a long, often expensive lawsuit that ultimately silences an individual or group’s opinion. This legislation balances the protection of public participation and freedom of expression against the protection of reputation and economic interests.

Monsieur Speaker, this bill was debated this morning in the House. I can sense that there is the support of the two parties. Let’s get the bill to committee.

#### BY-ELECTION IN SUDBURY

**Mr. Ernie Hardeman:** My question is to the Acting Premier.

Acting Premier, I’ve had the privilege of serving in this Legislature for many years. I have served with many

honourable members, members who didn’t wait to step aside when their integrity was being called into question.

The Premier said that Sorbara and Loughheed didn’t offer their resignations. A lot of time has passed since then. Acting Premier, at any time since the scandal broke, have either Sorbara or Loughheed offered their resignation?

**Hon. Deborah Matthews:** Well, Speaker, for a moment I thought the member wanted to talk about the new hospital in Woodstock, but I understand that any issues of policy are not being permitted by your head office there.

What I can tell you is that this investigation is independent of government. This investigation is independent of this House. The investigation is under way. There is full co-operation with the investigation. We take it very seriously and are co-operating fully.

I want to remind the member of what the Chief Electoral Officer clearly stated. He said, “I am neither deciding to prosecute a matter nor determining anyone’s guilt or innocence. Those decisions are respectively for prosecutors and judges.”

I welcome the question. I do think, though, that the people of Oxford county have other questions they’d like their member to be asking.

1140

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

**Mr. Ernie Hardeman:** Again, my question is to the Acting Premier. I want to say the reason I asked this question is because I wanted this question answered.

The evidence is continuing to mount against Ms. Sorbara and Gerry Loughheed. When I served in government, our staff was held accountable. They knew that when they were in the wrong, they were going to have to pay the price.

Acting Premier, is your government culture so arrogant that your staff knows they can avoid accountability?

*Interjections.*

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

Deputy Premier?

**Hon. Deborah Matthews:** Our Premier demands the highest level of ethics and accountability of her staff and of her caucus. The attacks on the Premier are, I think, unseemly. There is an investigation under way. The Premier has been extremely forthcoming about what she said, to the extent that she released a statement that she had written three weeks ago. She’s been very clear about her position. She’s been very clear that she will co-operate fully with the investigation.

But again, I say, is this really the only question that people in Ontario want asked in this House?

#### BY-ELECTION IN SUDBURY

**Mr. Michael Mantha:** Good morning, Mr. Speaker. My question is pretty simple, and it’s to the minister.

Pat Sorbara, Gerry Loughheed, Andrew Olivier, Glenn Thibeault, the OPP and Elections Ontario all have a



version of the Sudbury bribery scandal. The Premier has another. Who is telling the truth?

**Hon. Deborah Matthews:** The Premier is telling the truth.

This marks the last opposition question and another week in the Ontario Legislature, another week where no questions of substance were asked by any of the members of the opposition. We have people from Leamington who are here today because they want answers to questions. But this question period, like all others, has not addressed the questions of people who come to the Legislature. They've come from Leamington to be here to get answers from the Minister of Health.

I don't understand why local members are not asking questions that are important to their constituents. I don't understand why critics are not asking questions that relate to the area that they are criticizing.

Speaker, we will continue to answer questions, but we will continue to answer the questions with the same answers we've been giving for three weeks.

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

**Mr. Michael Mantha:** Again to the Deputy Premier: I'll take it a step slower. The Premier says she made an appointment in November. The Premier's own letter, her campaign director, her kingmaker, her former candidate and the riding association all say, "Nope. No decision." Not everyone can be right. Who is telling the truth?

**Hon. Deborah Matthews:** Speaker, the question that the member—

**Hon. Charles Sousa:** Really slow.

**Hon. Deborah Matthews:** The question that the member is asking is, when did the Premier communicate her decision? She has been very clear that she made the decision to have Glenn Thibeault as our candidate when she met him. She was very clear that she wanted him to be the candidate, and so did the people of Sudbury.

But if the opposition won't ask the question, let me answer what's happening at the obstetrics at Leamington. An expert panel was convened to closely examine the issue—

**The Speaker (Hon. Dave Levac):** Thank you, but to the question.

**Hon. Deborah Matthews:** Speaker, I know the member is not from Leamington. He is not the member from Leamington.

#### RING OF FIRE

#### CERCLE DE FEU

**Ms. Sophie Kiwala:** My question is for the Minister of Northern Development and Mines. As many of you know, the annual prospectors and developers convention just wrapped up in Toronto yesterday. We are certainly proud that Ontario is home to this world-renowned event for the mineral industry.

After not going for many years personally, I was pleased to join the Premier and the Minister of Northern Development and Mines, along with several caucus members, at the Ontario reception earlier this week. The

reception welcomed hundreds of municipal, First Nations and industry representatives, and students, all with a keen interest in Ontario's mineral development industry. In fact, all members should consider attending.

Our province is blessed with an array of natural resources. Can the minister please share the recent investments our government has made in the Ring of Fire?

**Hon. Michael Gravelle:** I want to thank the member for Kingston and the Islands for the question. It was just wonderful to see her and so many other caucus members at the Ontario government reception. PDAC was indeed a tremendous success. It gave our government the right platform to discuss the many exciting investment opportunities in the mining sector in the province.

After Premier Wynne and Prime Minister Harper met earlier in January, I got the chance to go to Ottawa to meet with federal Natural Resources Minister Rickford. It was at that meeting that we discussed very precise opportunities for collaboration and progress on the Ring of Fire.

At PDAC this past week, the first very strong fruits of that labour were us being able to jointly announce more than \$750,000 to support economic development and community access for a number of communities in the region—just a great announcement.

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

**Ms. Sophie Kiwala:** I would like to thank the minister for his response. I agree with the minister: It was clear to me that there is a keen interest in our province's mineral sector.

Il est clair que l'attention au Cercle de feu n'est pas seulement un sujet national; c'est une découverte minérale qui suscite l'intérêt du monde entier.

The Ring of Fire has tremendous potential to spur economic development, create thousands of jobs and significantly strengthen our province's economy for many years to come. I was particularly pleased to see so many First Nations representatives attending the conference, something I do not recall when I visited in past years.

We are also glad to see the federal government taking steps to become engaged with the Ring of Fire with us. Can the minister please share how this joint investment will help to foster private sector investment and sustainable development in the Ring of Fire?

**Hon. Michael Gravelle:** Indeed, it was very, very good to be able to see a matching investment from the federal government for this particular very special project. Obviously, we're looking forward to seeing far more significant investments, matching our great support.

This is a really great project. The investment we made and are sharing with the federal government is for the Webequie First Nation, in partnership with the Eabametoong, Neskantaga and Nibinamik First Nations, to complete a regional community service corridor study. This is really important in terms of moving the infrastructure needs forward in the Ring of Fire and, may I say, it builds on the progress that we've made on what I've spoken on often: the historic regional framework agreement that we signed with Matawa First Nations.

This lays the groundwork for First Nations to come together to explore options for a community service corridor that will lead to multi-generational benefits associated with resource development in the region.

#### USE OF QUESTION PERIOD

**The Speaker (Hon. Dave Levac):** The member from Renfrew–Nipissing–Pembroke on a point of order.

**Mr. John Yakabuski:** Thank you very much, Speaker. Earlier—and I recognize your interjection there, and I apologize if you saw this the wrong way, but at no time would I ever imply that I was here to do your job. I wouldn't be able to do a very good job. You're doing a wonderful job, Speaker.

But I want to point out that in this House, it is the tradition that points of order won't be recognized during oral questions, so our only opportunity is sometimes to interject, and sometimes we get chastised for it and sometimes we certainly deserve it.

I do want to point out that on numerous occasions today, the Deputy Premier alluded to something that has not happened, may never happen, has nothing to do with the questions at hand, asking members of the opposition if they're going to resign their seats. That, in fact, is an inappropriate way of dealing with matters in this House. You should not be implying that members on this side of the House are intending to resign their seats. She's implying that, and I believe it to be absolutely inappropriate and wrong.

**The Speaker (Hon. Dave Levac):** I thank the member for his point of order. He has a point of order that does ask about the direction of question-and-answer period, which is absolutely legitimate.

The one thing I would say to him is that it may or may not be appropriate, but it's not out of order. The difference between the two is the fact that I have guided, in today's question period, some people to come back to answering the question.

I thank the member for his point of order.

The member from Lanark–Frontenac–Lennox and Addington on a point of order.

**Mr. Randy Hillier:** I'd like to just correct the record. Earlier, during question period, I made reference to a great theatrical performance. I forgot to include that it was the Minister of Agriculture, Food and Rural Affairs.

**The Speaker (Hon. Dave Levac):** That's not a point of order.

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

*The House recessed from 1151 to 1300.*

#### MEMBERS' STATEMENTS

##### VESAK DAY

**Mr. Jack MacLaren:** Mr. Speaker, I want to talk to you about Vesak Day. Visita Sirin Leelaratna is a valued

member of my constituency. Originally from Sri Lanka, he came to Canada in 1988 and has lived in my riding of Carleton–Mississippi Mills for 10 years. He is a proud and hard-working advocate for the Buddhist and multi-cultural community in the Ottawa area and successfully founded Vesak Day in Ottawa in 2013.

Vesak Day is the celebration of Buddha's birthday. As part of the celebration of Vesak Day, I ask people of all faiths to join me at Ottawa City Hall on May 2, 2015, at 12 o'clock noon, to celebrate the basic human values of compassion, kindness and the spirit of forgiveness.

##### INTERNATIONAL WOMEN'S DAY

**Ms. Catherine Fife:** I'm proud to rise today to speak about International Women's Day, which we will be celebrating this Sunday, March 8. While it is important to take time to celebrate the achievements of women, it is just as, if not more, important to recognize the efforts of those in our communities who are working hard to combat, among other injustices, violence against women.

I want to acknowledge members of the University of Waterloo's Sigma Chi for making a public video calling out male violence against women on campuses and discouraging being a passive bystander.

I also want to acknowledge the faculty of social work at Wilfrid Laurier University, which is hosting a two-day symposium featuring Tatyana Fazlalizadeh, founder of the Stop Telling Women to Smile campaign.

I want to commend Ramah from Eastwood Collegiate, who has created a Friday girls' group for students who are not only new to the country but also new to attending school.

The work of each of these groups is very necessary and I commend their efforts.

As members, we spend so much time in this Legislature, away from our communities, that staying apprised of our local news is of the utmost importance.

This week, the front page of the Waterloo Record's local section has been dominated by stories of violence against women.

Kate Lynn Reid is missing. The police fear for her safety.

A man was sentenced this week for secretly filming women while they were in the washroom of his workplace.

Mary May's murderer was sentenced this week. Minutes before she died, she called her landlord to tell him what was happening. She had asked for help from her landlord, her city councillor and the police. She was killed by her roommate.

The trial for the 2007 murder of Denise Bourdeau still has not reached conclusion. Her family has not had closure for eight years.

In 2015, women are still far too likely to die at the hands of their intimate partner. We can do more; we must do more. On International Women's Day, we must stand together on this issue.

## UNITED WAY

**Mrs. Kathryn McGarry:** It's my pleasure to congratulate the United Way of Cambridge and North Dumfries on their spectacular campaign and results for 2015, which I was really pleased to celebrate with them at their annual community achievement night last week.

Last Thursday, the Holiday Inn in Cambridge graciously donated the space and sponsored the event, which celebrated all the best in people. It thanked donors to the United Way campaign, community volunteers who make such a difference, and the social service agencies who work daily to improve people's lives.

The event features an awards portion for some truly deserving candidates: inspiring people who give so generously of their time, like food bank and community centre volunteers; and companies and individuals who contribute their funds to empower programs.

There are awards for action, such as the action taken by social services who support thousands of our citizens.

The night culminated with the inspiring words of motivational speaker Bill Carr—and announced the incredible \$2.28 million that they raised this year, which will help thousands of our local residents.

The United Way and the support that they provide to our citizens work hand in hand with the role that our government plays in supporting all Ontarians.

Many folks came out last Thursday, making me very proud to represent this great community of Cambridge here at Queen's Park.

My thanks go out to Ron Dowhaniuk, CEO of United Way, and to board chair Jim Ramsay and their volunteers for the evening's and the campaign's success.

## MUNICIPALITIES

**Ms. Laurie Scott:** Last week a number of the municipalities located in my riding of Haliburton—Kawartha Lakes—Brock attended the ROMA/OGRA conference. They arrived, again, looking for answers on a number of issues facing them but left feeling their hands were tied.

Haliburton county came to discuss the new OPP billing model, which has been described as “fair” and “equitable for all municipalities”; however, the numbers are in, and, as expected, the OPP billing increase will be hitting taxpayers hard. The formula will nearly double Haliburton county's collective OPP bill, without any service increases, from approximately \$3.3 million to approximately \$6.3 million. This year alone, residents will be looking at tax increases of nearly 11%, causing serious hardship to property owners.

Despite the county's best efforts in lobbying the government, the Minister of Community Safety and Correctional Services failed to follow up, as he had promised, with the county of Haliburton before finalizing the proposed OPP billing model.

Time and time again, this government has shown a lack of respect for and unfairly punished municipalities because of the perception that they have deep pockets, due to the ability to raise property taxes.

This also rings true when discussing joint and several liability, which is an important issue to all municipalities. Despite previous statements that the government would fix this, they have reneged on that. A resolution calling for insurance reforms was passed by all parties in the Legislature, but now this has left all municipalities on the hook.

I appeal to the government to work with their partners in the municipal sector.

## MINING INDUSTRY

**Mr. John Vanthof:** The Prospectors and Developers Association of Canada convention has just wrapped up in Toronto—PDAC, for those in the industry. And everyone knows that anybody who is anybody in the industry has to participate in PDAC.

In our area of northeastern Ontario, although we have a rich mining heritage and a solid industry right now and a very prosperous-looking future—we weren't very well represented. This was identified by a couple of our local municipal politicians: Reeve Terry Fiset of Elk Lake and Mayor George Lefebvre of Latchford.

They had a vision: Four years ago they rented a space off-site, they found some local companies that were willing to participate, specifically Nor-Arc Steel Fabricators in Earlton and Story Environmental. That little off-site space has morphed into, this year, one of the premier exhibits at PDAC. There were 55 exhibitors in the northern Ontario pavilion. The funding was from FedNor. They truly did us proud, and all the participants were very happy.

I would like to send a special thank you and note of appreciation to the organizers of this year's show, Marla Tremblay and James Franks, and the rest of the team. They did a fantastic job. It was really nice to see, among those 55 participants, Nor-Arc Steel Fabricators and Story Environmental—they were still there, they were there at the start. Terry Fiset and Mayor George Lefebvre were there as well. Congratulations. They did us proud.

## INTERNATIONAL WOMEN'S DAY

**Ms. Indira Naidoo-Harris:** Mr. Speaker, International Women's Day is quickly approaching. I'm pleased to rise today and share my experience at a fundraising gala I attended last night in Oakville.

The Dinner Party, co-hosted by the Women of Halton Action Movement and the Zonta Club of Oakville, brought together a hall full of intelligent, powerful and inspiring women and men for a night of food, entertainment and stimulating conversation. The event was a huge success, with proceeds going to support two very worthy causes: the Sexual Assault and Violence Intervention Services and Canadians in Support of Afghan Women.

The highlight of the night was a surprise performance from the keynote speaker, Polaris Prize-winning Inuit throat singer Tanya Tagaq. She captivated the audience with her incredible vocal abilities and stories of her

traditional upbringing in Cambridge Bay. It was the perfect cap to an evening highlighting the importance of gender equality and the impressive contributions that women have made to our society.

Speaker, Ontarians should be proud of the strides we've made towards gender equality, but our work is far from done. We must continue to push for the full empowerment and participation of women in communities here and around the world. The full and equal participation of women in the political and economic landscape is a central pillar to democracy and justice. An event like The Dinner Party is a wonderful reminder of that.

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#### PRIVATE SAFETY TRAINING

**Mr. Robert Bailey:** I rise today to call for an immediate and full review of the unregulated practices of private safety training companies operating in the province of Ontario, specifically those conducting single-skill training courses such as firefighter ice rescue training.

On January 30, 2010, Point Edward, Ontario, volunteer firefighter Gary Kendall lost his life while participating in an organized ice rescue training exercise. On February 8, 2015, Adam Brunt of Bowmanville, Ontario, a firefighting student at Durham College, also perished while taking part in a similar ice rescue training exercise.

In the aftermath of the tragic accident at Point Edward, the Ministry of Labour prosecutor called for a coroner's inquest with recommendations so this sort of accident never happens again. No inquest was ever conducted.

Mr. Speaker, the loss of Mr. Kendall and Mr. Brunt are tragedies that cannot be undone. Action must be taken by this government and this minister now to ensure that no other family or community suffers the loss of a loved one in the same manner again.

I call on this government to immediately launch a formal inquiry into the practices of private companies providing emergency response training, and to develop formal guidelines for courses considered single-skill training that currently lie outside of provincial legislation.

#### BRAMPTON A'S

**Ms. Harinder Malhi:** Mr. Speaker, today I rise to speak about the Brampton A's. The Brampton A's are a Canadian professional basketball team that plays out of Brampton's Powerade Centre. In their inaugural season of 2013-14, head coach David Magley led the A's to an outstanding 27 and 13 record, finishing in second place in the league.

Last week, I, as well as a number of members of my community and my team, had the honour of attending a Brampton A's game against the Moncton Miracles. The Miracles definitely needed a miracle, as the A's set a franchise record of 130 points en route to a 31-point victory. The in-game fan experience provided was tremendous, and the talents of the players were evident by the on-court product.

Mr. Speaker, what's even more impressive is their efforts off the court. The Brampton A's players and their staff have become actively engaged in the community through school tours, camps, clinics, personal appearances, speaking engagements and serving food to those less fortunate. They are committed to becoming vital members of Brampton and the Peel regional community.

On Saturday, the A's will face off against the London Lightning in their first playoff game of the season at the Powerade Centre. They will also be honouring International Women's Day as a team, and have set up a reception prior to the game.

I encourage all my fellow residents of Peel and its surrounding communities, as well as my colleagues in the House, to attend and show support for the Brampton A's.

#### TRENTON MEMORIAL HOSPITAL

**Mr. Lou Rinaldi:** Mr. Speaker, let me dispel some of the rumours I am hearing about Trenton Memorial Hospital, in my riding of Northumberland-Quinte West.

The member from Prince Edward-Hastings threw out some numbers yesterday. Let me give you some actual facts about the staffing changes. TMH will be reduced by 20 registered nurses. Seven positions are already vacant, and eight are part-time.

Mr. Speaker, the member from Prince Edward-Hastings forgot to tell you about all the new staff that will be hired. Yes, TMH will be adding to its staff. It's going to be adding 25 registered practical nurses and personal support workers. That's 15 full-time and 10 part-time staff.

This new staff will provide more hours of patient care at the appropriate level needed for each individual patient. RNs will now be dedicated to work within their expanded training, RPNs will care for patients within their level of expertise and PSWs will provide patient care within their skill set. This means more staff and more hours of patient care.

The next step is under way. Mayor Jim Harrison and some councillors, along with community leaders John Smylie, Mike Cowan, Frank Barry and Betty Clost, are going to work together with Quinte Healthcare to develop a local, made-in-Quinte West health care plan for TMH and the community. I commend these people for their dedication and enthusiasm to create a positive plan to move forward in the city of Quinte West.

#### INTRODUCTION OF BILLS

##### SMART GROWTH FOR OUR COMMUNITIES ACT, 2015

##### LOI DE 2015 POUR UNE CROISSANCE INTELLIGENTE DE NOS COLLECTIVITÉS

Mr. McMeekin moved first reading of the following bill:

Bill 73, An Act to amend the Development Charges Act, 1997 and the Planning Act / Projet de loi 73, Loi modifiant la Loi de 1997 sur les redevances d'aménagement et la Loi sur l'aménagement du territoire.

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

*First reading agreed to.*

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

**Hon. Ted McMeekin:** If passed, the Smart Growth for Our Communities Act would give residents a greater, more meaningful say in how their communities grow and would provide more opportunities to fund growth-related infrastructure like transit and recycling through the development charges system.

#### VISITOR

**The Speaker (Hon. Dave Levac):** The member from Beaches–East York on a point of order.

**Mr. Arthur Potts:** Thank you, Mr. Speaker. It gives me pleasure, if I may, to introduce my good friend Tom McGee, who is my CFO from my riding association and part of the team that helped get me here. Thank you, Tom. Welcome.

**The Speaker (Hon. Dave Levac):** Thank you. It's not a point of order, but we do welcome our guests all the time.

It is now time for petitions.

#### PETITIONS

##### ALZHEIMER'S DISEASE

**Mr. Ted Arnott:** My petition is addressed to the Legislative Assembly of Ontario, and it reads as follows:

"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."

Of course, I support this petition as well.

##### HOSPITAL SERVICES

**Mr. Percy Hatfield:** I have a petition gathered by residents right across Essex county and the city of Windsor, and it reads as follows:

"To the Legislative Assembly of Ontario:

"We request that the Legislative Assembly of Ontario keep the obstetrics unit open at Leamington District Memorial Hospital."

I fully agree with this petition. I will sign my name to it and give it to page Muntder to take up to the desk.

##### ONTARIO DRUG BENEFIT PROGRAM

**Mr. Arthur Potts:** I have a petition here to the Legislative Assembly of Ontario:

"Whereas Health Canada has approved the use of Soliris for patients with atypical hemolytic uremic syndrome (aHUS), an ultra-rare, chronic and life-threatening genetic condition that progressively damages vital organs, leading to heart attack, stroke and kidney failure; and

"Whereas Soliris, the first and only pharmaceutical treatment in Canada for the treatment of aHUS, has allowed patients to discontinue plasma and dialysis therapies, and has been shown to improve kidney function and enable successful kidney transplant; and

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"Whereas the lack of public funding for Soliris is especially burdensome on the families of Ontario children and adults battling this catastrophic disease;

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

"Instruct the Ontario government to immediately provide Soliris as a choice to patients with atypical hemolytic uremic syndrome and their health care providers in Ontario through public funding."

I agree with this petition and I leave it with Andrew. There are hundreds from across the province who would sign it.

##### YOUTH SERVICES

**Mrs. Gila Martow:** I have a petition to the Legislative Assembly of Ontario.

"Whereas current provisions of the Child and Family Services Act prevent a children's aid society from

arranging temporary care for 16- and 17-year-olds who seek their assistance and have not been previously in care; and

“Whereas the inability to arrange care in a stable and nurturing family can expose youth to the risk of homelessness, criminality, poor education outcomes, and deteriorating physical and mental health; and

“Whereas at-risk 16- and 17-year-olds without care can impose a greater cost on social service providers than the cost of arranging for two years of temporary care; and

“Whereas the Ontario Association of Children’s Aid Societies has repeatedly asked for 16- and 17-year-old youths to be able to seek CAS assistance regarding temporary care; and

“Whereas Bill 88 won all-party support during the 40th Parliament and was reported back to the House for third reading by the Standing Committee on Social Policy;

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

“To pass Bill 54, the Right to Care Act, by giving it second and third reading on March 5”—which is today—“2015.”

I sign my name and support this wholeheartedly and give it to page Arlyne.

#### FOREST INDUSTRY

**Mr. John Vanthof:** “To the Legislative Assembly of Ontario:

“Whereas the Ministry of Natural Resources and Forestry is responsible for the governance and management of forestry;

“Whereas Resolute Forest Products holds 44% of the sustainable forest licence (SFL) in the Abitibi forest;

“Whereas Resolute Forest Products have announced their intent to give up their wood rights;

“Whereas the sustainable forest licence ... is a critical element in the marketability for economic development in the town of Iroquois Falls to potential business interests;

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

“Appeal to the Ministry of Natural Resources to institute a moratorium on the transfer of the SFL for the wood rights being abandoned by Resolute Forest Products in the Abitibi River forest ... to ensure that new entrants into the marketplace are able to apply for the SFL.”

I wholeheartedly agree, add my signature and give it to page Riley.

#### WATER FLUORIDATION

**Mr. Bob Delaney:** I have a petition addressed to the Ontario Legislative Assembly with quite a number of signatures on it, and it’s titled, “Fluoridate All Ontario Drinking Water.” It reads as follows:

“Whereas fluoride is a mineral that exists naturally in virtually all water supplies, even the ocean; and

“Whereas scientific studies conducted during the past 70 years have consistently shown that the fluoridation of community water supplies is a safe and effective means of preventing dental decay, and is a public health measure endorsed by more than 90 national and international health organizations; and

“Whereas dental decay is the second-most frequent condition suffered by children, and is one of the leading causes of absences from school; and

“Whereas Health Canada has determined that the optimal concentration of fluoride in municipal drinking water for dental health is 0.7 mg/L, providing optimal dental health benefits, and well below the maximum acceptable concentrations; and

“Whereas the decision to add fluoride to municipal drinking water is a patchwork of individual choices across Ontario, with municipal councils often vulnerable to the influence of misinformation, and studies of questionable or no scientific merit;

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

“That the ministries of the government of Ontario adopt the number one recommendation made by the Ontario Chief Medical Officer of Health in a 2012 report on oral health in Ontario, and amend all applicable legislation and regulations to make the fluoridation of municipal drinking water mandatory in all municipal water systems across the province of Ontario.”

On behalf of all of my dentists in the Halton-Peel region, I’m pleased to sign and support this petition and to send it down with page Natalie.

#### WINTER ROAD MAINTENANCE

**Ms. Laurie Scott:** “To the Legislative Assembly of Ontario:

“Whereas the present area maintenance contract system has failed Ontario drivers the past two winters;

“Whereas ensuring our roads are as safe as possible during the winter driving season is one of the fundamental responsibilities of the Ministry of Transportation;

“Whereas the unsafe conditions in the winter of 2013-14 led to a special investigation by the Auditor General of Ontario;

“Whereas the managed outsourcing system for winter roads maintenance, where the private contractor is responsible for maintenance, but MTO patrols the region and directs the contractor on the deployment of vehicles, sand and salt, and has a proven track record for removing snow and ensuring that Ontario’s highways are safe for travellers;

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

“That the Ontario Ministry of Transportation take immediate action to improve the maintenance of winter roads based on the positive benefits of the previous delivery model, where MTO plays more of a role in directing the private contractor.”

This was brought to me by the Minden Times’s Chad Ingram, with many signatures from my riding.

## FOREST INDUSTRY

**Mr. John Vanthof:** “To the Legislative Assembly of Ontario:

“Whereas Resolute Forest Products has closed their mill in Iroquois Falls, Ontario;

“Whereas Resolute Forest Products has indicated it’s intent on demolishing the mill and restoring the site to a green space;

“Whereas residents of the town of Iroquois Falls want assurance that the Ministry of the Environment will ensure that all environmental standards met and maintained in the decommissioning of the site;

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

“That the Ministry of the Environment closely monitors the decommissioning of the Resolute site in Iroquois Falls to ensure that the area is ecologically sound for future use.”

I wholeheartedly agree, attach my signature and send it with page Rachel.

## CREDIT UNIONS

**Mrs. Kathryn McGarry:** I have a petition here that’s addressed to the Legislative Assembly of Ontario.

“Whereas Credit Unions of Ontario support our 1.3 million members across Ontario through loans to small businesses to start up, grow and create jobs, help families to buy homes and assist their communities with charitable investments and volunteering; and

“Whereas Credit Unions of Ontario want a level playing field so they can provide the same service to our members as other financial institutions and promote economic growth without relying on taxpayers’ resources;

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

“Support the strength and growth of credit unions to support the strength and growth of Ontario’s economy and create jobs in three ways:

“—maintain current credit union provincial tax rates;

“—show confidence in Ontario credit unions by increasing credit union-funded deposit insurance limits to a minimum of \$250,000;

“—allow credit unions to diversify by allowing Ontario credit unions to own 100% of subsidiaries.”

I agree with this, affix my signature and give it to page Eileen.

## WATER FLUORIDATION

**Ms. Laurie Scott:** In support of the member from Mississauga–Streetsville, I want to do the petition to fluoridate all Ontario drinking water.

“Whereas fluoride is a mineral that exists naturally in virtually all water supplies, even the ocean; and

“Whereas scientific studies conducted during the past 70 years have consistently shown that the fluoridation of community water supplies is a safe and effective means

of preventing dental decay, and is a public health measure endorsed by more than 90 national and international health organizations; and

“Whereas dental decay is the second most frequent condition suffered by children, and is one of the leading causes of absences from school; and

“Whereas Health Canada has determined that the optimal concentration of fluoride in municipal drinking water for dental health is 0.7 mg/L, providing optimal dental health benefits, and well below the maximum acceptable concentrations; and

“Whereas the decision to add fluoride to municipal drinking water is a patchwork of individual choices across Ontario, with municipal councils often vulnerable to the influence of misinformation, and studies of questionable or no scientific merit;

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

“That the ministries of the government of Ontario adopt the number one recommendation made by the Ontario Chief Medical Officer of Health in a 2012 report on oral health in Ontario, and amend all applicable legislation and regulations to make the fluoridation of municipal drinking water mandatory in all municipal water systems across the province of Ontario.”

On behalf of the people of Mississauga–Streetsville, I present this petition to the Legislature and hand it to page Andrew.

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## LEGAL AID

**Ms. Daiene Vernile:** “Population-based legal services funding.

“Whereas Mississauga Community Legal Services provides free legal services to legal aid clients within a community of nearly 800,000 population; and

“Whereas legal services in communities like Toronto and Hamilton serve, per capita, fewer people living in poverty, are better staffed and better funded; and

“Whereas Mississauga and Brampton have made progress in having Ontario provide funding for human services on a fair and equitable, population-based model;

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

“That the Ministry of the Attorney General revise the current distribution of allocated funds ... and adopt a population-based model, factoring in population growth rates to ensure Ontario funds are allocated in an efficient, fair and effective manner.”

I shall add my name to this and give this to page Inaya.

## TAXATION

**Ms. Laurie Scott:** “Stop the Carbon Tax” petition:

“To the Legislative Assembly of Ontario:

“Whereas the Liberal government has indicated they plan on introducing a new carbon tax in 2015; and

“Whereas Ontario taxpayers have already been burdened with a health tax of \$300 to \$900 per person that

doesn't necessarily go into health care, a \$2-billion smart meter program that failed to conserve energy, and households are paying almost \$700 more annually for unaffordable subsidies under the Green Energy Act; and

"Whereas a carbon tax scheme would increase the cost of everyday goods including gasoline and home heating; and

"Whereas the government continues to run unaffordable deficits without a plan to reduce spending while collecting \$30 billion more annually in tax revenues than 11 years ago; and

"Whereas the aforementioned points lead to the conclusion that the government is seeking justification to raise taxes to pay for their excessive spending, without accomplishing any concrete targets;

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

"To abandon the idea of introducing yet another unaffordable and ineffective tax on Ontario families and businesses."

This is signed by many, many people from all over my riding. I'll hand it to page Arlyne.

#### HISPANIC HERITAGE MONTH

**Ms. Indira Naidoo-Harris:** "To the Legislative Assembly of Ontario:

"Whereas Ontario is home to over 400,000 first-, second- and third-generation Hispanic Canadians who originate from the 23 Hispanic countries around the world; and who have made significant contributions to the growth and vibrancy of the province of Ontario;

"Whereas October is a month of great significance for the Hispanic community worldwide; and allows an opportunity to remember, celebrate and educate future generations about the outstanding achievements of Hispanic peoples to our province's social, economic and multicultural fabric;

"We, the undersigned, call upon members of the Legislative Assembly of Ontario to support proclaiming October of each year as Hispanic Heritage Month and support Bill 28 by MPP Cristina Martins from the riding of Davenport."

I agree and support this petition, will sign it and hand it over to page Morgan.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

#### REGISTERED RETIREMENT SAVINGS PROTECTION ACT, 2015

#### LOI DE 2015 SUR LA PROTECTION DES RÉGIMES ENREGISTRÉS D'ÉPARGNE EN VUE DE LA RETRAITE

Mr. Rinaldi moved second reading of the following bill:

Bill 70, An Act respecting protection for registered retirement savings / Projet de loi 70, Loi visant à protéger les régimes enregistrés d'épargne en vue de la retraite.

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

**Mr. Lou Rinaldi:** It gives me real pleasure to stand in the House today to talk about this piece of legislation. Frankly, it's my first private member's bill since being back here on June 12. It's always good to bring forward pieces of legislation that help our communities. In my particular case, it will really help all Ontarians.

First, let me recognize the hard work of my staff to help me put this together, especially Travis Hoover, who has worked very closely to make sure it got to this point, Speaker.

Secondly, I'd be remiss not to acknowledge that a similar piece of legislation was previously introduced by my good friend the former member for Sudbury, Rick Bartolucci. Of course, Minister Jeff Leal, who is here with us in this session, introduced it two other times. It's always good, because it raises awareness of some of the issues that we face that, frankly, as Ontarians, sometimes we don't get to find out about until we encounter such challenges.

Speaker, Bill 70 is entitled An Act respecting protection for registered retirement savings. As you may be aware, the purpose of this bill is to protect registered retirement savings plans and registered retirement income funds, as well as deferred profit-sharing plans, from most creditors. Those plans, however—and I stress—will be subject to support orders enforced under the Family Responsibility and Support Arrears Enforcement Act, 1996, and orders respecting the separation of property in family matters.

In case there are some challenges within a family, this bill will not impact the division of property. In this case, saving plans are to be equally distributed amongst husband and wife or extended family members.

As I previously mentioned, similar versions of this bill were introduced, asking the Ontario Legislature to protect from creditors what retirement savings the people of Ontario manage to accumulate in various forms of registered retirement savings plans. Similar legislation to this has already occurred in other provinces such as Saskatchewan, Newfoundland and Labrador, Prince Edward Island, British Columbia, Quebec, Manitoba and Alberta. The majority of the other provinces across this great nation of ours have already adopted similar legislation. By doing this in Ontario, it creates a more seamless approach when we're faced with these challenges, frankly, to our ratepayers.

I mentioned before, and again I acknowledge my good friends Rick Bartolucci and Minister Leal for having some insight into this, who were able to bring this to this great place to debate in the past.

All governments of whatever political stripe and whatever level in Canada always encourage regular participation in retirement savings plans. As we get accus-



tomed—we never have enough. When we retire, the Canada Pension Plan that we have, although it's probably one of the best in the world from a structural standpoint, frankly, Speaker, at my age and at my wife's age—if I had to depend on that, I would have a tough time. I think we all would.

Just in recent months, we here in Ontario have been working on an Ontario pension plan due to lack of support from our federal counterparts to enhance the Canada Pension Plan. I think—I shouldn't say "I think"—I know that for my kids and grandkids, that will be a huge boost.

But on the other hand, people should have the ability, if possible, to facilitate and provide some extended investments, to help along as they reach retirement age. That's why this piece of legislation will be very, very helpful.

In Ontario today, the vast majority of working people are self-employed or employed by small businesses. In fact, there are more than 340,000 small and medium-sized enterprises across Ontario, which make up more than 99% of the province's businesses and account for more than 50% of all jobs. Many of these folks are not in a position to receive self-directed retirement vehicles to augment their pension plans as offered through public or some private sector employment. As such, a considerable number of citizens must rely upon their personal investments, such as RRSPs, to sustain themselves through their retirement years.

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While all governments in Canada rightfully encourage these sorts of investments, current law in Ontario does not exempt DPSPs, RRIFs or RSPs from credit seizure. As such, the law in regard to credit seizure is inconsistent and therefore unfair in its treatment of registered retirement plan holders.

As previously stated, other provinces in Canada have already passed similar legislation in this regard. In November 2007, just as an example, the government of Manitoba, under the stewardship of Premier Greg Selinger, the then finance minister, passed into law the Registered Retirement Savings Protection Act. As Premier Selinger noted, "The Registered Retirement Savings Protection Act is designed to protect from creditors retirement savings held in deferred profit-sharing plans, registered retirement savings plans and registered retirement income funds... We want Manitobans to have retirement savings available in their senior years and so we have moved to protect these funds."

Likewise, in 2005 the government of Canada, through amendments to the Bankruptcy and Insolvency Act under Bill C-55, initiated similar legislation. The act, subject to certain conditions, exempts registered plans from being vested in a trustee as property available to satisfy the claims of a bankrupt creditor. This bill received royal assent and has been proclaimed into law.

Speaker, I can certainly understand why skeptics may be concerned that this legislation could possibly be used as a safe haven for debtors who wish to avoid or defraud their related creditors. However, this is certainly not the

intent. As stated in the preamble, the legislation explicitly exempts orders made under the Family Responsibility and Support Arrears Enforcement Act, meaning that parents who are defaulting on child support can still be pursued, as can separated spouses.

Also, with retirement pension plans, the credit protection provided in the new law will not apply to the enforcement of maintenance orders or orders from a division of family property. Similarly, the federal act protects against debt abuse by capping the amount of the exemption by making contributions within 12 months of a bankruptcy available to creditors by requiring that the exempted amount be locked in until rolled over into a retirement income fund annuity or similar product.

In this economic climate of uncertainty and the fluctuation of world markets, I believe that the spirit of this bill is not only fair but timely.

In the last couple of minutes, I would just highlight that for the majority of my working lifespan, I've been self-employed. In the early days of self-employment, sometimes we had to make a decision about whether my wife could go shopping or if we'd pay the bills or the odd staff that we had. Speaker, I think this is not uncommon for a lot of small start-up business folks. So it took us a while to put some money aside and to turn it into some type of a savings plan like RRSPs. When the time comes that I will have to depend on those, if there's anything that will get in the way, through maybe no fault of my own—some folks sometimes come across unfortunate circumstances. Through no fault of their own, they become somewhat financially challenged. One of the only things they might have that they worked very hard—and I know how hard sometimes it was to put that \$50 a month in a separate account so that we could turn it into an RRSP towards the end of the year—how difficult it is.

Having experienced the challenge to put those couple of dollars aside each month—and I know that there are a lot of other Lous out there who probably went through the same experience. We work very hard, and that's what makes Ontarians, Canadians, who we are.

This piece of legislation, if passed, would at least give me that little bit of extra protection for those few dollars—not a lot—that my wife and I were able to scrape together over the months and years of our working life while we were looking after our kids.

Speaker, I would encourage all members of this House to support Bill 70. Once again, it's one of those tools that will help us for the future.

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

**Mr. Jim McDonell:** I'm glad to be able to rise today to comment on Bill 70, the Registered Retirement Savings Protection Act.

First of all, I would like to go over the bill summary: "The purpose of the bill is to protect registered retirement savings plans and registered retirement income funds, as well as deferred profit-sharing plans, from most creditors. Those plans are, however, still subject to support orders

enforced under the Family Responsibility and Support Arrears Enforcement Act, 1996, and orders respecting the separation of property in family matters.”

First of all, I'd like to say that we're supporting the bill because I believe it is important that we do everything we can to ensure that Ontarians who work hard and play by the rules or the law have the ability to reap the fruits of their labour in retirement. It's the right thing to do, and it's only fair.

Speaker, I want to say that I tried to put money into my RRSP every year, and I'm proud to say that, for the most part, I was able to do that for most of my 33 years at Bell Canada. It wasn't always easy. It came at a difficult time of year, as it meant sometimes cutting back on other priorities that we had. Certainly, it meant that our March break trips most years were very modest: sometimes a day trip to the ski hill or the Kanata wave pool. It sometimes meant that I drove a car much longer than I would have wanted to, especially considering that in a rural area, family cars are essential to get to work and all the trips that must be made in an area without public transit. On a positive note, I was able to take advantage of Ford Canada's replacement plan when they gave me \$2,000 for a 10-year-old vehicle—so certainly there are some benefits to driving old vehicles, but certainly not where I wanted to be.

Because of my RRSP, I was able to leverage savings through the home ownership plan when we built our house in 2002.

Registered plans are important for many things, but retirement is certainly the key.

I brought my experiences up because I believe that this bill must recognize that while most people work hard and play by the rules, it isn't always the practice, and we can see that on a regular basis on the other side of the House.

Is it the purpose to protect funds that may have been received through fraudulent means? For instance, there are many plans in the marketplace where one can borrow the money for an RRSP. We would want to ensure that one would not believe that it's the intention that one would simply borrow the money, put it in an RRSP to have it protected, and then default on the loan. Since you can top up an RRSP for many years, this can add up to a substantial amount of money, sometimes a couple of hundred thousand dollars if you go back a few years—just to make sure that doesn't happen.

In that line, if savings are generated from the proceeds of a crime—I think that was talked about, as well—it would not be the intention of the member opposite to have those savings protected either. I'm sure that we could make these amendments at committee, and we look forward to that—as there are probably those amendments and some others that would need to be ensured, through consultation, that they're looked after.

Again, we support the bill. We think it's important that Ontarians save for their retirement. We want to make sure that we encourage them to save whenever they can and as much as possible. This is just another part of that.

It shows people that if they work hard and put their money away, they can expect to have the money there when they need it throughout retirement.

I will be supporting this bill, and I want to thank the Speaker for the opportunity to speak to it.

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

**1350**

**Mr. Paul Miller:** This bill was first introduced as a private member's bill by the current Minister of Agriculture, Food and Rural Affairs in 2008. I remember it well. I was a member of the Standing Committee on Regulations and Private Bills that reviewed and amended the bill in 2010. Unfortunately, as too often happens in this place, good private members' bills never make it to third reading because they don't have the stamp of the government on the front.

The now minister brought the bill back in 2012, but again, it went nowhere. I am pleased to see that the member for Northumberland–Quinte West has seen fit to bring this bill back to the House in the hope of a better outcome this time. Third time's a charm, they say.

We are all aware of the importance of pensions and how essential it is to encourage young and middle-aged people to save for their retirement. Unfortunately, that's not happening. Most Ontarians—most Canadians—are not saving for retirement. If you can't find a good, full-time, permanent job, it's not easy to put money away to save for your retirement, and when wages are stagnant and hydro bills keep climbing, it's not an easy thing to ask Ontarians to put money away.

That's why we have a public pension system to support our seniors in retirement. It's why New Democrats continue to advocate for expanding public pension provisions, and it's why all of us across party lines support incentives to encourage people to save for their own retirement as well. But it's hard. Too many Ontarians don't have access to registered workplace pension plans. This is especially true for those who work in small and medium-sized businesses. Those who can afford to save often choose to do so through RRSPs, registered retirement savings plans.

However, other forms of retirement savings such as workplace pension plans, RRSPs and related retirement savings vehicles are vulnerable to credit seizure. The law in Ontario in regard to credit seizure is inconsistent and is unfair in its treatment of registered retirement holders. This loophole must be closed, and this bill seeks to do just that. The government of Canada in 2005, and other provinces, including Manitoba in 2007, have closed the loophole within their own jurisdictions. It is well past the time that this Legislature does the same.

This act, subject to certain conditions and exemptions, exempts registered plans from being vested in a trustee as property available to satisfy the claims of bankrupt creditors. It closes the loophole for RRSPs, registered retirement income funds and deferred profit-sharing plans.

The plans will still be subject to support orders arising from family law. That will not change, nor should we

allow people to escape their family responsibilities. But other creditors should not be permitted to go after someone's retirement savings either.

The current loophole is especially unfair to small business owners. It punishes them for their entrepreneurship, and it most likely acts as a strong deterrent to many budding business builders.

We should also recognize that many workers and pensioners enrolled in a workplace pension plan are at risk. They are at risk because of pension underfunding by their employers and because of the priority given to other creditors in bankruptcy processes.

Let's talk for a minute or two about Stelco pensioners. I can talk about that and the pension guarantee fund.

Many years ago I was in Ottawa, lobbying to protect pensions and severances, and not a lot has happened. The Bankruptcy and Insolvency Act in Canada is a joke. It doesn't protect. It gives banks, insurance companies and creditors first dibs on any of the assets of any company that goes under, and the workers who have maybe put 30 or 40 years of their lives into building that business and helping contribute to the wealth of that owner and his partners are left at the railway stop. They lose their benefits. They most likely lose their severance unless they can get it in court, and that takes years. Their pensions are either destroyed or brutally deducted to a point where they end up on ODSP or OW.

The law is federal, and the provincial government has to step up with the feds to fix this problem. I have many people coming into my office on a regular basis in tears because they had negotiated deferred wages over 35 years in contracts with companies, and they were looking forward to their sunshine years with a decent income. But it's not there. It's gone. Now these people are working in stores, in Kmart, at 70 and 75 years old, because they can't pay their bills because the company either absconded, went under or was bought by a foreign entity.

It's a disgrace what's going on with our seniors in this country. It's a disgrace what is going on with the working people in our country. We have to stand up as legislators, as this member is trying to do in a small way. We've got a long way to go. I've been fighting for this for 15 years, federally and provincially, and I've met with resistance from the present Conservative government in Ottawa, and not a lot got done here.

Let's talk about the pension guarantee fund. I've had two bills in this Legislature to bring that up to a level that's acceptable, to \$2,500 a month. Their own guy, Harry Arthurs, who they appointed to do pension studies across this province, who I travelled with and talked to and sat down with—he picked my brain for some of the things that I thought about what you should do with unions and pension plans. We came to an agreement. He agreed with me. He recommended to this government to raise it to \$2,500. It never happened, Speaker. They didn't raise it \$25. It's still at \$1,000. Some people's pensions vary from \$3,000 to \$4,000 on a defined pension plan. All they're guaranteed is \$1,000.

So you lose 75% of your pension, and they say, "Oh, well. There's nothing we can do about it; it's the law of

the land, federally and provincially. We can't help you. I'm sorry"—absolutely unacceptable. Speaker, it's fraudulent, it's inhumane and morally wrong.

Until this government and the government in Ottawa smarten up and stick up for our seniors—and we are all getting there, folks. Do you know that your pension plan—even in the public sector—can be vulnerable?

We might want to take a lesson from the best pension plan in Ontario and in Canada, called HOOPP. It's the Ontario hospital workers' pension plan. It's 120% funded. Their actuaries and their accountants are the best in the world. Why can't we copy them? Why can't we do that for all the other people? No. We're going to go to a defined contribution plan. What if you're not working? What if you're laid off? What if you can't contribute to that plan? Where are you going to be in 40 years? You're going to be lucky if you get one tenth of it. We've got to take a good, hard look at this, and this is just the start of many things that happen.

I'm sorry, to the member, that it's in the form of a private member's bill, because he and I know how far they go most times. They don't get on the order paper. It does not become law. It does not get that stamp 99% of the time. This should be a government bill, not a private member's bill.

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

**Mr. Arthur Potts:** Thank you to the member for Northumberland—Quinte West, my seatmate, for bringing this excellent bill forward.

I would like to also acknowledge Mr. Bartolucci, who brought the bill forward once before, and the Minister of Agriculture, Food and Rural Affairs—as PA, I'm delighted that the member from Peterborough brought this bill forward two other times before. So, really, third time lucky didn't work. I would like to correct the member for Hamilton East: Three times wasn't lucky. We do certainly hope that this is fourth time lucky.

The importance of private members' bills and why my seatmate here would have brought this particular bill forward at this time is because it shows his community, as other private members' bills do, the things that are important to him: raising people up, helping people—helping people who have limited retirement savings. That's why this is not a government bill at this point. It is a bill from our excellent member from Northumberland—Quinte West.

I would like to really start my remarks off by recognizing a great Canadian, Prime Minister Lester B. Pearson, who stated in his last speech to Canadians in 1968, in April—and I remember Mr. Pearson. He was a good friend of the family. I have a wonderful picture of my father and Mr. Pearson and I all shaking hands in 1967. He was an incredible Canadian. But he noted at that time that "A wise man once observed that failures are made only by those who fail to dare, not by those who dare to fail."

Why I think that's such an appropriate quote to this issue and this bill—and we've heard reference to it

already from members of both sides of the House—is that RRSP protection is something that is a benefit that will accrue to entrepreneurial people—people who are creating businesses, who are creating jobs.

I personally believe the engine of job creation in our province will stem from small business people who take risks, who take chances, who hire people, who employ people to manufacture widgets, to provide a service, to do things. In the course of them starting a business and taking risks, they still have to—as the CEO or president of that corporation they have to try to look after their retirement. If they're able to put bits and pieces of their annual income into an RRSP, looking forward to having some kind of support in the future, then they do so. Sometimes it's tough—really, really tough as an entrepreneur—to take that additional cash out of the business as your dividend or your salary when the business may need additional money.

We all know maybe one in 10 businesses, as they start, are successful. It's very hard, and it's very risky to initiate. But when an individual starts a business and can start to employ people, that's an extraordinarily important thing.

1400

Anecdotally, I too have been an entrepreneur most of my life. I have been out seeking new business opportunities and starting new businesses. One in 10 businesses succeeds. My theory has always been to try to start a new business every month, and then maybe by the end of the year you'll have a successful one. You have to be prepared, in risk-taking, such that you will find ways of making a living for yourself and supporting your family, but, so importantly, that if you are putting money away in your RRSPs, they can be protected.

If I can, for a moment, I'd like to just talk about my partner, Lisa Martin. Lisa, 25 years ago, with her sister, started up a business in hearing health care. There they were, the two of them, starting a small business in Beaches—East York, in fact, attached to the Toronto East General Hospital—a small business helping the community with hearing health, providing better lives for people who were losing their hearing by providing service.

In the course of the last 25 years, she has been able to build that business up to nine or 10 locations across southwestern and central Ontario. She has created an income for herself, for her family, her sister, and now they employ in excess of 70 people. That is the spirit of entrepreneurialism.

I know that as she was facing difficult times in her business, she still would put money aside into her RRSP in order to protect herself in the future. However, we all know that even when you're appearing to be so successful, extraordinary events can happen. She could quite easily, in an industry that is changing so quickly—in the blink of an eye, the technology could be disrupted, and everything she has worked for could get wiped out.

As entrepreneurs, we know that when we borrow money, we are often required to put our personal guarantees on the line. In the business failure situation, the

result is that we go into bankruptcy. If someone was in bankruptcy and we could not protect their RRSP, that would be a severe impediment, a disincentive to starting businesses. I think we need to fix this loophole. Again, I thank the member for bringing this forward.

Interestingly enough, RRSPs were first introduced in Canada, federally, in 1957. I think that's a significant year, because that's the year I was born. I'm delighted to know that RRSPs have been around just as long as I have.

**Mrs. Cristina Martins:** So 1957?

**Mr. Arthur Potts:** Yes, 1957. And I would add, Mr. Speaker, I was 57 last year, and born in 1957, and, as luck would have it, I think I was the 57th member called for the government as part of this election. I mean, 57 is an extraordinarily lucky number for me, and I appreciate that. So we want to protect the RRSPs that were first started in 1957.

Registered retirement income funds were started in the late 1970s as a new vehicle for investing in your retirement, helping seniors withdraw money in income funds. We want to protect those as well with this credit bill. You know that you have my support, to my seatmate from Northumberland—Quinte West.

I'm also delighted to hear that we are seeing support from the other side of the House. This is really encouraging. I know this is an important bill to people on both sides of the political spectrum, the right-wingers and the left-wingers. This is important, because it helps all Ontarians, and we need to bring it forward.

We're not, of course, acting alone, as the member mentioned. Most other provinces—Saskatchewan, Newfoundland and Labrador, Prince Edward Island, British Columbia, Quebec, Manitoba and Alberta—have this protection, so we need to be catching up in order to make this happen. That's what we're proposing to do, and we appreciate your support for going forward in that direction.

What this also does is provide a level playing field for entrepreneurs, compared to people who are employed in businesses that have corporate pension plans. Those, to my understanding, are protected from creditors, and it's important that we should level that playing field so people will take the risks and create jobs.

I think I'm sharing my time with the member from Trinity—Spadina, who doesn't seem to be in the House at the moment, but he'll be back.

Thank you very much.

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

**Mrs. Gila Martow:** I'm happy to stand and speak on Bill 70, which is being presented, I believe, for the fourth time—the number keeps rising for this topic—by the member from Northumberland—Quinte West.

I think it's noble to protect people's retirement savings in their RRSPs, and I can certainly see the logic, somewhat, of protecting them from creditors. I do support that. But then we have to also be cognizant of who the creditors are. They could be small business people who are also trying to save for their retirement.

As the member from Beaches—East York mentioned, one in 10 businesses succeeds. It's possible that the one

in 10 that succeeds is because they are owed money, possibly from a customer. If they're not able to collect, if they sue that customer and haven't received payment, if the only money available is in RRSPs, all of a sudden we have a situation where—I don't know if we're robbing Peter to pay Paul, but we have somebody whose retirement is protected at the expense of somebody else. I think that's something that we all have to be aware of in terms of plans for an Ontario pension plan by this government: that it shouldn't be that one person's retirement income is at the detriment of another person in Ontario. I think that's kind of what's missing from a lot of the debate here.

I want to speak a little bit about some of the professionals in our province, particularly physicians who are specialists who often don't hit the marketplace until they're well into their 30s, after undergraduate degrees, residencies, fellowships and all the training that our specialists go through. They're not starting to put into their RRSPs until they're, obviously, working, and then they are forced to withdraw at the age of 69, just like the general population, yet we're encouraging them to stay in the workforce past the retirement age of 65. Oftentimes, we see specialists and doctors working well into their 70s and 80s. They're at a bit of a disadvantage, because they're told, "Save for your retirement. Put it in a retirement savings plan. You will be putting money away and not having the tax at the higher rate when you're young and working full-time. You'll be taxed at a lower rate at the age of 69." We all know that these specialists, if they're still working, are still in a high tax bracket, so really, the only benefit they're getting, Mr. Speaker, is that they're deferring the taxes. It's not as great a benefit as the general population. I think that we should take into account the many years of study—11 and 12 years are average for many specialists' post-secondary education. If they're not hitting the workforce for maybe 10 years after the average person in Ontario, then maybe they shouldn't have to withdraw from their RRSPs for an additional 10 years as well.

I think that we have to look at the implications of the different specialists we need in the province. We have to look at the implications for small business people. We shouldn't be protecting one small business person's retirement at the detriment of somebody else's retirement. Obviously, we support protecting people's RRSPs, but I think that we have to look at it carefully. As the member from Hamilton East-Stoney Creek mentioned, what if the money was from criminal activity?

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate? The member for Niagara Falls.

**Mr. Wayne Gates:** Mr. Speaker, thank you for allowing me to speak on the bill today.

The registered retirement savings act, if passed, will bring Ontario into line with a number of other provinces and countries that have moved to protect retirement savings.

As the debate over the proposed Ontario pension plan continues on, this is absolutely clear: Ontarians are not saving enough. We know that 50% of the people in the

province are either self-employed or working in a small business. A lot of these businesses are not in a position where they can offer a company pension plan.

As head of my local union, Unifor Local 199, I represented both types of workplaces: those with pension plans and those without. I've seen first-hand how people try to overcome their retirement worries. When workers can afford to, they turn to savings plans. Workers in the province of Ontario and right across the country should always be at the head of the line, not at the back of the line, and certainly creditors shouldn't be ahead of workers, when it comes to pensions.

I never represented any workplace that participated in profit-sharing.

There's another reason that retirement savings are often low or don't exist at all. As I mentioned in the House last week, we know that just over 70% of people living in this province don't have retirement savings. This is a major problem for a lot of people in Ontario. It has nothing to do with people not wanting to save. It's because people in this province are struggling to make ends meet and are stuck in situations where they work hard, full-time hours, and can't get ahead. People are having trouble putting away for their retirement. It's the number one reason that this House needs to work harder to get people back to work.

#### 1410

But working without a pension plan and struggling to make ends meet creates the same outcome: Most people are not saving properly for their retirement. So, to encourage people to save for their retirement, governments will offer all kinds of incentives. The one we're discussing here today is the registered retirement savings plan, better known as RRSPs.

We know today that there are loopholes that exist that make RRSPs vulnerable to credit seizures. We also know that many places in Canada and the United States federal government have moved to close these loopholes. I'll give you an example of what transpired right in my riding just before I got elected here. A place called Vertis employed over 100 people. The plant closed. They threw the people out of work. What they did is, they started their company right back up in the United States—never shut down, never lost one day of shipping that product back into the province of Ontario. Think about that. As people in my riding lost their jobs, they didn't know what to do. What did the company do? It went to America and shipped it right back to Ontario. We did nothing about it. You know what's worse? Today, as I stand up in this House, those same 100 workers, those same families, those same communities haven't received one penny of their severance. We have to make sure that we correct that in the province of Ontario. It should never have happened in this province.

It's not hard to see why there might be an issue with the existence of these loopholes. People would work hard for their whole lives for a business they started and they ran themselves, a business that does not offer a pension plan. They're responsible people. They're thinking ahead, and they want to make sure that when they retire,

they don't live in poverty, something that we're seeing here. Each month, they put a little money away in their RRSP.

But a problem can present itself here. We saw that during the financial crisis a number of people and businesses went bankrupt because of the downturn in the global economy. The economy was doing badly, people weren't able to spend and it was our businesses and our small business owners who suffered. I have a lot more to say here but, unfortunately, I'm going to run out of time.

But I am going to say to the member who put this bill forward, if your government cares about what we're talking about and protecting pensions in this province, you have a majority government. You don't have to do it under a private member's bill; you can do it by a majority government. Let's get it done. Let's make sure our seniors do not live in poverty and that their pensions are protected.

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

**Mr. Han Dong:** It gives me pleasure to debate this bill, Bill 70, An Act respecting protection for registered retirement savings, presented by the honourable member from Northumberland-Quinte West. It's a very important topic.

First of all, I've always thought it's wrong to allow creditors to reach in and take one's registered savings, because the registered savings were put aside before personal income tax kicks in. Those are tax shelters for those who want to save for their retirement. In other words, if there's \$10,000 in value, there is a part, in withdrawing, that has to be contributed to the government. It doesn't make a lot of sense for creditors to take \$10,000 in full value and claim those are theirs. On that front, I think this bill would do justice to block creditors from seizure of those registered savings, because I don't think the creditors are fully entitled to it.

The second thing I want to mention is, when we talk about registered retirement savings, automatically we think about CPP, we think about the Ontario Retirement Pension Plan that we've talked about very much in the last little while in this House. In essence, we all realize that Ontarians are not saving enough.

We know that this past Sunday was the deadline for RRSP contributions. According to my quick Google search, 57% of Ontarians contributed this year to their RRSPs, compared to 65% in 2014 and 62% in 2013. So we know there is a huge chunk, a greater portion of our population, not putting money aside. Whether they cannot afford it, whether they choose not to do so or they have other retirement savings plans, I don't know. But the fact of the matter is that we have to cultivate and encourage a habit of saving and planning ahead.

Thinking about myself, when I was 25, when I first walked to my job, after I got the offer the manager said to me, "Look, we have a pretty good benefits package."

I said, "I'm 25. I'm really not thinking about that. I just want to get onto a good project and really perform and learn what I need to learn."

At the time, he was just over 30. He said, "When you get to my age, you will start thinking about it."

Now I'm 37. I am thinking about it because I'm worried about the future—my own future, my family's future.

I think it's very important to encourage young professionals to start looking at how they should put aside money, and this bill will do that. You can't encourage one to put aside money after knowing that there is a risk that if something happened down the road, someone could come in and claim your savings. That is very wrong.

The other thing I thought about was my parents. They're both retired on a fixed income right now, and they are heavily depending on their pension. They are also paying a mortgage. There are many seniors like that, especially in the newcomer community in my riding. If they have to constantly look back and think about what happens one day, when someone can come in and not only take their house away, but also take the future of their retirement away, it is everything against why they chose to come to this country and what they've contributed in their life.

I think this bill is just on that front; it protects seniors and encourages youth to start saving. I'm happy to support this bill.

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

**Mrs. Julia Munro:** I'm pleased to have a few moments today to contribute to the discussion.

I note that this is, I believe, the fourth time we've visited this topic. While I always believe in the importance and the value of discussion and would never want to make any comments to the opposite, at the same time, having relatively the same bill show up four times suggests to me that there should come a time soon when decisions are made.

But I also realize that this bill and the problem it represents is that perennial one of creating balance, of making sure that people are protected under more than one circumstance. You want to be able to put money safely aside, but then you also have the opportunity to move it out.

It's already been mentioned about—you know, is this a sophisticated form of money laundering? How do you know how the money got in there? There are so many angles to this bill that I think it should move on and have the scrutiny of people who can really crystallize the essence of the balance that I suggest is necessary. It serves a great purpose as a private member's bill: to stimulate our conversation on our debt.

I have to join with other speakers this afternoon in looking back at so many issues that are tied to pension issues such as this one. You look at the work that was done for the Arthurs report and the kind of investigation and broad perspective that it took. Don Drummond also sounded an alarm bell for us, particularly for the members opposite, on unfunded liabilities and issues like that. I guess one of my favourite concerns is the Pension Benefits Guarantee Fund.

1420

Again, so many of these pieces of legislation and the principles that stand behind them are really out of date now. We've moved on. Electronic banking, different kinds of things people can do with money and saving it—there's a whole suite of things like TFSA's and things like that. I'm afraid that our legal framework that those operate in is not up to date. I think this particular piece of legislation—and the problem that it exposes—is similar in that it needs to be moved along into the 21st century.

Also, in my last few moments, I want to put in a plug for Bill 57, the Pooled Registered Pension Plans Act, because it would solve many of the kinds of issues that people have raised about the challenges of saving money, the complexities, and the cost of administration. Those are all issues that are covered in the essence of Bill 57.

Thank you, Mr. Speaker, for giving me this opportunity.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Northumberland–Quinte West, you have two minutes.

**Mr. Lou Rinaldi:** I just want to say thank you to all the members who had an opportunity to speak about Bill 70.

I'm delighted to hear that pretty well every member who has spoken has shown interest in moving this forward. I also understand that maybe there need to be some adjustments. With every piece of legislation, nobody ever gets it right the first time, I don't think, but we certainly try. So I look forward to going to committee and having more debate. To try to get those fine points ironed out, I guess, is my goal.

I also want to say that on Thursday afternoons—and I do not have the pleasure of being here all Thursday afternoons, when we're talking about private members' bills—it's nice to see some of those political walls being removed. I just want to thank the members for their comments, although there were some pointed at our government—and that's fair; I think it's fair game—but to have that type of sincerity when we're talking about issues that make Ontarians lives a little bit easier, a little bit more adaptable.

I'm certainly looking forward, with the help of all members—not only those who are here today, but beyond that as well—to getting this moved on to the next step. Thank you for the opportunity.

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

#### SAFE ROUNDABOUTS ACT, 2015

#### LOI DE 2015 SUR LA SÉCURITÉ DES CARREFOURS GIRATOIRES

Mr. Harris moved second reading of the following bill:

Bill 65, An Act to amend the Highway Traffic Act to provide rules for the use of roundabouts / Projet de loi 65, Loi modifiant le Code de la route pour prévoir des règles régissant l'utilisation des carrefours giratoires.

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

**Mr. Michael Harris:** I stand today, two years after first introducing a private member's bill to have roundabout rules written into the Highway Traffic Act, to finally debate the need for those rules and the need for consistency, as called for in the Safe Roundabouts Act, 2015.

Over those two years, I've made numerous attempts to bring to this government's attention the fact that, with more than 40 roundabouts across Waterloo region in my area, and more being constructed in communities across the province, it's our responsibility as legislators to move forward on enhancing roundabout safety here in the province of Ontario.

To date, that call has not been heeded. I hope that, together, we can change that situation today.

Before I get rolling too far here, let me say off the top that I am a big fan of roundabouts. Again, with over 40 in my area, I have come to understand the many well-established operational benefits they can provide to traffic flow, speed and severity of collisions. That said, I have also come to understand that while roundabouts have their advantages, whether it's in my region of Waterloo, in Hamilton, Ottawa or Windsor, concerns over consistency of rules for pedestrians, cyclists and motorists continue to grow as roundabout construction increases.

Quite simply, as the Highway Traffic Act currently fails to address roundabouts whatsoever, my bill seeks to remedy that omission by (1) defining roundabouts, and (2) giving the Minister of Transportation the ability to establish clear, uniform rules throughout Ontario.

Specifically, if MPPs in this House join me in this effort, the Safe Roundabouts Act will update the Highway Traffic Act to include a definition of a roundabout as “an intersection with one-way circulation counter-clockwise around a central island where entering traffic must yield the right of way to the traffic circulating within the intersection.”

Further, the act would require the minister to consult. The minister must conduct a study and consult with the public about the safe use of roundabouts.

He will have to report. The minister is required to table a progress report every year until a regulation to address the safety of roundabouts is made.

Third and finally, act: Following consultation, the minister is to make regulations establishing rules of the road that apply to roundabouts.

This consultation requirement would address a series of factors including the use of crosswalks, signs and markings, lighting, commercial vehicles, speed limits, signalling, entering and exiting roundabouts, uniformity of road design standards including consistency in lane width and, of course, compliance with accessibility standards.

This will not only raise awareness of how to manoeuvre through a roundabout, but increase pedestrian, cyclist and motorist safety, helping to reduce accidents across Ontario.

As I noted off the top, it has been two years since I first introduced this legislation to enhance safety at roundabouts across the province. In fact, it has actually been three years since I first got to work on the concern. It was actually one of the first issues I faced as a new MPP.

It was an early morning just days before my being first elected in 2011 that a 16-year-old St. Mary's High School student in Kitchener, crossing the southbound lanes near the Homer Watson/Block Line Road roundabout, was struck by a city bus exiting the roundabout, causing serious injuries. When I looked into the matter, I was shocked to find out that not only are roundabout rules not included in the Highway Traffic Act; they're not even defined. It's as if, legislatively, roundabouts don't even exist.

Since that day, I have used every tool at my disposal—petitions, letters, media conferences, meetings and, yes, private member's bills—to get this government's attention and have this clear safety concern addressed in the Highway Traffic Act. To bolster my work and to follow up on a major effort, the region of Waterloo has already undertaken to educate all members of the public on roundabouts. I also called on government to require new drivers to undertake a roundabout road test for their G and G2 licences, to prove they are able to properly navigate traffic circles in the province.

Time and again I have been met with ministerial rejection, refusal at times and ridicule, despite the obvious need for action. It's a bit of a head-scratcher, as this is a clear issue of safety. There's no partisan politics here, and there's a relatively easy fix. Yet, it's a fix that for some reason this government has so far refused to endorse.

First it was Minister Chiarelli responding that he would not add roundabouts to driving exams in communities where roundabouts exist. Then there was the bizarre characterization from then-Transportation Minister Glen Murray that he wasn't interested in smaller issues like roundabouts and that I was disconnected from the real issues. I remind you that there are 42 roundabouts of varying size in Waterloo region today—up to 17 circles to be added by 2016—more than 20 in Ottawa and easily more than 100 across the province. There is no doubt that this is a real, and not a small, issue.

**1430**

That's not just me saying it. Brian Patterson of the Ontario Safety League has noted that "by implementing this bill we will increase safety, expand public education and reduce crashes in the community." Doug Switzer, the president and CEO of the Ontario Motor Coach Association, indicates, "With the increasing use of roundabouts by municipalities it's imperative that MTO establish standards for their safe design and construction."

Speaker, at this time, I'd also like to welcome a road safety partner we all know, CAA, Elliott Silverstein. Elliott, thanks for joining us today in the debate and thank you for your support.

Elliott, representing CAA South Central, tells us, "The Safe Roundabouts Act ... is designed to make roundabout

intersections safer for all road users. CAA is pleased to support his initiative in making Ontario's roads safer." Again, thank you, Elliott and CAA, for your ongoing work to make Ontario roads the safest in North America.

At last night's meeting of Waterloo regional council, the region of Waterloo passed the following motion. They said:

"Whereas there is an increase in the building of roundabouts by the province and municipalities across Ontario; and

"Whereas the Safe Roundabouts Act, 2015—Bill 65 is scheduled for debate in the Ontario Legislature;

"Therefore be it resolved that the regional municipality of Waterloo endorse the principles proposed in Bill 65, the Safe Roundabouts Act, 2015, and request the province of Ontario to review and amend the Highway Traffic Act to clarify legislation and/or regulations relating to roundabouts in order to enhance public safety, driver awareness and education, and enforcement mechanisms."

That was passed unanimously last night by Waterloo regional council, and I thank them for doing that.

Of course, last Friday, I was honoured to be joined at the Homer Watson-Block Line roundabout by Mr. Silverstein from CAA and Waterloo Regional Police Service Chief Bryan Larkin to support my efforts and ensure the safety enhancements the Safe Roundabouts Act would provide. Bottom line, this is not a small issue. This is not a solitary community issue. This isn't a blue, orange or red issue. It's just smart policy based on road safety.

Yet, much as the previous Ministers of Transportation chose to ignore my calls and tie on the blinders, my renewed efforts to get the attention of the current minister in letter, at committee and in the weeks leading up to today's debate have been met with a similar lack of urgency. He tells us, "The HTA ... already covers the actions a driver must take in a roundabout." The word "roundabout" is never mentioned once in the existing legislation. In the meantime, the silence of the HTA gives way to differing interpretations, with the provincial government and municipalities calling for different practices for signalling and yielding to pedestrians.

Right now, we have a situation in my area where the MTO tells drivers to "slow down and watch for pedestrians," whereas the region says, "Pedestrians go first. When entering or exiting the roundabout, drivers should yield the crosswalk to pedestrians." It's the same for signalling. While both the region and the province agree that drivers should signal right when exiting a roundabout, the region directs drivers planning a left turn, driving all or most of the way around the circle, to signal left, while the province is mute on left signalling.

Over in Ottawa, they're going through the same discussions and confusions. Ottawa's manager of traffic management, Greg Kent, has expressed his frustration with the city's inability to give pedestrians the right of way at roundabouts under provincial law. He, too, has highlighted the fact that the act doesn't define roundabouts yet, and he, too, has called for the MTO to update the law.



Without the guidance of one provincial law for all, the road is open for different areas to establish varying directions, leaving both drivers and pedestrians unsure as to how they are expected to navigate a roundabout. A motorist who follows the local rules, say in Waterloo region, may not necessarily be heeding the protocols of other areas.

It's a problem across the board. In my years of working on the issue, I've met with motorists of all types. Whether it's truck, bus or automobiles, the only consistency when it comes to roundabouts is the consistent concern for the lack of consistency. Truckers and other large vehicle operators I have spoken to, for instance, are faced with different challenges as they enter different municipalities across the province: varied lane widths, multiple lanes, varying locations for pedestrian crossings and conflicting rules for right of way. A little consistency would go a long way to enhancing safety right across Ontario.

The fact is, the lack of any mention whatsoever in the HTA leaves everyone—motorists, truckers, bus drivers, pedestrians and cyclists alike—with questions. When can I enter? How do I exit? Where do pedestrians cross? And ultimately, who has the right of way?

Speaker, to sum up, roundabouts in Ontario are a reality. They are here to stay. The need for rules is obvious, and the fix is easy and easily supportable by representatives of all stripes. I look forward to the members' input today and ask that when it comes to the vote, together, we take a united stand for the enhanced road safety that will result from passage of the Safe Roundabouts Act.

As Mr. Outhit from the Waterloo Region Record put it when I first introduced legislation for roundabout safety, "It's time to end the runaround on roundabouts. [Let's] rewrite the law."

Today, I'm hoping that we'll pass the first step in doing so. I of course look forward to the debate from my colleagues from around the House, and I'll conclude at that.

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

**Ms. Catherine Fife:** It's my pleasure to stand in this House in support of Bill 65, the Safe Roundabouts Act, 2015. One of the reasons I think it's so important for me to stand up and support the member from Kitchener–Conestoga on this is that there is this sort of thinking around this place that what happens in one riding doesn't necessarily affect others. The fact of the matter is that people don't just drive in their own ridings. Roundabouts are an emerging safety issue in the province of Ontario.

I must tell you, on a personal note, there was some resistance when roundabouts were first introduced to our riding, but people have become acclimatized to them because they recognize that there are environmental benefits and there is traffic flow. Waterloo region is one of those places—a good place to grow, and we are growing and we're trying to adapt to that, and we're trying to do it responsibly. But there is no doubt that the Ministry of Transportation has not kept up to date on this issue.

I think the asks the member from Kitchener–Conestoga has put forward in this bill are very reasonable: increased signage, safety; these are some things that we should be able to find some consensus on and work together on. In this context and in the environment of this Legislature, in these times, there are good reasons for us to try to find some consensus. Private members' bills, we all know, don't always go very far, but on the issue of safety and on the issue of modernizing our transportation infrastructure, I think that we should be able to find some common ground.

I would just like to say there are great inconsistencies across the province as it relates to roundabouts. Some local municipalities have installed inconsistent signage or created new, confusing rules for roundabouts, apparently unable to get consistent advice from the MTO. For example, the city of Ottawa recently installed signs requiring pedestrians to yield to cars at roundabout crosswalks, apparently believing—wrongly—that there are different Highway Traffic Act rules for roundabout crosswalks than other uncontrolled crosswalks. This has led to conflict between pedestrians, cyclists, cars, trucks and buses.

I must tell you, we've had some pretty close calls for students in Waterloo region. In 2011, a St. Mary's High School student was seriously injured at a roundabout. Another student was injured while crossing the same roundabout last year. We've had our first death, actually, very sadly, at a Waterloo roundabout, which occurred last year after a motorcycle entered into the roundabout.

There's a bit of urgency to actually modernizing this piece of legislation, and I wanted the member from Kitchener–Conestoga to know that he has recognized that this is a Waterloo region issue and that all MPPs from these ridings recognize this is an issue. We don't just drive in our own ridings.

The NDP is fully supporting this private member's bill. We hope that it passes, we hope that it gets to committee and we hope that the legislation is updated.

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

**Mrs. Kathryn McGarry:** It's interesting that all Waterloo region MPPs—my colleagues from Kitchener–Conestoga and also from Kitchener–Waterloo—are concerned about this. I always call Waterloo region the roundabout capital of Ontario. Do we know roundabouts. I certainly hear the concerns across all of our stakeholders and all of the members. I really want to thank them for their comments today.

**1440**

Bill 65 seeks to amend the Highway Traffic Act to enable the minister to make regulations establishing rules of the road that apply to roundabouts. I'm very pleased to rise today on behalf of my constituents in Cambridge to participate on this bill.

I'd like to begin by reiterating the fact that our government truly is proud of the fact that our roads are among the safest in North America, but there's always more that can be done.

The safety of our roads and those who use them are amongst the highest priorities for our government and, certainly, for all members in this House. We do know there's more that can be done, so that's why we've introduced bills like Bill 31, the Making Ontario's Roads Safer act, which is now being carefully considered and examined by members of the Standing Committee on General Government.

Bill 31 not only serves to protect drivers on our roads; it also introduces a number of provisions that will help keep pedestrians and cyclists safer in Ontario. It includes a provision that requires drivers to remain stopped at any pedestrian crossover or school crossing until those crossing the street are off the roadway.

Let me specifically speak to Bill 65. As previously mentioned, Bill 65 would amend the Highway Traffic Act to enable the Minister of Transportation to make regulations establishing rules of the road that apply to roundabouts. The bill also stipulates that before making a regulation, the minister must conduct a study about the safe use of roundabouts and must consult with members of the public. In addition, the minister is required to table a progress report in the Legislative Assembly every year until a regulation is made.

Roundabouts are very important parts of Ontario's roadways. In fact, roundabouts are proven to reduce pollution and fuel consumption and to reduce delays by limiting idling times and slowing down traffic.

I know this is an important local issue for all of those living in Waterloo region, and it's why all of us have spoken to the Minister of Transportation about this issue on many occasions. I, as the member from Cambridge, and the member from Kitchener Centre have also spoken to him on these occasions. Clearly, this is the intent as well behind Bill 65.

Though I agree with the principle behind Bill 65, there are a number of issues with the bill as it currently stands. The annual reporting section is particularly concerning, especially given that it comes from a party who purportedly despises what they refer to as the addition of any kind of government red tape. This section in particular would come at significant cost to the taxpayer, both in time and in money.

There's also some question about how Bill 65 intends to include roundabouts within the Highway Traffic Act. The Highway Traffic Act, as it stands now, contains existing rules that govern how a driver operates a motor vehicle on the highway. These rules are set out in such a way that they're adaptive to the situations that drivers encounter, and this includes roundabouts.

The HTA also references the type of traffic control that's used at intersections, such as stop signs, yield signs, traffic signals—or an uncontrolled intersection—rather than the specific type of intersection, such as T-intersections, Y-intersections, cross-intersections and roundabouts.

Drivers follow traffic rules based on the intersection's traffic control. Roundabouts are controlled by yield signs, so as a result, roundabouts are already covered under the HTA's definition of an intersection.

What's also interesting is that a jurisdictional scan across Canadian provincial traffic legislation reveals that while some provinces do include definitions for what a roundabout is, no province in Canada actually has additional rules of the road specific to the operation of a roundabout. That's why we believe it's important that we emphasize the importance of driver education rather than just to legislate this issue.

In terms of public education, I agree with the member from Kitchener–Conestoga and the member from Kitchener–Waterloo that we really do need to focus on more driver education. So far, the MTO has implemented guidelines and policies for the design of roundabouts on provincial highways and has implemented provincial standards for signs, pavement markings and lighting at roundabouts. In fact, the policies and guidelines for the design of roundabouts on provincial highways are also available in the MTO roundabout resources document. Municipalities that are considering putting roundabouts in their roadways may reference this document as well.

The ministry has also drafted an update to the Ontario Traffic Manual Book 15: Pedestrian Crossing Facilities and introduced Bill 31, as I previously mentioned, which will allow alternate treatments for pedestrian crossings to improve pedestrian safety at uncontrolled crossings. That also includes roundabouts.

But we know that public education is essential to encourage safe driving through a roundabout—not only from the ministry, but also from the municipalities that currently have roundabouts in Ontario. The official driver's handbook has been updated to provide drivers with information on how to safely drive through roundabouts. In particular, the handbook was expanded to include information on driving through roundabouts and dealing with particular situations at roundabouts.

In addition, the Ministry of Transportation continues to work with its road safety partners, especially within the region of Kitchener-Waterloo, to educate the public on the correct use of roundabouts. In partnership with the region of Waterloo's Active and Safe Routes to School committee, members have trained students and pedestrians on proper crossing through a roundabout. This is particularly important when you consider some of the issues that have happened outside schools in Waterloo region of recent years when it comes to negotiating pedestrians and vehicles through a roundabout.

The MTO also has an interactive website with information on roundabouts, including a brochure and a video that's available on the ministry's website. This is particularly important to those drivers who have been on the road for many years, are not attending driver's education programs right now and are not actually reading the current official driver's handbook.

Interestingly, my son Alex, who is now 21 years old, is currently going through a program for driver's education. He was out on the road yesterday, and lo and behold, he had to actually do a roundabout. So I called him last night and today to talk through his experience. What he told me was that not only in driver's education

did he get schooled on what he was to do and what signs to follow in a roundabout situation, but when he did the online training for the course, he was also given training online to know what to do in a roundabout, how to safely proceed through it and how to safely look to the signs and follow the yield signs through it. So yesterday was his first experience. He didn't tell his driver that I was working on not only roundabouts but also Bill 31. His experience was this: He approached the roundabout in a safe manner, he was able to enter and exit safely, and his driving instructor didn't have to make one comment. I'm very proud of that, and I think it speaks to our education program and how effective that's going to be.

In order to wrap up, Speaker, I just must say again that I do agree with the principle behind this bill. If it passes today, goes into committee and is brought forward for consideration, we'll have an opportunity at that time to hear from stakeholders and the public and possibly move amendments to strengthen the bill.

Thank you for the opportunity to speak to this today.

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

**Mr. Ted Arnott:** I'm very pleased to have the opportunity to speak briefly this afternoon on Bill 65, An Act to amend the Highway Traffic Act to provide rules for the use of roundabouts, standing in the name of the member for Kitchener–Conestoga.

I was very pleased to hear the member for Cambridge just now, who I believe is also the parliamentary assistant to the Minister of Transportation, say that she agrees with the principle of Bill 65.

As we know, Mr. Speaker, the second reading vote on any piece of legislation, any bill, in this House is on the principle of the bill. While we may have some minor disagreement on some of the details, if we agree with the principle of the bill, we vote for the bill at second reading. That allows the bill then to be referred to a standing committee of the House where we can have more public hearings, more opportunity for people to talk about it—there's a number of groups, of course, that have an interest in this issue and would like to see it passed—and then we can discuss amendments. So I would take from that and I would hope that the parliamentary assistant to the Minister of Transportation has just recommended to her colleagues that they support the bill at second reading this afternoon and that we can get this bill passed.

**1450**

The member for Kitchener–Conestoga deserves enormous credit for the work that he does on behalf of his constituents in Kitchener–Conestoga. I was privileged to serve much of his riding when I was the MPP for Waterloo–Wellington. Those were great years for me, between 1999 and 2007. I have enormous affection for those communities and the good people of Waterloo region who I was privileged to serve for so many years. Michael Harris is doing a much better job than I ever did on their behalf, and I commend him for it.

This is a good bill. Of course, he has brought forward the concern that has, I think, originated in his community

about roundabouts and the need for consistency in terms of regulations. I think what he is bringing forward is very sensible. What he's suggesting is there needs to be an amendment to the highway act to “enable the minister to make regulations establishing rules of the road that apply to roundabouts. Before making a regulation, the minister must conduct a study about the safe use of roundabouts and must consult with members of the public. The minister is required to table a progress report in the Legislative Assembly every year until a regulation is made.”

The very first time that I had the opportunity to drive on a roundabout was in Great Britain in, I think, 1993. Before my wife and I had children, we had a trip to Britain. We rented a car. Of course, I was driving on the left-hand side of the road from the right-hand seat and it was a bit more difficult than I thought it was going to be, but I was able to do it without incident or accident.

The first time we were on a roundabout, my wife was navigating beside me—she had the map. We got on the roundabout and I said, “Where do I get off?” She wasn't sure. We kept going around. I said, “I'm not getting off this roundabout until you tell me where to get off.” We actually went around probably six times before we finally discovered the proper exit.

I say that in jest, to make fun of myself to some degree. But the fact is that I think for people using a roundabout for the first time, it does take some—you have to become accustomed to them. People do need to have the practice and the experience to feel confident using them safely.

I think the member is absolutely right. We need to have standardization of regulations. By bringing forward this bill this afternoon again, I think he's doing a public service for his constituents, not only in Waterloo region but across the province. I commend him for it, and I would encourage all members to support Bill 65 this afternoon when we get the chance to vote.

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

**Mr. Wayne Gates:** Mr. Speaker, thank you for allowing me to speak on the Safe Roundabouts Act here today. As you've already heard earlier today, we will be supporting the bill.

This bill seeks to make sure that the roundabouts in this province are made safe and to properly educate drivers by giving municipalities clear instructions when it comes to putting up signs on roundabouts. I'm sure most of the people in this House know this is a relatively new issue for us here in North America. London, England, has been using roundabouts for almost a century, yet there were very few down in Niagara until relatively recently. They are growing throughout Ontario. This is not just an issue around Kitchener; we all drive around the province. But down in Niagara, they are growing. We now have been using them successfully in Niagara Falls. There's one on Mountain Road. There's one on Highway 55 which handles the traffic there and, of course, a beautiful one at Queenston Heights, right before you go to historic Queenston. Like I said yesterday when I stood up and

spoke, come on down to Niagara, enjoy our area, and now you get to enjoy the roundabouts. Hopefully you don't do like my colleague from the Progressive Conservative Party did and drive six times around it to figure out how to get off. I'm hoping it's a little easier in Queenston to do that.

The research on this seems to indicate that properly designed roundabouts can be a safer alternative. The key word here is "properly" designed. If a roundabout reduces speed to around 30 kilometres, it makes collisions on our roads less fatal to those involved. No one likes to talk about collisions on our roads, but they do happen. We can continue to work on making our roads safer, and this seems to be one way to do it. Though, I want to say it again: They must be properly designed.

If a roundabout doesn't properly address the speed of the cars or the flow of traffic, there is no evidence to support that they are better than a regular intersection with traffic lights. So that's important to note as we begin to see more and more roundabouts being built. They need to be properly designed to make our roads safer, and that's important for all of us.

Mr. Speaker, the idea behind roundabouts is simple: The car that is in the roundabout has the right of way, and the car entering the roundabout must yield to the drivers inside until there is a safe time for them to enter. So everybody understands a roundabout.

Outside of controlling the speed of cars, another major concern with the introduction of roundabouts is making sure that there is a clear rule on how pedestrians are to cross the roads. We've seen some of those incidents in Kitchener-Waterloo with some students.

Here in Ontario, it's commonly accepted that cars yield the right of way to pedestrians. Though this is more technical under the Highway Traffic Act, largely, cars will stop for someone crossing the road. Today in Ontario, roundabouts are controlled under the Highway Traffic Act as "uncontrolled intersections." The technical law here is that a car does not need to stop for a pedestrian until they are actually on the roadway. Now think about that. Let me repeat that: A car does not need to stop for someone until they have actually stepped on the road. It's not hard to see why that's pretty dangerous.

Outside of being dangerous, it's also very confusing. We have reports that at roundabouts in Ottawa people must yield to cars, and then in Waterloo, they're told to cross once a car has slowed down. So you can see in two cities in the same province, we have a different set of laws around how to cross a roundabout.

As for the act itself, it creates the definition for a roundabout that is added to the Highway Traffic Act. Considering the confusion that is already occurring around them, this not only makes sense, but it seems to me to be necessary.

From there the act allows the minister to make regulations concerning roundabout use, and it says that the minister must consult the public—this is important—before any regulation changes. We can talk about the education and how we do that, obviously, during the consultations.

Mr. Speaker, roundabouts are becoming very popular here in North America, and certainly very popular in my own riding of Niagara Falls. If built correctly, they can be used safely and protect our drivers and pedestrians. Clearly, something like this needs to have a definition in the Highway Traffic Act.

If there are already signs going up in different cities with different sets of rules, then it's also clear we have a problem. This act would give the minister the power to address these issues and to solve the problems. If we're going to become used to roundabouts, then this needs to happen, because, at the end of the day, it has to be done safely.

The number one goal of the Ministry of Transportation should be to keep our roads safe and to make sure our drivers and our pedestrians feel safe using those roads. There are roundabouts here in the province, and their regulation is falling behind. In order to make sure the ministry keeps our roads as safe as we'd like them to be, let's get some clarification on this issue.

I thank you very much for time to speak today.

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

**1500**

**Hon. Glen R. Murray:** I only have a couple of minutes, so I'll get right to the point.

One, no province in Canada is doing what has been asked and has rejected this when asked. Why? What do the traffic engineers tell you and what do most local municipalities tell you, having been a mayor of a city that introduced these in another province? There is one set of pedestrian priorities and controls for yield and stop at all intersections—all the same—whether it is a T-intersection, a Y-intersection, a cross intersection, a roundabout or any other. That is the law in Canada.

If we were to change it and you were in Kenora or you were in Ottawa, you would not see this changing on the other side of the border, because—to my friends from the Niagara Falls region—pedestrian priority is pedestrian priority. If you want to change that or strengthen it, there's something called the road user safety bill that is before this House right now, and it actually has a section on strengthening and clarifying the role of pedestrian priority in Ontario.

I have said to the member that I don't think we need another committee. Remember, I sat through the minority government where you and your colleagues read off every panel in committee we ever created, and it just kills me when you guys come back every time there is a difficult problem, and you want a committee.

Take some of the ideas that are in here—I'll give you credit; there are some very good ideas in here around education and around that. You could take the definition of a roundabout that is in the ministry's guidelines right now and apply it to the law. There are design standards that we put forward, consistent with every province. What you're suggesting is that Ontario have its own set of rules at a time when every transportation ministry for the last 20 years has had the same definition of pedestrian

priority at all intersections, has had the same standards apply, whether it's a T, a Y, a roundabout—whatever it is—and those are consistent.

I even raised this with my colleagues when I was at the transportation ministry, and I got the same reaction from their traffic engineers. So, if you want to have a patchwork of different rules, that's it; or you're going to have to define every type of intersection in law, which would be kind of crazy.

**Mr. Gilles Bisson:** Point of order.

**The Deputy Speaker (Mr. Bas Balkissoon):** Point of order.

**Mr. Gilles Bisson:** I'd like to yield my minute and 44 seconds back to him.

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

Further debate?

**Hon. Glen R. Murray:** I think there are real issues here—

**The Deputy Speaker (Mr. Bas Balkissoon):** Minister, thank you. Your time is up.

*Interjections.*

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

**Mrs. Gila Martow:** Thank you, Mr. Speaker. I just want to welcome one of my constituents here, who was already introduced: Elliott Silverstein from CAA.

As Elliott knows, there have been some new roundabouts in the Thornhill Woods neighbourhood in my riding. They're quite close to a school, and they were designed very wide, so that cars actually did not even have to slow down in the roundabouts. I heard many complaints, as did Elliott, I'm sure. People were not trained to drive in roundabouts. Many people said they had never driven in a roundabout, and they were concerned for their kids' safety. The schools were concerned because the roundabouts were very close to schools.

I think we have to sort of say to ourselves that either we're going to be a province where we have roundabouts on a regular basis that people are used to—as the member from Cambridge said, even if you're trained to drive in a roundabout in driver's education, if 10 years go by before you're actually in one, that's not going to make you feel very comfortable. The last thing we need, Mr. Speaker, is drivers getting on the road in snowy conditions or icy conditions and coming into a roundabout for the first time.

What I question is: Why have roundabouts in some areas? It does keep the flow of traffic. We're all frustrated when we see traffic lights where there's no traffic crossing and we're sitting and waiting at a red light; it's not a busy time of day. And we think to ourselves, "Well, there must be a better way. It's not very environmental; it's very time-consuming for the public."

I think that roundabouts do have their place, where maybe we need something more than a stop sign or something instead of a stop sign where cars are coming to a complete stop and oftentimes there's no traffic around, and that creates a lot of pollution and damage to the cars in wear and tear.

On the other hand, traffic signals are very expensive. We don't want to be putting up traffic signals in the middle of neighbourhoods. There are options. Right near my home there's a traffic signal where only a pedestrian can trigger it.

So I think that I do support the member from Kitchener–Conestoga. I went to university in Waterloo, and I guess it was so long ago that I can't recall any roundabouts in the area, but I think that if pedestrians aren't used to them—there are two universities, Wilfrid Laurier and Waterloo, in or near his riding. The students come from other areas all over the province. They're distracted. They're young. They're in a rush. If they are having to cross through roundabouts without being comfortable, driving through the roundabouts without ever having driven through a roundabout before, I think that we can do better.

Roundabouts need to be uniform throughout the province, as my colleague said. The only thing that's consistent is the lack of consistency. I would mention that I find the same thing with handicapped parking, where the municipalities set the rules and people can go from one riding or municipality to another and experience different rules over handicapped parking. That is very unfortunate, because the last thing we want to do is make it very difficult for people who are having to park their car under difficult circumstances themselves or with a relative who requires help.

Just one look at the ministry web page on roundabouts underlines this lack of consistency about what a roundabout is and whether they're safe for pedestrians.

As an optometrist, I'm concerned about the visually impaired in roundabouts, cyclists, older drivers. How can they accommodate large trucks and equipment? I would also mention this: How can they accommodate snow clearing? I think we can see, just beside Queen's Park on Harbord, that the bike lane is often full of snow. We're designing bike lanes for summer conditions while we're encouraging people to ride their bikes in the winter without the right kind of snow-clearing equipment available for them.

I'm happy to support my colleague and to make roundabouts safe.

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

**Mr. Gilles Bisson:** I just want to add a voice of support to the bill. I heard what the minister opposite had to say, but listen, it's got to start somewhere. If we took that approach, basic things like health care wouldn't exist in this land. It took a government in Saskatchewan to be offside with every province and the federal government here in Canada to put in place health care. So if we have to wait for the 10 provinces—or 11 provinces, depending on how you count it—and the federal government getting together, that's like trying to amend the "notwithstanding" clause of the Constitution. It ain't gonna happen.

Sorry; I appreciate the argument, but somebody has got to lead and, quite frankly, Ontario at times leads on things. The Premier, for example, is trying to lead a

discussion on pension reform. If we were to wait for every other province and if we were to wait for the federal government, none of this would be done. So to make an argument, “You can’t do this because we’re going to be off-step and out of sync with the other provinces,” is not the way the Canadian experience has been.

I will just say that the first time I was in a roundabout—and I want to admit it wasn’t in Ontario; it was somewhere where the sun was nicer and they certainly had better wine et du très bon manger, au sud de la France. It was confusing, the first time that you went in it, but once you got the concept it was actually quite good. The sense that I got—and I’m not an expert on this—was that it’s a heck of a lot safer. T-bone accidents, when it comes to cars smashing into the side of somebody because they blow a stop—the worst that could happen there is that you glance off them on the side, which has probably a higher degree of survivability. So I say let’s pass this bill. Let’s get on.

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

**Mr. Bill Walker:** I’m proud to support my colleague Michael Harris from Kitchener–Conestoga and I commend him for bringing this bill forward. He’s always thinking of the safety of his constituents first and foremost, and this is another one of those.

I believe he brought this bill in response to some troubling crash statistics for roundabouts in his riding, namely the roundabout at Homer Watson Boulevard and Block Line Road in Kitchener. I also understand the regional chief of police is concerned and supports the member’s call for clarity with respect to roundabout rules so that all motorists have that confidence behind the wheel.

I support Bill 65. I believe we need consistent rules for roundabouts in an effort to improve road safety for pedestrians, cyclists and motorists across Ontario.

This bill outlines specific steps and actions required of the Minister of Transportation.

**1510**

(1) To consult: The minister must conduct a study and consult with the public about the safe use of roundabouts;

(2) To report: The minister is required to table a progress report every year until a regulation to address the safe use of roundabouts is made; and

(3) To act: Following consultation, the minister is to make regulations establishing rules of the road that apply to roundabouts.

Currently, motorists are not familiar with the rules of using a roundabout. Road users are not clear on the use of crosswalks, signs and markings, lighting, commercial vehicles, speed limits, signalling, entering and exiting roundabouts, uniformity of road design standards, including consistency in lane width and compliance with accessibility standards.

We need to take concrete steps, as outlined in my colleague’s bill, promote safety and make them user-friendly for all.

The Blue Mountain Resort roundabout was Grey county’s first roundabout. Opened in 2009 by my

colleague Jim Wilson from Simcoe–Grey and currently our interim leader—a joint venture among Grey county, the Blue Mountains, Blue Mountain Resort and the federal government. The partners used the gas tax revenues they received from the federal government for the project.

Closer to home for me, the Alvanley roundabout: Since the province has been silent in its responsibility to fund this project, I will use this opportunity to now remind the Minister of Transportation that his government has a responsibility to fund it. Bruce and Grey counties proposed years ago to build a roundabout at the intersection of Highway 21 at Alvanley and the Grey-Bruce county line. County engineers believe that the roundabout would help prevent crashes because motorists must slow down to negotiate the curved roadway. So the counties asked MTO to include the roundabout work as part of the province’s planned \$8.8-million rehabilitation of Highway 21 from Port Elgin to Alvanley in 2014.

According to local Georgian Bluffs mayor Al Barfoot: “Design drawings were finished many months ago and the project is virtually construction ready.” The province has had since “2013 to complete the work” needed for this roundabout.

So what’s stalling it? The MTO—they’re playing hooky. In fact, MTO wrote the counties to say, “If you agree to pay for the roundabout, we’ll prioritize it.” Clearly, MTO is expressly ignoring the fact that the intersection is part of a provincial highway and connecting links, so MTO is responsible for covering the cost of the project.

Minister, your ministry has made statements about the roundabouts being good solutions for rural areas with minimal pedestrian traffic, and having the ability to accommodate farm machinery and large trucks. Clearly, we’re talking about provincial highways and connecting links, which fall under your jurisdiction. Your office has had maybe 50 or so provincial roundabouts in various stages of planning, design and construction across the province. Why are you playing hot potato with the roundabout at the intersection of Highway 21 and the Grey-Bruce line? Perhaps you’ll reconsider sharing the gas tax revenues with us rural folks.

Mr. Speaker, on a personal note: My wife, Michaela, is from Morecambe, Lancashire in England. We went there for our honeymoon, and I have to say that was my first experience with a roundabout. It was a bit crazy at times, driving on the wrong side of the road and the wrong side of the car. We came to this roundabout, and I missed her turnoff for Morecambe, Lancashire, and Morecambe Bay where she’s from. She had a bit of a fit because I missed this turn. I said, “Relax. You just go in the circle. We’ll catch it the second time around.”

I thoroughly thought it was an efficient system. I believe they’re very safe. I think there’s something that they’re actually adding to our congestion challenges in some of our areas—in a lot of places.

Randy Pettapiece, my colleague from Perth–Wellington, has them. Certainly Jim Wilson’s riding and

Michael's riding, in a lot of places—I think they're great additions. It takes a bit, of course, for people to get to know them, but once they're on to them, they're very efficient and very safe.

I commend my colleague Michael Harris once again for bringing the safety of not only his constituents but all Ontarians to the floor with this bill, and I support it fully.

**The Deputy Speaker (Mr. Bas Balkissoon):** I remind the member once more that we refer to our colleagues by riding, not first names, not names—

**Mr. Bill Walker:** Oh, Kitchener–Conestoga. Sorry, Speaker.

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

I go back to the member for Kitchener–Conestoga. You have two minutes.

**Mr. Michael Harris:** First, I would like to thank the members who chimed in on the debate this afternoon on Bill 65, the Safe Roundabouts Act. Of course, my colleague from Kitchener–Waterloo, Catherine Fife—I definitely want to thank her for her comments and support of this bill, as well as my own colleague from Wellington–Halton Hills, Ted Arnott. The member for Niagara who now obviously has roundabouts in his beautiful city of Niagara Falls—I look forward to getting up there and experiencing some of those roundabouts, as well as all of the other good things in Niagara. Of course, the Minister of the Environment, the members for Timmins–James Bay and Thornhill and, finally, my colleague from Bruce–Grey–Owen Sound: Thanks for their input and consideration of the very real safety enhancements that could result from passage of the Safe Roundabouts Act.

I also want to thank those who have endorsed the direction of my bill as we move forward in today's debate. Again, the CAA, Elliott Silverstein is here with us today—thank you for joining us; the Ontario Safety League; the Ontario Motor Coach Association; the Waterloo Regional Police Service, and, of course, our new police chief, Bryan Larkin, who I know will also be making it an issue at the chiefs of Ontario traffic committee; and, of course, Waterloo regional council, who, last night, passed unanimously a resolution in support of the overall themes within the bill.

With regard to some of the ministry's or other members' comments that the HTA, as it stands, currently already covers the actions a driver must take in a roundabout, I would point out one more time that the word "roundabout" does not even appear once in the act. It is a clear omission that needs to be addressed.

Speaker, I look forward to the vote this afternoon—I've only got 10 seconds left—that will result in enhancing and being a leader—not only in Ontario, but across Canada and North America—in road safety by incorporating roundabouts within the Highway Traffic Act and creating rules for their safe use.

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

RIGHT TO CARE ACT  
(CHILDREN 16 YEARS OF AGE  
AND OLDER), 2015

LOI DE 2015 SUR LE DROIT  
AUX SOINS EN CE QUI CONCERNE  
LES ENFANTS DE 16 ANS ET PLUS

Mr. McDonnell moved second reading of the following bill:

Bill 54, An Act to amend the Child and Family Services Act with respect to children 16 years of age and older / Projet de loi 54, Loi modifiant la Loi sur les services à l'enfance et à la famille en ce qui concerne les enfants de 16 ans et plus.

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

**Mr. Jim McDonnell:** I'd like to start by welcoming some people in the west gallery: Julie Despaties, Layla Beswarick and Ilaria Ambruso from the Adopt4Life group. I'm glad to see you out today.

On this note, I'd like to start out by acknowledging the passionate and determined work put into the bill's predecessor, Bill 88, by former member for Barrie Rod Jackson. He championed the cause by allowing 16- and 17-year-old children the same rights that we grant other children who need protection during such a key stage in their personal development. Through Rod's strong advocacy and commitment, the House came together in unanimous support for Bill 88 at second reading and a constructive discussion at the Standing Committee on Social Policy. However, the bill never received third reading, despite having sat for four months on the order paper waiting for it.

When Premier Wynne called the 2014 election, Bill 88 died at the last stage of its parliamentary journey. This House missed an opportunity to afford Ontario's children aged 16 and 17 the same protection and support we offer their younger peers. Today, we can seize that opportunity at last.

Today, children aged 16 and 17 who need care and aid, whether it be because of their families becoming abusive or their guardians passing away or for a myriad of other reasons, and are left to fend for themselves—unfortunately, they get very little help, not even qualifying for much of the social safety net that is in place for adults.

So what are their options? If they don't have a family to fall back on and don't qualify for assistance from our government, well, frankly, they're quite limited. They need to navigate the homeless shelter system and try to get what they can get from Ontario Works and other services that are designed for adults. In many cases, they fall prey to the darker side of our society: forced to beg or steal to get the food they need; forced to live on the streets or to join a gang for protection. You can see that, whatever they do, getting a high school education becomes very difficult, if not impossible.

Children's aid societies have the experience and the staff to ensure that the child is appropriately cared for.

They could arrange for a formal temporary care agreement, if only the legislation allowed them to. Today, it does not. Children's aid societies in Ontario have the ability to arrange care, to place them in foster homes and even to facilitate adoption. Any child who has received these services before the age of 16 can return to them as a client up to the age of 18 and sometimes beyond. My local children's aid society would gladly help any child who reaches out to them for help, but they are frustrated by the current restrictions in the Child and Family Services Act because they know the consequences of not providing care.

#### 1520

The Provincial Advocate for Children and Youth has supported the extension of CASs' ability to provide care beyond a child's 16th birthday. I quote from the advocate's submission on the Child and Family Services Act Review: "By setting the age of protection at 16, the CFSA is inconsistent with other legislation and creates a barrier to service for those between 16 and 18 who may not qualify for adult service systems and are legally barred from the child welfare system. Currently, youth aged 16 to 18 have very limited access to financial support from Ontario Works and no access to the Ontario Disability Support Program and are required to [be] in school so cannot work to support themselves. Youth aged 16 to 18 living in an abusive situation may have no choice but to stay because they are unable to access either the adult or child system."

No one in Ontario should have to endure an abusive situation due to a lack of options. This is especially true for children of all ages, whose attainment of their full potential depends on a supportive and nurturing home. A Homeless Hub report stated that it is argued that "for young people, the need to get them into housing with appropriate supports as soon as possible is paramount. We know from research that the longer a young person is absolutely homeless or comes to rely on emergency services, the greater their entrenchment in the street youth lifestyle, the more estranged they become from mainstream services, the worse their health (mental health and addictions) becomes, the greater likelihood of their experiencing crime and violence as well as sexual and economic exploitation."

This is just one reason why we need to close the current gap in the Child and Family Services Act. It condemns children fleeing an abusive environment to homelessness. Homeless youth are extremely likely to become victims of violent crime. During the second reading debate on this issue, MPP Rod Jackson highlighted that 76% of homeless youth will be a victim of a violent crime. That is almost 13 times the national average, according to Statistics Canada, and it should give us all cause for concern.

Children aged 16 or 17 might seek children's aid society help for a variety of reasons. Their caregivers could pass away or become incapacitated. This is an especially likely scenario for children in single-parent families with little or no extended family in the region. Their parents or

caregivers could be struggling with addictions, mental illness or trouble with the justice system.

We envision the family unit as the solid bedrock of our society, and may at times take it for granted. Yet it is the duty of our support system to be there for all family members when the family home faces such challenges.

Today, children aged 16 and 17 fall through the cracks, disqualified from the child welfare system and too young to access and navigate the adult one. The purpose of Bill 88 is to offer protection and/or support of the province to these youth, 16 and 17 years old, who are in situations, through no fault of their own, where they must leave their home.

During the pre-budget consultations in Toronto, we heard from the Ontario Association of Children's Aid Societies. They spoke of the need to look at the current funding model to reflect local service delivery realities, but highlighted that we need to change the legislation to allow 16- and 17-year-olds to access CAS temporary care agreements.

This would naturally entail an increased workload for children's aid societies, who will require extra funding to shoulder the added costs. Quantifying these costs is hard, since CASs do not keep track of the clients they refuse.

Statistics from the province of Alberta, however, show that the number of 16- and 17-year-olds in temporary care is under 3% of the total number of children in temporary care across the province. But one must note that this 3% also includes the clients who were there before they turned 16 and who currently would be looked after under Ontario's current legislation today. The real number is likely much smaller, probably closer to 1% or less.

This leads us to the significant economic argument in support of providing 16- and 17-year-old children with children's aid society care when they request it. Estimates put the cost of caring for a homeless youth through shelters, the police and emergency health services at almost \$8,000 per month. Despite this, as I said before, homeless youth are 13 times more likely than the average Canadian to be a victim of violent crime. Those children who stay with their families without the proper care are less likely to perform well in school, jeopardizing their career and social and economic prospects. They also run a higher risk of dropping out of education altogether.

The economic, social and human cost of doing nothing is enormous. Our social service systems see increased demand from high-needs clients, and they need to operate efficiently. Children who can't access the care they deserve can't fully benefit from our education and training systems, making them less competitive in a global marketplace, and preventing them from pursuing and developing their talents.

By abandoning 16- and 17-year-olds in their times of need, we are depriving ourselves and our children of future teachers, doctors and innovators. As MPP Jackson highlighted in his speech on Bill 88, the estimated cost of delivering children's aid society services to a 16-year-old or a 17-year-old in temporary care is likely to be approximately \$1,000 a month, much less than the other costs.



The case for expanding CAS care is clear: Eight children can receive care and guidance in a safe and healthy environment for the same funds that it would take to care for one homeless child through social and emergency services.

Children's aid societies are focusing on delivering strong preventive services to ensure children can stay with their families rather than be taken into care. In their last report, the Ontario Association of Children's Aid Societies highlighted the decline in total crown ward numbers and the rise in services delivered to families. We should embrace this proactive and preventive approach and see Bill 54 for what it is: a chance for this Legislature to help prevent the social outcomes of child homelessness and neglect by allowing trusted experts to arrange care before the child's life and prospects are put into jeopardy.

I hope all members will take the opportunity to give Ontario's children the best chance to succeed in life. The last time this bill was debated at second reading, it received unanimous support. It sailed through committee with the same spirit of co-operation of all three parties. But sadly, it sat waiting for third reading and royal assent for more than four months, and the rest is history. The bill died when the June 12 election was called.

Since most of the members who were here then for second reading are still here today, I trust and hope that it will receive support from all three parties again today. In our caring society, it is the very least that we should be doing.

**The Deputy Speaker (Mr. Bas Balkissoon):** I would ask all members in the House to join me in welcoming the member for Barrie in the 40th Parliament, Mr. Rod Jackson.

Further debate?

**Ms. Jennifer K. French:** I am pleased to be able to weigh in on this debate today. As we know, I come to this Legislature from the classroom, and I am very pleased to be able to speak about children as a priority, because children matter. Children are more than our future; they are our foundation. As a society and as a province, it is our responsibility to support children as they grow and find their way.

Unfortunately, though, some of our youth get lost along the way. When this happens, it should be our collective responsibility to ensure that there is a supportive framework to help them regain their footing. Unfortunately for some of our vulnerable youth, there is no framework and there is often no path forward. The youth who fall into the gap between 16 and 18, who find themselves in need of services and support, are left to fend for themselves, no longer protected as children and not yet eligible for adult services.

As recognized by the United Nations in the Convention on the Rights of the Child, children under 18 are human beings with rights. Accordingly, children have the right to play, to learn, to be and feel safe, and to life without discrimination of any kind. Children have the right to a standard of living adequate for the child's

physical, mental, spiritual, moral and social development, according to the United Nations. They have internationally recognized and ratified rights when it comes to education, alternative care, justice and incarceration.

**1530**

Across nearly all of Ontario's systems, minors—those under 18—are considered to be children. At the federal level, however, youth at any age are protected from discrimination based on age, according to the federal Human Rights Code, which is consistent with the Canadian Charter of Rights and Freedoms. However, Ontario seems to have a few divergent areas and laws when it comes to youth in the gap between 16 and 18. Children, regardless of age, deserve to be fairly treated and to have equitable access to opportunity and to care.

In Ontario, access to social supports and protection of internationally recognized rights are affected by age. In fact, and in law, the definition of "child" changes within legislation, depending on the benefit.

According to section 1 of the Child and Family Services Act, "The paramount purpose of this Act is to promote the best interests, protection and well-being of children." By definition, as written in subsection 3(1) of the act, "'child' means a person under the age of 18 years." However, later in the same act, under part III, "Child protection," subsection 37(1), "'child' does not include a child as defined in" the earlier section "who is actually or apparently 16 years of age or older...."

Under this section, with the restricted definition of "child," the legislation outlines the law protecting children, determines what constitutes risk and situations where a child might have need of protection, defines best interests of the child, and outlines the laws surrounding legal representation of the child.

So within the same piece of legislation, a child is both defined as a person under 18 and later as a person not older than 16. Why the discrepancy? Surely the rationale cannot be one of stakeholder concern, as voices from the international human rights community, education sector, justice system, youth, and child and youth advocacy groups are calling for consistency, non-discrimination and fair access to services for our vulnerable youth.

Coming back to education: As stated in the Education Act, "A person has the right, without payment of a fee, to attend a school in a school section, separate school zone or secondary school district, as the case may be, in which the person is qualified to be a resident pupil." This may be a right, but due to the design, it is also a significant challenge for many vulnerable students who want to attend school and/or graduate. Inflexible compulsory course requirements and attendance and residence restrictions can create insurmountable challenges for graduation.

These vulnerable 16- to 18-year-old students should warrant special consideration. Without fair or sufficient access to services or support, these children are more likely to struggle to afford life, secure accommodation and consistently attend school. Many students who struggle with attendance are also sometimes struggling to

make money, make scheduled court dates, attend appointments and navigate various challenges. It makes sense to consider common challenges and offer flexibility and productive solutions, rather than punitive measures, to keep students in school. Students who want to graduate but are struggling should be encouraged and supported, not shamed and prevented from success. There seems to be no end to the examples of systemic hurdles that await our vulnerable youth, but I digress.

We do not adequately support our province's children in this 16- to 18-year age gap. The Canadian Foundation for Children, Youth and the Law's operating arm, Justice for Children and Youth, is an organization that promotes and defends the rights and dignity of young people. They have provided legal representation to young Ontarians since 1978. They describe that the situation is as follows:

"Many of the young people who seek the assistance of Justice for Children and Youth are ineligible for child welfare services simply on the basis of their age. Youth needing care after they turn 16 are left with few choices to provide for their safety and security, often leaving them with no option but the shelter system or the streets. A young person may need care for the first time, or may need care again after having been 'out of care.' In either circumstance, currently they generally have no access."

Even worse is that Ontario is the only Canadian jurisdiction that has neither protective nor voluntary services to non-special needs children presenting for help at ages 16 to 17—worth noting.

Since I have been elected, some of us may recall the recently passed Public Sector and MPP Accountability and Transparency Act. I'm going to speak to that for a second. According to the government, they improved the oversight of services to children and youth in care by amending the Provincial Advocate for Children and Youth Act, 2007. However, according to the advocate, the amendments will allow the office to conduct investigations "in only one area of our mandate: children receiving services from a children's aid society or residential licensee following a children's aid society placement." Again, it seems that these vulnerable youth aged 16 to 18 without access to provincial care will further be disadvantaged by this piece of legislation.

My Real Life Book, which some of us might be familiar with, was a dynamic report that presented the learning and recommendations that were compiled in 2011 by the Provincial Advocate for Children and Youth and the Youth Leaving Care Hearings team. In response to that, the government has responded with some new initiatives to help youth transition into adulthood. Interestingly, though, many of the initiatives address some recommendations, but again conspicuously absent are any initiatives to expand services to more children in need.

I would ask the government, whose priority, then, are the children outside of CAS's legislated reach? Because according to the report, children in care are the number one priority. So can it be assumed, then, that children who are currently blocked from care might at least be the number two priority?

Without sufficient support, many of our youth have no better or safer option than to live on the street. How many of our homeless youth in Ontario have been denied access to care as a result of the timing of their 16th birthday? How many of our homeless youth had access to transitional support when they aged out of care? What is the cost of raising our youth out of the system and on the streets?

As we know, in 2013 private member's Bill 88, An Act to amend the Child and Family Services Act with respect to children 16 years of age and older, was introduced here and was the predecessor of this bill. Proposed amendments include a new purpose, which is "To recognize that services provided under the act should be provided in accordance with the United Nations Convention on the Rights of the Child..." Great.

My colleague from Hamilton Mountain weighed in on that debate, and I'd like to bring her voice into this discussion here today. She said at that time:

"Currently, we are saying to 16- and 17-year-olds who are perhaps in an abusive situation at home, 'Tough luck. There's nothing we can do to help you out.' That's simply not acceptable. We give them no options, no supports, and for many the only escape is the streets. What sort of escape is that? ... It's a sad reality, and there are way too many people out there ready to exploit these youth. But escape they must. Home is a place that for most of us is a refuge, a place of comfort and unconditional love, but for them it is a place even more terrifying than the street.

"The hard thing to understand is the fact that these kids, if they were in the system before the age of 16, could be in care until the age of 18. But if they're over 16 when they first come to the attention of the child welfare agencies, the Child and Family Services Act says that we cannot get involved. It makes absolutely no sense. We're letting our youth down, and quite frankly, I think we're letting ourselves down in this House. The fact that we keep youth in care until the age of 18 means that we recognize that 16 is too young to expect them to be able to support themselves."

I'm pleased to be able to share those thoughts from my colleague from Hamilton Mountain.

The government at that time did claim to support the intent of the bill but, as we saw in committee, was concerned with costs and therefore wanted to extend discussion and consultation, and to postpone indefinitely the date the legislation could take effect.

I have a lot of thoughts on this bill; I'm just figuring out where I am.

At the time, the Provincial Advocate for Children and Youth released a statement in support of raising the age of protection to include vulnerable 16- and 17-year-olds. In his statement, he said, "Correcting the systemic gap is long overdue. We can no longer turn our back on children who are living in an abusive situation and in need of support and services."

As we know, currently there are few options for this vulnerable group, and we're here today to talk about

fixing that and closing this gap. Ontario should not discriminate against its own children based on age. As prioritized in the recommendations made by the United Nations, we need to prioritize this here in Ontario.

I have way too many thoughts to share, and I am clearly running out of time. Okay, I'll come back to the argument of cost, and we'll head that off, because hopefully we won't hear that from the government side.

Cost is an interesting argument to make when it comes to children. What is the lifelong cost of neglecting our children today? What are the social, systemic and economic costs of creating a vulnerable demographic of citizens who are forced to live on the street without access to education or any means of contributing to society or their own security? What is the cost of a lifetime of social assistance once children are finally old enough to qualify and have no foundation of education or skills on which to build a future?

**1540**

Surely the province of Ontario is up to the challenge of being accountable to its children, and I am pleased to call on the government and everyone in this House to support this bill and this initiative and thereby support our children and our future.

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

**Hon. Tracy MacCharles:** First of all, I want to thank the member for introducing the bill and for his concern for youth over the age of 16. I'd also like to thank him for his attention to the needs of vulnerable children and youth in his role as my critic, as Minister of Children and Youth Services. I also recognize that the former member who introduced the bill is here today, so that's great.

I share your concerns for vulnerable young people in this province. As you may recall, in the last Legislature my predecessor spoke to this when it was called Bill 88. I understand the bill is back unchanged, so we can just focus on the bill itself.

As we all know, under the Child and Family Services Act, temporary care agreements can be made for children who are under the age of 16. A person who is temporarily unable to care for a child in his custody may make a voluntary written agreement with a society for the society's care and custody of a child. The paramount purpose of the act is to promote the best interests, protection and well-being of children.

As I think everyone here knows, this act must be reviewed every five years, and we're currently doing just that. These reviews are an excellent opportunity to consult Ontarians, including families and youth themselves, about what's working and what needs to change. For this year's review, I thought it was important that we ask some very specific questions about areas of concern. That's why we've made supporting older youth a key focus of the review. I look forward to releasing our report on our consultations in the very near future. In fact, I'll be releasing that right here in the Legislature. While I share the member's desire to improve supports and outcomes for older youth, I want to ensure that we give the

results of those consultations full consideration as we determine how best to proceed.

Of course, I want to highlight some of the measures we've already taken to support older youth by following the advice of the Youth Leaving Care Working Group to develop new resources and support to help youth leaving care. For example, we raised the monthly financial supports to youth receiving continued care and support from the ages of 18 to 20 to \$850, which is an increase of \$187. We also provide \$500 per month during the school year to youth aged 21 to 24 enrolled in the Ontario Student Assistance Program, also known as OSAP, for eligible post-secondary education and training programs; this is through the Living and Learning Grant.

We also allow those youth who have left care at the age of 16 or 17 to voluntarily enter an agreement with a children's aid society to receive supports up to the age of 18. We provide savings to youth at the age of 18 through the Ontario Child Benefit Equivalent, OCBE, a savings program to help them in their transition to independent living. We also provide prescription drugs, dental and extended health benefits to young people between the ages of 21 and 24.

Despite these initiatives, it is critical that we do more to serve vulnerable youth aged 16 and up. As I mentioned, my ministry is carefully considering how we can improve services to them. I will also add that it's very important to recognize that the needs of teenagers are very different than those of younger children. I have two 17-year-olds myself right now, so I'm very mindful of that.

**Mr. Gilles Bisson:** Twins?

**Hon. Tracy MacCharles:** Twins. Yes, I have twins.

It's important that we find the most appropriate approach to supporting them because what works for a seven-year-old may not work for a 17-year-old. Offering child welfare services to older youth is different as they approach early adulthood, as they could be offered more autonomy when deciding which services would serve them best.

While the bill is a good first step, I believe there are some areas where it could be improved if it is to move forward to committee. For example, the bill does not address how 16- and 17-year-olds who lack capacity to consent may enter into a temporary care agreement. As such, we build, I think, further work into that to determine how to ensure temporary care agreement supports are available to 16- and 17-year-olds who lack capacity to consent.

This isn't a new issue either, Speaker. This concern was identified in written submissions made by Pro Bono Law Ontario at SickKids to the Standing Committee on Regulations and Private Bills for Bill 88, this bill's predecessor. The introduction of their letter to the standing committee states:

"We are concerned with young people, who due to lack of capacity, cannot make a written agreement for the society's care and custody when the parent or legal guardian who has custody of the child is unable or

unwilling to provide adequate care. In particular, the problem is exacerbated in cases where the parent or guardian, who is the substitute decision maker by law, is not willing or able to act in the best interests of their child, which in some cases is to enter into the care and custody of the children's aid society."

Going forward, I think we need to listen to that. We need to listen to the voices of young people as well. That's precisely why here on the Liberal government side we created the Premier's Council on Youth Opportunities. I had the pleasure to meet with the council just this past Monday. I was very impressed by their passion, their wisdom and their insight.

As we all know, this government also created the Office of the Provincial Advocate for Children and Youth, and just a few months ago our government introduced Bill 8, which expanded the powers of the provincial advocate and which I'm very glad the House has passed. That expansion includes investigatory powers into the child welfare sector.

In summary, Speaker, I'm very proud of the work that's been done so far in Ontario to serve our youth, and our government is committed to work to do even more. And although I believe this bill needs a bit more work to ensure that it fully meets the needs of vulnerable youth in the most appropriate way, I do want to thank the member for bringing the bill forward and I'll be very pleased to support it. Thank you.

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

**Mr. Bill Walker:** I commend my colleague and friend Jim McDonell, the member from Stormont–Dundas–South Glengarry, for bringing this bill back to the House yet again.

This bill looks to honour the United Nations convention with respect to children. Currently, we're the only jurisdiction in the developed world that does not provide adequate resources for children who go into care at the age of 16, 17 or 18. Right now, if you're a child and you go into care and you're 15 years old, you get support through children's aid services and other provisions up until the age of 21. If, however, you go into care when you're 16, then you have absolutely no resources available to you, aside from perhaps Ontario Works. It's discriminating. It's a violation of the human rights charter of Canada. We need to make it right, Speaker. If we want to prevent youth homelessness, if we want to help all kids get an equal opportunity at life, then we need to support Bill 54.

As a former PC critic for children and youth, I have had the privilege of meeting and hearing from key stakeholders. I enjoyed being at the Feathers of Hope presentation at Queen's Park, a First Nations forum that gave us a number of sensible recommendations.

As the critic, I also enjoyed my chats with the children's advocate. I'm pleased to have had the honour of meeting and receiving feedback and guidance on youth issues from Irwin Elman, who is in the gallery today, whose opinion I continue to respect. Mr. Elman

has established himself as the pre-eminent voice of Ontario's often voiceless youth, and I commend him and his office for their leadership and advocacy over the years in establishing that youth platform that we did not have before.

Having worked closely on this file, I've been schooled in the gaps and challenges facing our children in the context of their rights. As you're aware, this is not the first time this bill is before the House. It was first introduced as Bill 88, An Act to amend the Child and Family Services Act, by my good friend and former MPP for Barrie, Rod Jackson, who is in the gallery today as well. Rod was and is a member who was always mindful of issues concerning children's rights and dignity. He used his time here at Queen's Park to bring awareness to issues of unfairness and to empower youth by advocating—and effectively so—for Ontario's most vulnerable youth. It reflects how classy a guy he is that he's here in the House again to show his support and continued commitment to supporting our youth. Some of you may recall his Bill 102 to ban the use of blocker pads on vulnerable children. It's unfortunate that in both cases the government failed to act.

In the case of the "right to care" bill, which passed committee, the government sat on it for four months until it died on the order paper. This Liberal government had the ability to move that through and did not yet again. I urge them not to repeat the same mistake again. I urge them to do the honourable thing: Support Bill 54 and make it legislation and fix this human rights violation. It's deplorable if this doesn't—my understanding is it went through committee and had all of the amendments made, it was accepted, it was unanimous, and it sat there for four months. And now I've just heard in the House that it needs more tweaking.

**1550**

Well, I thought, from what I was told, it went through and everything was accepted, Mr. Speaker. So it's truly my hope that if people really care about these youth who are truly in a gap, they'll step up and do the right thing today. When we vote in an hour or two from now, this is the opportunity for the government to step up—all parties, all three of us in this House—to show unanimous support for our youth, to do the right thing, to do the honourable thing and make sure that this becomes legislation and we fill that gap so no youth out there has to suffer the way they have up until now.

I again want to commend Rod Jackson, my former colleague from Barrie; and my good friend and critic in this portfolio, Jim McDonell from Stormont–Dundas–South Glengarry, for all of the work that they have done over the years and in my time here and continue to do. Again, thank you to Irwin Elman, our children and youth advocate, for all that they do.

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

**Mr. Chris Ballard:** I'd also like to thank the member from Stormont–Dundas–South Glengarry for this bill and Minister MacCharles for providing remarks on this bill.

This is such an important topic, one that is very important to me and one that I'm delighted to speak about this afternoon. It should go without saying that the youth of this province are the future of Ontario. Protecting them is of the utmost importance, especially when it comes to those who are most at risk. Whether they're facing homelessness, mental illness or just trouble at home, there is much we can do and should do to protect their well-being.

Young people in our society are facing an array of stresses and situations that we, as adults, never had to deal with. Pressure is increasing on all sides, and many of our youth are unable or lack the knowledge to cope with these stresses.

Teenagers over the age of 16 face a unique situation compared to their younger peers. These individuals must often have a full understanding of the conditions they find themselves in, but being minors under the law they often lack the ability to make the decisions that could help them. Proposed changes in accordance to advice received by the ministry would, I believe, correct many of the concerns outlined in this proposed legislation. That does not, however, mean we should not consider this private member's bill and the potential benefits that it could bring to all the young people of Ontario.

Supporting youth who are on the cusp of adulthood is not just the right thing to do morally; it makes economic sense as well. By helping individuals transition into adulthood with greater ease, we reduce the likelihood they will have to rely on costly services in the future.

While many services offered by the Ministry of Children and Youth Services are of the utmost importance, they can also be extraordinarily expensive. In addition, these individuals are often far more likely to contribute to the economy as wage earners and students if they're given the support they need at the critical junction of adolescence and adulthood.

It doesn't take much to push an at-risk youth in either direction, towards success or failure, but it's up to us to provide resources that steer them in the direction that builds a successful future.

In my riding of Newmarket–Aurora in York region, much is being done to help youth at risk, in particular for older youth who often find themselves in unique and difficult situations and end up on the streets. And 360°kids offers the youth of York region the opportunity to move from the streets into homeless shelters while providing counselling, positive mentorship and employment opportunities.

In fact, when I leave the chamber today, I'll be heading to Richmond Hill to spend a night on the street with the 360°kids Experience so that I can get a taste of what it's like to spend a night as a homeless youth. So 360°kids helps isolated and vulnerable children, youth and families in York region to overcome adversity and crisis and move from the streets to a safe and secure place to rest their head. But 360°kids recognizes that these youth need a wide range of support to help them rebuild their lives. Helping families work through the

tough times they face can go a long way in reducing a young person's dependence on future services.

As the minister stated, the Child and Family Services Act review is under way, and it's my belief that the review will result in changes that will address many of the issues we're discussing here today. Our government is dedicated, as I know all members of this House are, to ensuring we protect our youth to the absolute best of our ability.

I will also be supporting this bill and encourage all members of the House to do the same. I also, however, agree with the minister that more consideration needs to be taken in the approach of the proposed legislation to ensure it has the ability to do what it is designed to do.

I look forward to the opportunity to engage in discussions about how we can best shape this piece of legislation to maximize the benefits to the youth at risk in Ontario. These children are our future. They deserve our care and our protection. As I said, I'm quite delighted to support Bill 54, a bill moved by the Stormont–Dundas–South Glengarry MPP previously in December 2014, because it is such an important piece of legislation.

Thank you for your time, Mr. Speaker.

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

**Mrs. Julia Munro:** I'm pleased to be able to offer a few remarks today on Bill 54. I, too, want to recognize that the genesis for this came from the former member for Barrie, his previous Bill 88, and I'm very happy that my colleague the member for Stormont–Dundas–South Glengarry has reintroduced this bill that seeks to protect minors.

I want to tell you in a personal way my introduction to this gap, which is what we're talking about, the funding gap for children who have been in care. It was a few years ago that I received a phone call from a very, very agitated young man. He was so distraught in the conversation that it was difficult even to follow, but certainly his state of mind was clear, and that was that he had just discovered that, through a lack of knowledge, he had left care and that meant that he couldn't get back in. He had had very tumultuous early teenage years, and he had been in a particular foster home, which had provided him with the stability that, quite frankly, no one else ever had. So through a quirk of red tape, he found himself then on the outside. That was my introduction to the importance of this gap and, more importantly, finding the process by which to close it.

The notion that 16- and 17-year-olds are to be treated like adults—now, let me assure you, as the mother of a former 16- and 17-year-old, there were times when I thought it would be nice if she behaved like an adult. But in this context, it is a totally different issue. When you hear about human trafficking and you hear about people being put into prostitution and the evils that lurk, and then you are leaving the most vulnerable group of people at that particular age at loose ends without the protection of the law and the funding, it's quite shocking that in a civilized society we have been so late in addressing this particular issue.

I think that while there are agencies that exist, they are mostly trying to pick up the pieces. We should be proactive. That's what this bill tries to impress, that it is not appropriate to cast these people out into the community without support. It's my fervent hope, taking the words of the minister responsible for children and youth, that she will see the opportunity that this private member's bill provides to act as the impetus to actually do something for people who are in this circumstance.

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

1600

**Mrs. Gila Martow:** I'm very happy to speak on this bill, an act to amend the Child and Family Services Act, which was brought forward by my colleague. My former colleague, former Barrie MPP Rod Jackson, is here. He should come and visit more often with his wife, Joanne, since we miss them dearly. He presented this bill as Bill 88. Unfortunately, we had the election last June, and we had to start all over again. Sometimes I think the public doesn't quite understand that there's so much repetition in government. Every time there's an election, the slate is wiped clean and we have to start over again, and it's very important that we get to work and get as much done as we can while we are here and able to address these issues.

As a former optometrist, I had a patient I recall very clearly who was 16 years old. She came in with her mother. She was having some problems in school, and it was suggested by somebody close to the family that maybe she needed to get her eyes checked. Well, the daughter was dressed very Goth: all in black, dyed black hair, sitting like this and scowling. Every time her mother spoke, she sort of grunted and grumbled and turned in her chair with her back to her mother. The tension in the room was palpable.

I sent her out after I checked her eyes. She did have a small prescription—she had worn glasses before—but that was not the issue. The issue was an incredibly angry teenager in a very dysfunctional situation where the mother didn't even recognize there was any issue. I sent her out with my assistant to look at frames, and she was actually very happy to go off and have her mother stay in the room for a short consultation with me. I acted as though that was the norm. It's definitely not the norm to hold a parent back and send a 16-year-old out to try on frames herself.

I sat the mother down and said, "You do realize there is a very tense situation here between you and your daughter?" And the mother said to me, "Well, that's teenagers." I said, "I have teenagers, I know lots of teenagers, I see lots of teenagers, and that is not a very healthy atmosphere that I'm sensing between the two of you. I suggest that you speak a guidance counsellor, speak to the family doctor. Maybe some family counselling is in order." The mother was a very pleasant woman, but she was brushing it all off.

I got a phone call from the police a couple of weeks later. The police called me and said they were calling me

because the child had disappeared. The police asked the parents if they had any inkling that she might disappear—that there were any problems—and the mother said to the police, "Well, we did see this optometrist a couple of weeks ago who said to me, 'This is a crisis situation, and you need to go for counselling. I'm worried that your daughter could hurt herself or run away, or something could happen.'" So they mentioned it to the police, and the police called me and asked me what I thought. I said, "I was just expressing concern. I have no idea where the daughter could have gone." It wasn't like she said to me, "I'm thinking of running away," and then I mentioned it to the mother.

I think the schools are dealing with this all the time. They're dealing with teenagers who are couch surfing; they're sleeping at their friends' houses; they're sleeping in cars; they're sleeping in garages. It's unfair to the entire school system that we're not addressing the fact that there are 16- and 17-year-olds who need support from all of us here, and who need support in the community. We have to find some way of dealing with this gap, as my colleague mentioned. Perhaps there's some kind of apprenticeship programs we can offer to these youth with some kind of co-mentoring, almost like foster parenting, because I can't see them being too happy in a regular foster home. More group homes are obviously needed, but that's not always the answer as well.

I'm glad I was able to share my story with you, Mr. Speaker. I think we all know people in the community who could use our support.

**The Deputy Speaker (Mr. Bas Balkissoon):** I now return to the member for Stormont–Dundas–South Glengarry. You have two minutes.

**Mr. Jim McDonell:** I want to thank the Minister of Children and Youth Services and the members from Oshawa, Bruce–Grey–Owen Sound, Newmarket–Aurora, York–Simcoe and Thornhill for speaking today. I also want to thank the advocate for children and youth services, Irwin Elman, who was in today; and welcome my son, Bernie, who is here on his reading week from McGill University, who came in to see the bill today.

Currently, I just wanted to say that this is not the first step, as we're expecting the release of the review of the youth and family services act in the next few weeks. I believe submissions made to the ministry not only asked for the provisions of this bill to be incorporated into legislation, but the benefits for youths aged 16 and 17, who are new clients of the children's aid society—that they actually receive the same benefits as children who are first covered under the age of 16. I ask you: Why should a youth be excluded from the same benefits as someone, possibly a brother or a sister, just because they had the bad luck of turning 16 before something terrible happened to them, through no fault of their own?

I know that this bill went through committee before and there were some amendments. I would have expected it would have gone through, but I welcome the minister's comments that there may need to be some further amendments and that some of these extra services may

need to be included. We're certainly open for that and look forward to that, because it is a commitment. These youth are our future. We show that economically it's eight times more expensive to deal with them through the legal system than it would be to provide the care.

As well, as we have children that—there are more things to bring quickly. Children who are adopted at an older age lose their benefits. That's a deterrent to adoption. So there is some tweaking that needs to be done that we didn't include in this bill just because we wanted to get it through, but we would welcome those changes and we hope for successful passing of the bill.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. The time provided for private members' public business has expired.

REGISTERED RETIREMENT SAVINGS  
PROTECTION ACT, 2015

LOI DE 2015 SUR LA PROTECTION  
DES RÉGIMES ENREGISTRÉS  
D'ÉPARGNE EN VUE DE LA RETRAITE

**The Deputy Speaker (Mr. Bas Balkissoon):** We will deal first with ballot item number 31, standing in the name of Mr. Rinaldi.

Mr. Rinaldi has moved second reading of Bill 70, An Act respecting protection for registered retirement savings.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98(j), the bill is being referred to—

**Mr. Lou Rinaldi:** Speaker, to the Standing Committee on Justice Policy.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that the bill be referred to the Standing Committee on Justice Policy. Agreed? Agreed.

SAFE ROUNDABOUTS ACT, 2015

LOI DE 2015 SUR LA SÉCURITÉ  
DES CARREFOURS GIRATOIRES

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Harris has moved second reading of Bill 65, An Act to amend the Highway Traffic Act to provide rules for the use of roundabouts.

Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it.

We will deal with the vote at the end of regular business.

RIGHT TO CARE ACT  
(CHILDREN 16 YEARS OF AGE  
AND OLDER), 2015

LOI DE 2015 SUR LE DROIT  
AUX SOINS EN CE QUI CONCERNE  
LES ENFANTS DE 16 ANS ET PLUS

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. McDonell moved second reading of Bill 54, An Act to amend the Child and Family Services Act with respect to children 16 years of age and older.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98(j), the bill is being referred to—

**Mr. Jim McDonell:** The committee on social policy.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that the bill be referred to social policy. Agreed? Agreed.

SAFE ROUNDABOUTS ACT, 2015

LOI DE 2015 SUR LA SÉCURITÉ  
DES CARREFOURS GIRATOIRES

**The Deputy Speaker (Mr. Bas Balkissoon):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1609 to 1614.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Can I ask all members to take their seats, please?

Mr. Harris has moved second reading of Bill 65, An Act to amend the Highway Traffic Act to provide rules for the use of roundabouts.

All those in favour, please rise and remain standing.

**Ayes**

|                       |                     |                       |
|-----------------------|---------------------|-----------------------|
| Anderson, Granville   | French, Jennifer K. | Munro, Julia          |
| Arnott, Ted           | Hardeman, Ernie     | Naidoo-Harris, Indira |
| Baker, Yvan           | Harris, Michael     | Potts, Arthur         |
| Berardinetti, Lorenzo | Hoggarth, Ann       | Qaadri, Shafiq        |
| Bisson, Gilles        | Jaczek, Helena      | Rinaldi, Lou          |
| Chan, Michael         | Kwinter, Monte      | Scott, Laurie         |
| Clark, Steve          | Malhi, Harinder     | Sergio, Mario         |
| Coteau, Michael       | Mangat, Amrit       | Singh, Jagmeet        |
| Dhillon, Vic          | Martins, Cristina   | Tabuns, Peter         |
| Dickson, Joe          | Martow, Gila        | Vanthof, John         |
| Dong, Han             | McDonell, Jim       | Walker, Bill          |
| Duguid, Brad          | Milczyn, Peter Z.   | Zimmer, David         |
| Fedeli, Victor        | Moridi, Reza        |                       |

**The Deputy Speaker (Mr. Bas Balkissoon):** All those opposed, please rise and remain standing.

**Nays**

|                   |                 |
|-------------------|-----------------|
| Delaney, Bob      | Murray, Glen R. |
| MacCharles, Tracy | Wong, Soo       |

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 38; the nays are 4.

**The Deputy Speaker (Mr. Bas Balkissoon):** I declare the motion carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98(j), the bill is being referred to—

**Mr. Michael Harris:** General government, please.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that the bill be referred to general government. Agreed? Agreed.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**The Deputy Speaker (Mr. Bas Balkissoon):** I beg to inform the House that pursuant to standing order 98(c), a change has been made to the order of precedence on the ballot list for private members' public business such that Mr. Grant assumes ballot item number 36 and Mr. Dhillon assumes ballot item number 55.

#### ORDERS OF THE DAY

##### AGRICULTURE INSURANCE ACT (AMENDING THE CROP INSURANCE ACT, 1996), 2015

##### LOI DE 2015 SUR L'ASSURANCE AGRICOLE (MODIFIANT LA LOI DE 1996 SUR L'ASSURANCE-RÉCOLTE)

Resuming the debate adjourned on March 4, 2015, on the motion for second reading of the following bill:

Bill 40, An Act to amend the Crop Insurance Act (Ontario), 1996 and to make consequential amendments to other Acts / *Projet de loi 40, Loi modifiant la Loi de 1996 sur l'assurance-récolte (Ontario) et apportant des modifications corrélatives à d'autres lois.*

**Hon. Glen R. Murray:** Mr. Speaker, point of order: There isn't a member by the name of Mr. Grant in this House. Is it someone whose name should end in Crack?

**The Deputy Speaker (Mr. Bas Balkissoon):** I accept the member's point of order, and the record will be changed.

**Mr. Steve Clark:** Point of order.

**The Deputy Speaker (Mr. Bas Balkissoon):** Point of order, the member for Leeds–Grenville.

**Mr. Steve Clark:** I'm glad that Bill 40 is being debated. I have 21 members who haven't spoken to that bill, and I think I have five members here. Thank you.

**The Deputy Speaker (Mr. Bas Balkissoon):** When this item of business was last debated, the member for Elgin–Middlesex–London had completed his speech.

Further debate?

**Mr. Bill Walker:** It's a pleasure to speak to Bill 40, the Agriculture Insurance Act. I support expanding and streamlining crop insurance programs and changing provincial purchasing policies so that Ontario produce is on the menu at schools and hospitals. This brings our

farmers in line with the rest of the country where farmers have long enjoyed this level of protection from their provincial governments.

As I start this, I just want to extend my appreciation to the farming community: the Bruce County Federation of Agriculture, the Grey County Federation of Agriculture, the Christian Farmers Federation of Ontario, the Ontario Federation of Agriculture and all of the volunteers, board members, farmers and their families for producing the food that we all enjoy every day. I also want to give a quick shout-out to my great riding of Bruce–Grey–Owen Sound as the beef capital of Ontario.

Mr. Speaker, I'm going to start today by talking about a little different area of agriculture, that being the apple industry. Last year was a tough year for apple growers when the early frost destroyed as much as 80% of their crop. I met with members of the Ontario Apple Growers who represent over 200 apple farmers—most of them are from the southern Georgian Bay area. Together with Meaford, the apple capital of Ontario, we represent one quarter of the province's total apple production.

I also toured the orchards to see first-hand some of the damage. Did you know that the farm gate value of our apple crop averages about \$60 million a year today? A few years back, this wasn't the case. In fact, apple trees were being bulldozed over and taken out of production in Ontario. I've been writing to the new full-time Minister of Agriculture to encourage him to invest in the productivity of this sector and seek an action plan to assist Ontario's apple growers to increase production and our export prospects by replacing the aging apple trees with the new varieties. Other provinces have done similar for their fruit growers, but no such revitalization program exists in Ontario. As the apple growers explained, it would take about \$25 million over seven years to totally revitalize our apple industry.

#### 1620

Economic spinoffs: Jobs are the chief benefactors—growers; packing houses; government institutions like schools and hospitals, which can provide locally grown produce; and tourism.

We were disappointed with the last budget. There was \$40 million committed to food processing, but none to the fruit growers. Of course, it's great to see the processing industry get some funds to upgrade and do those types of things, but you need the fruit and the food to be there in order for it to be processed and to be as efficient as possible.

Apple farmers can be the ones to provide them with the raw materials they need. The apple growers are prepared to rejuvenate their \$60-million strong sector. Is the minister prepared to facilitate the development of Ontario's own revitalization plan and champion Ontario's apple industry?

There are a lot of local concerns, and one of the most common concerns I hear from farmers in Bruce and Grey, whether livestock, cattlemen, pork producers or cash crop farmers, is the government forms they have to fill out. Just how confusing or bureaucratic are they



going to be with this amendment? Those are the concerns, Mr. Speaker. I hear them every day from the people who work the land, work with our livestock. How much time do we have to put them through administrative and bureaucratic processes?

There are also concerns brewing over the government's Bill 66, the Great Lakes water protection bill. This bill supersedes all others, including the Nutrient Management Act. Anyone, including farmers, found to be in non-compliance will face a penalty anywhere from \$25,000 to \$100,000. How easy will it be for farmers to understand and comply with this new act? I hope the ag sector will have high representation on the government's Great Lakes Guardians' Council, the oversight body which will be appointed by this government.

Last time this bill was introduced—I'm surrounded by the Great Lakes in my wonderful riding of Bruce-Grey-Owen Sound; of course I'm supportive of protecting our Great Lakes. It is our single most valuable asset: clean water for all of us to drink. But we need to do this with some sense and some balance, Mr. Speaker, and ensure that we're not having unintended consequences, particularly for people like our farmers and the industry that they support. Our farmers are great stewards of the land. Of all the people out there who want to protect and ensure our water supply, farmers are always there at the first step.

Some of them are still reeling over the clawback of overpayments under the risk management programs. It was a huge challenge. When I first got elected, I had farmers coming to me. One particular individual, who will remain unnamed, had an overpayment in excess of \$75,000, and that was a number of years after the money was given to him. They came along and said, "You have to pay it back," in a very short time frame. We went back and tried to work on behalf of this farmer. He was under the understanding that it wasn't a repayment, that it wasn't a loan. He had gone out and invested that money in various ways to help his farm increase productivity and capacity, to buy newer machinery, to ensure that he could provide jobs on his farm. All of a sudden, he had to come up with \$75,000 in very short order. He was only one among some 4,500 farmers who got the call from Agricorp to pay back the assistance money. None of the ones I spoke with had any idea that this money had to be paid back and certainly not many years afterwards. It was a complete nightmare. They had filed income tax for many years. The Canada Revenue Agency, of course, would have to go back and look at all those things. It was just a colossal nightmare to claw all this back.

In my current critic role, I have some concerns that this SAMS program is very similar. We're spending all kinds of time and energy, and we're going to have to continue to try to clean up a program that was rolled out with a lot of glitches and mistakes that are impacting our most vulnerable.

I have a question, Mr. Speaker: Why is this government trying to recover 100% of this money when its share was only 40%? The remaining 60% came from the

fed. They were clawing back 100% of dollars given even though they only really had a 40% stake in it. Again, the farmers could not understand the rationale for this. I tried at the time to speak to the minister about it and, sadly, I never ever did receive a straight answer.

I had substantial feedback from my constituents on the issue of dying bees. Bees, of course, play a critical role in our food production chain. Considering that the agriculture sector generates exports of over \$11 billion and contributes \$34 billion in gross domestic product for the province of Ontario while employing 760,000 Ontarians, it is important to keep our bees healthy. Our colleagues in this House have stood and spoken on this matter. We all believe that it should be science that we're following in regard to this, not knee-jerk reactions. Again, we are going to see the negative impacts of this knee-jerk legislation. I hope they will continue to work with all of the stakeholders and find a resolution to this.

Abattoirs are a huge, significant player—used to be a huge, significant player in ridings such as Bruce-Grey-Owen Sound. Sadly, my riding of Bruce-Grey-Owen Sound has lost half of its abattoirs or butcher shops because of over-regulation. According to one published report, 15 years ago Ontario had more than 900 businesses to process meat and poultry. Today, there are about 130. We need more. We've almost decimated yet another industry because of this.

Kelven Arnold of Sullivan's Butcher Shop in Warton said he himself had to spend \$75,000 over three years just trying to comply with all of the regulations. In a very small shop, that's a lot of money to put a business that's trying to support the agricultural sector through, and the viability of his business was jeopardized. A hog farmer near Chatham said the average costs for a small plant to meet all the new standards is \$165,000 and up to 75% funding is needed in order for small owners to meet regulatory changes.

The adverse impact on promoting local food is when you take people like our local abattoirs, our local food processors, our local butcher shops out of the mix and put them out of business. This has a really negative ripple effect to our agricultural community. What is the minister going to do, I ask, to reverse this negative trend?

I continually hear from our agricultural community that the rising cost of energy, the costliest rates in North America today—we used to be the leader with the lowest rates; now we have the highest rates in North America—are one of the biggest concerns in the cost of running a farm today. When that cost is skyrocketing, as it is in Ontario—Ontario has the highest, as I've said, electricity rates compared to all other North American jurisdictions—it just pushes the food costs to all of us up. If there's more hydro being consumed at a higher rate, the cost of food is obviously going to have to pick up some of that slack.

Every rural member has heard from farmers in their riding about the mounting energy bills and those exorbitant adjustment fees. One farmer was paying \$4,000 for global adjustment fees. Another was paying \$1,500 a

month at his 32-head dairy farm, even though his barns weren't heated. It's simply not sustainable.

I also hear this from people off the farm. The cost of hydro is challenging our seniors, those on fixed incomes and particularly those who are most vulnerable in our society. We have to take a look at energy, regardless of what we're looking to do in the future.

To my understanding, other provinces in Canada have designated electricity rates for farms, and Ontario yet again is lagging. Again, I ask that minister, what are you prepared to do to fix this injustice? Unaffordable energy costs are also the single largest threat to food production. We need only remember the fate of Heinz and Kellogg's, both shuttered.

Farmers have waited 11 years for movement on plans for production insurance to expand to other commodities. They finally got it; that and two months of hearings on Bill 40. Where did this bill travel in January and February?

Mr. Speaker, I'd like to remind the minister that your colleague and MPP for Leeds–Grenville wanted to know if Kemptville was one of the stops for these hearings on Bill 40. We want to remind the House that this government tried to shutter Kemptville campus, one of the oldest institutions to offer an agricultural education in Ontario.

While I applaud that they're moving forward on some of these, there's still lots in the agricultural sector that we need to do. We need to be listening to the stakeholders in our farm communities. Let's not forget where our food comes from: from our farmers, from the great agricultural industry that we've always had. Bruce–Grey–Owen Sound has always been a proud agricultural community and always will be. Thank you, Mr. Speaker.

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

**Mr. John Vanthof:** It's always an honour to be able to speak on behalf of the NDP caucus and the residents of Timiskaming–Cochrane and, today, on behalf of many of my people in the farming community.

This bill is pretty simple. We're changing the Crop Insurance Act to the Agriculture Insurance Act. We're in favour, but we've heard from several that this is going to help farmers this spring. That's not true.

This changes the enabling legislation to allow more crops and more agricultural products to be insured. But the way the current act works, the farmers pay 40%, the province pays 26% and the feds pay 34%. This act doesn't have any money attached to it. So if it has no money attached to it at the farm level, with this act nothing is going to change—absolutely nothing. There has to come a lot more meat to the bones before it actually impacts the farming community.

**1630**

Is this a good piece of legislation? Yes. But it's only a start. The sad part about this piece of legislation is that it could have been done in 2003, when it was actually passed at the federal-provincial agricultural meeting. What year are we in now? 2015. This government has

been in place for 10, 12 years. They are moving at lightning speed for the agricultural community, lightning speed: over 10 years to actually come up to somewhat the same level as the other provinces, and yet there is still no money attached.

**The Deputy Speaker (Mr. Bas Balkissoon):** The Minister of Community and Social Services.

**Hon. Helena Jaczek:** I'm very pleased to rise in support of Bill 40, the Agriculture Insurance Act, 2014. Overall, I'm hearing support for this bill, and I'd like to move with some lightning speed at this point.

The bill has now been debated for over nine hours. The government extended debate beyond the 6.5-hour threshold so that more members would have an opportunity to speak to the bill. Listening to the debate, it has been clear that the majority of members are in support of this bill. I know I am.

My riding comprises a very large part in the greenbelt. I have many, many farms. I have some exceptionally successful agribusinesses, like Ontario Lamb and King Cole Ducks. In fact, Ontario Lamb won an agribusiness award from the Premier a couple of years ago.

This type of production insurance, going beyond crops and perennial plants, is something that I think will be a great benefit to business in my riding. I think it really is an opportunity here to move forward.

We've got some very important bills on the agenda. I'd like to move forward with things like Bill 6, the Infrastructure for Jobs and Prosperity Act; Bill 37, the Invasive Species Act; Bill 45, the Making Healthier Choices Act, a very important one; Bill 49, the Ontario Immigration Act; and Bill 52, the Protection of Public Participation Act.

I would really like, at this point, to urge all members to have their say but move this forward with the kind of speed that I think is due to our businesses and our farmers.

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

**Mr. Ernie Hardeman:** I'm pleased to rise and speak, and commend my friend from Bruce–Grey–Owen Sound for a very good presentation on the bill. Thank goodness he could find other things to talk about, because you couldn't possibly make that good a speech on what is in this bill.

As was mentioned to my good friend in the NDP, there is really nothing in this bill, except that it changes the title or name of one of the agencies within the government, Agricorp, and it gives the minister the power to add—it's actually "agricultural crops" in the present legislation and they have changed it to "agricultural products" so we can include more items in the bill. If the minister so wishes, he could add beef cattle to the insurance program. That's what it is, as was mentioned.

The farmer buys insurance to cover the eventuality that if something happens and they can't make money on it, then the cost of the disaster is covered by insurance through this program.

Again, as I said earlier, I support the bill because what it does, it does right, but it does very little.

I was just looking here. We did a survey, and I would think that the minister, instead of working and spending all this time on this, might have wanted to look at the survey and see what the agriculture community said he really should be doing, as opposed to writing bills like this.

One is, "How big is the impact of increased hydro costs on your farm?" Some 60.7% said it was a significant impact.

Drought: "What impact has drought had on your farm?" For 62.1%, it had a significant impact. Yet there is nothing in this program, as was mentioned earlier, no assistance and help for these farmers who are seeing these kinds of increases and these kinds of problems.

I think—

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

**Mr. Ernie Hardeman:** Thank you very much.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Timmins–James Bay.

**Mr. Gilles Bisson:** Mr. Speaker, I'm going to get a chance in the next rotation to have 10 minutes on this bill—my God, can you imagine? What am I going to do with those 10 minutes?

I just want to say this, because I feel something coming on on the other side, on the government side, and I don't think it's a feeling of love; I think it's a feeling of calling the question is where these guys are going.

I've just got to say to the government across the way, this place works well when the government House leader works along with the opposition House leaders in order to be able to try to deal with what it is the opposition needs. Are there amendments to particular legislation? Are there private members' bills that we want to be able to move forward, not just at second reading, but actually to be able to bring them into the House to third reading? If you do those kinds of things, this place actually works fairly well.

I'd just say to members, I came to this place, along with a few others, and when I came to this place there was no such thing as time allocation. The only thing you could do to close debate was to call the question, and the threshold for calling the question—as my good friend from whatever riding, Mr. Kwinter, knows—was quite high.

But what would happen at that time is that the government House leader, whoever it was, would work with the opposition House leaders and there would be some very serious and very political and very pointed debates on legislation that the opposition was opposed to, and on a whole bunch of other bills, those bills just sailed along fairly easily. I will argue that there was hardly a debate at third reading because, in fact, you had come to an agreement during the process at second reading, at House leaders', about how to deal with the bill and to do proper committee hearings when it came to travelling the bill and giving the public the chance to have their say, and also for clause-by-clause in order to make amendments.

*Interjection.*

**Mr. Gilles Bisson:** So I understand that new members coming into this place feel frustrated because they never lived in the old system, but I would argue that the old system was far more productive when it came to moving legislation forward and for making the kind of changes that strengthen legislation than what we have now.

**The Deputy Speaker (Mr. Bas Balkissoon):** I return to the member for Bruce–Grey–Owen Sound. You have two minutes.

**Mr. Bill Walker:** Thank you very much, Mr. Speaker. I'd just like to point out that in the gallery we have Bernie McDonnell, the son of Jim, from Stormont–Dundas–Glengarry. They're a long-standing farm family and I know that they are enjoying this debate today about agriculture.

I'd like to thank my colleague from Timiskaming–Cochrane. I think he brought up some good points—no money, where is this really going, and how long has this taken to get done? They've been in government for 12 years. If they really were sincere, it would have been in place.

To the Minister of Community and Social Services, thank you very much. I hope there's some lightning speed and that we actually get things done around here, because this record is pretty abysmal at the best of times.

Ernie Hardeman from Oxford, my well-renowned colleague, ran out of time because he has such a wealth of knowledge on the agricultural file, a former Minister of Agriculture. I wish the current minister would spend more time listening to our former Minister of Ag because he has a lot that he brings to the table. He knows what the realities of being on a farm are. He's a practical guy who has practical experience to bring to the table.

I think he brought a good point in: that, again, this could be extended to beef, cattle and sheep farmers, because a lot of those in areas like ours—particularly with coyote kills, they lose that asset and they get very little compensation, if any, at most times. This would certainly give them a level playing field, and I think that's very important.

He touched on the issue that 60.7% of farmers are concerned about the increasing costs of hydro. It is one of those things, not just to farmers but to everybody, but particularly to our agricultural industry, because, as I say, the price of food goes up every time that energy file is increased.

To the member for Timmins–James Bay, I think he brings a good point, that in this House we need to ensure that every member has the ability to speak and to represent democracy, which is the fundamental premise of us all being here. Particularly in something like agriculture, we need to ensure that our constituents are being heard. They give us the information to bring to this House to share and ensure that as a fundamental democracy, their voice is heard, and we shouldn't be shutting it down.

We'll be supporting this. I think there are lots of questions. There are amendments needed, but I think that generally we will move forward and try to support it the best we can.

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

**Mr. Gilles Bisson:** Mr. Speaker, in the short 10 minutes that I have, let me just start with the shout-out by the parliamentary assistant across the way, which was to call me a piece of work for having raised the issue of how legislation used to work in this place.

I just want to say, in all fairness to the other side, I understand new members coming into this place and feeling frustrated, because when you're elected into a majority government—and I was there and my other friends were here before—you really do feel, “We've got a majority and we can do what we've got to do and move the government's agenda forward.” I get all of that, but I was trying to make the point that we never had time allocation when I came here. When Monte came here, there was no time allocation. And guess what used to happen? Bills, more times than not, actually didn't stay very long at second reading, because you would make a deal on those bills that you cared less about to talk more on the bills you did care about.

1640

But the really good thing was that the public really were the benefactors, because bills used to go to committee. Those bills that were contentious or weighty went to committee, and there was an actual time when members would sit for longer periods of time, travelling the bill through this province and having time here at Queen's Park at committee level, working together to try to figure out how to strengthen the bill.

I just make this point—and Speaker, I just ask for a little bit of latitude, because it's related to this particular bill. You'll remember the sustainable forestry development act. Just like the parliamentary assistant across the way, I was a brand-new member. I just got here. I got the God-inherited right as a New Democrat to pass every bill, because after all, we got the majority. I remember that feeling. But what happened was another new member, Chris Hodgson—I don't remember his riding; I think Victoria-Haliburton was his riding—was the MNR critic in the Conservative caucus. I can't remember who it was for the Liberals; I think it was David Ramsay. We had a bill to change the way that we deal with stumpage in the province of Ontario and how we deal with forestry management practices.

We thought we had all the answers because we had done all of the consultation stuff we had to do. You know what? Mr. Ramsay from the Liberal Party and Mr. Hodgson from the Conservative Party went to these committee hearings with us. They would get people to speak on issues that they were interested in, other people would come in, and they actually made proposals that made sense. So we changed our bill greatly as a result of the input by the members from the opposition and we made a stronger bill that lasted some 15 years after the date. It's still the model when it comes to managing our forests in the province of Ontario. The forest management planning process we have comes out of that experience. We made it better, we made it stronger, and we

made it easier for companies to work with, and better for the environment, by having members engage.

The problem you have in the mechanism you've got now is that members go to committee and say, “I'll never win an amendment. I'll never be able to advance anything because, in the end, the government's not going to listen. What's in it for us?” The system doesn't work well when it does that.

I'll tell you the other thing it does. It makes this Legislature much more partisan. This Legislature was far less partisan than it is now under the old rules of no time allocation. It was much, much less partisan. Why? Because members by—

**Hon. Dipika Damerla:** You wonder why this place is so partisan—

**The Deputy Speaker (Mr. Bas Balkissoon):** Order, please.

**Mr. Gilles Bisson:** Never mind. I give up. You guys know it all.

*Interjections.*

**Mr. Gilles Bisson:** Jeez, Mr. Speaker, I'm trying to be respectful; I'm not trying to accuse members on the other side. When I say this House was partisan, I'm not looking at one side of the House.

*Interjection.*

**Mr. Gilles Bisson:** Well, jeez, do I have to explain that this House is a collective House? It's not just about the government or the opposition. So understand I'm not attacking—

*Interjection.*

**Mr. Gilles Bisson:** No, but it's frustrating. I can take heckling. I've been around here for a long time; I can dish it out and I can take it. But when members don't seem to understand what the basic tenet of a Legislature is supposed to be about, it's frustrating.

My point was, we have made this Legislature more partisan—by virtue of eliminating time allocation—and I would invite all of you to read some O'Brien and Bosc and speak to our Clerks. They've been around here for a long time. I think they bear out what it is that I'm saying.

I think this place works better when we have less partisanship. I give you as an example our select committees, where we did the mental health reform—

**The Deputy Speaker (Mr. Bas Balkissoon):** I would say to the member, you asked me for some latitude. It's been almost five minutes. I would ask you to speak to the bill.

**Mr. Gilles Bisson:** Farming, agriculture.

I'm just going to finish on this point: It's less partisan. I say to the members across the way, the government at one point—whoever's on the other side; I don't care who it is—has to get this through their minds with regards to changing the way we do things here, because what we're doing now I don't think is the best way of doing it.

To the bill we have before us today—and I want, Speaker, to thank you, because you did give me lots of latitude. I get it. I just want to say this: We all had the opportunity about two days ago, I believe, to go see the grape growers. I knew that the grape industry had a

problem because of the cold we've had this year. Especially those in the Niagara area are going to be losing—it looks like a potential to lose a lot of their crop. This bill could be something that will be very helpful for the grape industry. Because of the cold being as cold as it was as long as it has been, those people, especially in the Niagara area, have a potential of losing a large percentage of not just their buds on the vines, but also losing the plant itself, because the temperature has been so cold for so long there's going to be a negative effect to the plant. This particular legislation could help that particular industry.

But as members in the Conservative caucus have pointed out, and certainly our agricultural critic has pointed out, unless the government gives an appropriation of dollars to this, it's essentially a nice piece of paper that's going to basically make you feel good, and maybe you can use it to warm up the plant by setting it on fire—and hopefully not burning your plant down—so the darn thing don't freeze this winter. But unless you tie money to the bill during the appropriation process of our budget, this thing is not going to do much good.

As the member from Timiskaming–Cochrane pointed out, this has been around since 2003. The ministers at the federal and provincial levels came to an agreement about having to extend the coverage of various parts of the agricultural industry when it comes to crop insurance, because the ministers of the day at the provincial and federal levels recognized that what we had for crop insurance was somewhat restricted, and there were far more people in the farm community who needed to have that type of assurance to be able to make the kinds of investments they've got to make to be in the agricultural business.

It is not like it was 50 years ago. Investing in a farm today, you're talking in the millions of dollars. So when a young couple decides that they want to buy dad's farm, or the neighbours' farm, and have to invest \$1 million or \$2 million or \$3 million to take over the dairy farm or whatever it is—well, a dairy farm might be a little bit different, but let's say cash crops and others—there is a real problem trying to raise the money at the bank to be able to secure the loan. They'll take the land, but it's pretty hard to use the crop as a way of being able to lever dollars from the bank. Proper crop insurance, I think, goes a long way to be able to assist some of those people in the agricultural business who are trying to secure loans in order to be able to buy that first farm. So I think a lot of good can come out of this legislation, and that's why we, as New Democrats—and I'm certain by this point the Conservatives and Liberals—are going to vote for this bill.

But you're going to have to make the appropriation through the budget process to make this work. The fact that the government has waited some 12 years to bring the legislation in at the time where they had the ability to do this 13 years ago, tells me that they never wanted to make the appropriation. That's really the story here. Though they wanted to be able to say, "We like farmers;

we want to do everything to give them a hug and make them feel good," they weren't doing what needed to be done, which is the appropriation. They rightly understood that if they brought the bill, there had to be an appropriation. So let's hope that with this bill coming forward there's an intention with the government to actually make the appropriation in the budget. I'm not convinced. I know there are a number of members in this House who aren't convinced, but clearly that would be something that would be good.

Again, I just encourage members, if you have an opportunity to speak to people in our grape industry, it's rather scary what they're going through, because if the plant has been affected and the plant dies, you're talking about five to six years before they're in a position to go back into production again. For a number of people in the wine industry, that's the difference between being able to stay in business and having to leave, because you can't afford to have five or six years without a crop to recoup some of the money that you're going to need in order to be able to do the work that does need to happen to get your crop up and running and do what it is that you've got to do in the preparation of wine.

So I just say to the members across the way, if you have a chance, talk to the people in the vintner business—not the vintner business but people on the agricultural side of the wine business—and I'll tell you, it is a pretty scary thing. Let's hope that things are not as bad as what seems to be the case, but certainly I think there are going to be some issues in the future.

With that, Mr. Speaker, again, merci beaucoup de m'avoir donné la latitude que j'ai demandée. Vous me l'avez donnée et je vous remercie.

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

**Hon. Dipika Damerla:** I'm pleased to rise to speak to Bill 40 and to respond to comments made by the member from Timmins–James Bay.

I just want to begin by saying that if the member opposite was truly interested in making this House less partisan, as a House leader, he might make the decision to stop stalling this bill. This bill has now had nine hours of debate—

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Order.

**Hon. Dipika Damerla:** Over half of the members of the Legislature have either spoken to this bill or participated in the debate.

I heard him speak, and he had very little to say on the bill. He went on and on about many other issues, but didn't speak to the bill, because everything that needed to be said has been said.

If you're truly, truly concerned about the welfare of Ontarians and you truly want to make this House work, let's start by leading by example.

**1650**

One way you can do that is that we have extended debate beyond the six-and-a-half-hour threshold. We're at 9 hours. If the member truly meant what he said about

making this Legislature work collectively and raising the tenor of this House, then let him start by example. Let us start moving forward. I'm calling on the opposition parties to stop stalling on this bill and help us move forward. Help us move this important piece of legislation forward so we can continue to debate other important bills like Bill 6, the Infrastructure for Jobs and Prosperity Act; Bill 37, the Invasive Species Act; Bill 45, the Making Healthier Choices Act; Bill 49, the Ontario Immigration Act; Bill 52, the Protection of Public Participation Act.

I think it was Mahatma Gandhi who said, "Be the change that you want to see." Perhaps the member opposite could take inspiration from that.

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

**Mr. Ernie Hardeman:** I'm pleased to rise and commend the member from Timmins–James Bay for his presentation on this agriculture bill.

As I have said in previous remarks, it's a four- or five-page bill, but there are only two operative clauses in it: One is that we change the name of the insurance program to cover all products in agriculture, as opposed to just growing crops; and the other is to give the minister authority, by regulation, to set those items that could be insured that are presently not insurable. Those two items and the change in the name of the bill, I—and we—wholeheartedly support. What we don't support is the government looking at a bill like that doing so little when all these other things that do need doing aren't getting done.

I mentioned earlier the survey we did. I just want to go through some of the comments that were made in the survey. A question on the survey was, "What are the biggest challenges facing your farming operation?" "High taxes" and "growing fuel costs," from an Ontario goat and vegetable farmer; "hydro," from a southwestern Ontario cattle and grain farmer. "Red tape, plain and simple, detracts focus from job at hand, and I'm always worried someone from some other ministry will show up unexpectedly, use all my time for that day, and probably many others, responding, complying with the same whimsical findings, and cost me yet more money," from a southwestern Ontario nursery and horticultural farmer; "high input costs, more red tape," from a Golden Horse-shoe farmer; "too much government regulation, increasing costs for feed and hydro." I like this one, Mr. Speaker: "OMAF's idiotic drainage program."

You would think there would be room in this legislation to deal with some of the issues that need to be dealt with to help our farming community—but nothing. All it does is change the name of an organization and give the minister more authority, but it doesn't do anything for the farmers of our province.

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

**Mr. John Vanthof:** It's always an honour to speak about agriculture. I'd like to respond to the response from the Associate Minister of Health and Long-Term Care

that nine hours are enough time to debate this bill. This bill is one of the foundational pieces of a \$34-billion industry that creates 750,000 jobs. If it takes 10 or 11 hours to make sure that everybody's opinion gets on, I think that would be worthwhile.

This bill is a good bill; nobody's arguing the bill. What we're trying to get across is that what is important is what comes after the bill. We don't know how that's going to work, because it might never come back to this Legislature; it will just be the minister who changes the regulations. That's a problem.

The issue here is that we are going to expand the amount of agricultural products that can be insured—great. But there's no way we know where the money is going to come from to pay for the 26% from the province. If there's no new money, they could very well take it away from the risk management program we have. They'll take it from that and put it in this pot, and it will be a net loss for agriculture.

That's why we're trying to put these points on the floor, and we don't hear any answers about that. In these nine hours of debate, we have yet to hear one answer about that.

**Hon. Dipika Damerla:** Ask in question period. Why don't you use question period?

**Mr. John Vanthof:** The member across is complaining about question period. Quite frankly, it's our job to hold the government to account. If the government actually answered the questions in question period, we would move a lot farther ahead.

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

**Mr. Monte Kwinter:** I just want to address my comments to the member for Timmins–James Bay. I appreciate your comments about the way it used to be, but now we have an opportunity to move it to the next stage.

We've extended the debate now for over nine hours. Over half the members of the Legislature have either spoken to this bill or participated in the debate during questions and comments. The government extended the debate beyond the six-and-a-half-hour threshold so more members would have an opportunity to speak to the bill.

Listening to the debate, it seems clear that the majority of members are in support of this bill. This signals that there's no true desire to have further meaningful debate on this bill, and their only goal is delay. I'm calling on the opposition parties to stop stalling and help us move forward this important piece of legislation so we can continue to debate other important bills like Bill 6, the Infrastructure for Jobs and Prosperity Act; Bill 37, the Invasive Species Act; Bill 45, the Making Healthier Choices Act; Bill 49, the Ontario Immigration Act; Bill 52, the Protection of Public Participation Act—

**Hon. Glen R. Murray:** Bill 66—

**Mr. Monte Kwinter:** And Bill 66.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Timmins–James Bay.

**Mr. Gilles Bisson:** I appreciate the comments of all of the members. I'll just say this: Back in the day before

time allocation, we actually passed more bills than we do now. That's the truth. Go back and take a look at the order paper for everything dating back from 1993, and you will see that the Legislature passed more bills and enacted more laws under the old rules when we had no time allocation because the parties were forced to work together. Mr. Arnott down the way there was here with me in 1990. We actually passed more bills.

I hear the members across the way say, "Oh, if we didn't talk about this bill, we'd get this bill, we'd get that bill, we'd get this one, and maybe we'd get that one too." I'm sorry, but we actually passed more bills. For example, there was hardly a bill that had any debate at third reading. Ted, do you remember any? I don't hardly remember a bill at third reading—we used to have Committee of the Whole.

**Hon. Glen R. Murray:** What year was this?

**Mr. Gilles Bisson:** This was before 1993.

**Hon. Glen R. Murray:** Who did that in 1993?

**Mr. Gilles Bisson:** Listen, I've taken the blame for that a long time ago; don't worry about it.

We used to actually have time in this House to do Committee of the Whole. There are only about five of us as members who've seen Committee of the Whole because we haven't seen it—maybe a little bit more than that—since about the late 1990s. The point was, the House had enough time to do Committee of the Whole back in those days.

I just say to the members across the way: The argument that, "If everybody didn't talk, we could pass more legislation and we'd be more efficient"—I reject that argument. The way that this place is supposed to work is that members are supposed to find ways of working together, having the real fights on the bills that we're diametrically opposed to and agreeing on some of the bills that we're fine with. That's the trade-off.

I remember what those meetings were like. You'd go in and you'd say, "Here are 10 bills that we are okay with, that we're all right to pass." Those bills got very little debate. Government passed them through the process. Sometimes they got lots of committee; sometimes they didn't. The rest of the time, we'd spend our time on two or three bills that were major signatory bills, like a budget.

I just say to the government across the way: Your argument doesn't hold water, according to the history of this place.

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

**Ms. Laurie Scott:** I was just giving some time for the government side, if they chose, to participate in an agriculture debate. We never really get enough time to speak about agriculture in this Legislature. I just wanted to point that out.

Today we're debating Bill 40, the Agriculture Insurance Act. It basically amends the Crop Insurance Act to expand the scope of the act, which is going to expand the bill so it applies to all agriculture products that are designated by the minister by regulation. There are a lot

of technical pieces, basically changing names, in the act. We're supportive of the general direction of the act. We'd like to see that. We have a lot of things to discuss in agriculture.

**1700**

**Mr. Lou Rinaldi:** Tell us what they are.

**Ms. Laurie Scott:** Okay. The member from Northumberland says, "Tell us what they are." I have nine minutes, so no problem. Sit back in your chair and rest. There you go.

My colleague the member from Oxford, who was our agriculture critic and was Minister of Agriculture before, brought up a lot of points from the survey he did. He actually went to the farmers and consulted them—

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Northumberland—Quinte West, come to order.

**Ms. Laurie Scott:** —asked farmers in Northumberland—right there. Of course we have red tape—

**The Deputy Speaker (Mr. Bas Balkissoon):** I would ask the member to speak through the Speaker instead of the dialogue that's going on across the floor.

**Ms. Laurie Scott:** No offence to the member from Northumberland, but that's not a problem. I will speak directly to the Speaker.

We heard from the farmers on many, many issues—a lot more could be mentioned in agriculture bills here because of the changes they had mentioned they'd like to see.

Red tape: Have we not heard enough about red tape? When are you guys going to get it over there on the government side and actually do something about it? Farmers have been frustrated, and continue to be frustrated, for a long, long time. "Burnt out by excessive government regulations, confusing forms and bad customer service"—these are quotes from the survey that the member from Oxford conducted in the agriculture community.

Even the CFIB conducted a survey: 63% of farmers say their businesses have been "impacted by delays caused from red tape." "One third of agribusiness owners would not advise their children to start a business given the burden of government red tape."

You have to listen to these. It is true out there, and I hear it in my riding among my farm community constantly. "A farmer doesn't have time to sit on the phone waiting for government to answer questions or fill out piles of confusing paperwork in the middle of calving." "To add insult to injury, many farmers feel the red tape burden is getting worse." They felt it's gotten worse, no question. "Working with the programs is frustrating, which discourages farmers from participating." No question.

We mentioned hydro. There are some dairy farmers who are actually members of the Legislature here. They might have retired from dairy farming—but you have to milk the cows twice a day and some of it's in peak time. You just can't avoid it. Their costs for hydro have gone up insurmountably.

So, when we do agriculture bills, we'd like more topics discussed. We do agree with increasing what agriculture insurance does expand to, but there are many questions surrounding Bill 40. Will it be easy for farmers to forecast the amount and timing of payments? Can the payments be processed rapidly to get them into the hands of farmers quickly? Will program calculations be clear and transparent? Will each participant get a detailed statement, like an income tax form that we receive back?

The bill is not clear on who the program is being expanded to cover. Is it bees? Is it pork? You wanted me to discuss the bill, over there in the government, so I'm asking the questions that we find in the bill. It doesn't tell us what the rules will be for them. It doesn't tell us where the money is coming from, or if there will be money.

The government promised farmers a reliable, bankable, predictable risk management program. Then, a year later, after implementing that, they implemented a cap, which means it's no longer bankable. Now we are being asked to trust that same government over there when they put a piece of legislation in front of us, like this bill here today, Bill 40, that contains no program details.

The government tells us that there is no money to help out our farmers. If they were capping programs because they were putting every dollar into paying down the debt, I think farmers would respect that. But the truth is that when the Ministry of Agriculture, Food and Rural Affairs had money left at the end of 2013, they gave over \$11 million of it out to hand-picked companies. There was no public announcement that the money was available. In fact, there wasn't even a publicly available application. Staff at OMAFRA just selected a certain group of companies and invited them to apply. The first time their competitors heard about the funds was when the government held a photo op actually announcing the grants, and I think some of the members in the government remember that. This year-end money included a \$1-million grant to a distillery even though the project wouldn't create a single new job. Is that very good use of taxpayer monies? I don't think so. It included a grant to a company that had almost finished building their factory, and according to the reports, they didn't even ask for the money—nice for them, not responsible government.

Now the same government is putting forward this legislation that allows them to modify and expand programs by regulation and expecting that we're just going to trust that they're going to do it all properly and with the farmers' interests in mind. So that brings us back to more of the discussion from what the survey said.

We have abattoirs that are struggling—if they've even remained open—and continue to struggle. They've got provincial versus federal for lambs and goats. That's from an eastern Ontario goat and sheep farmer. They've got, "Why aren't you ensuring the viability of small meat processors? Stop having a one-size-fits-all approach to food safety and move to a risk-based approach." That was from a pork farmer.

I don't know if I said it, but I will mention it again: 77.2% of farmers said the amount of red tape on Ontario

farms is increasing. I just want to make sure you got that point; I wanted to bring it up a couple of times. Then 60.7% of farmers said the impact of hydro costs has been significant. Again, we've mentioned that a few times; we're just trying to get the message through to you over there that we've got a community that's crying to be consulted.

What's going on right now? The Ontario Federation of Agriculture: They've got the neonicotinoids. They said, "The use of neonicotinoid seed treatments"—this is from the OFA, the Ontario Federation of Agriculture—"has been isolated as the focus of compromised pollinator health. The current process outlined in the discussion paper to dramatically lower levels of treated seed acreage is not evidence-based and therefore flies in the face of the government's own Open for Business consultation process."

The Ontario beekeepers said, "OFA is prepared to work with industry and government to achieve a practical and workable pollinator health strategy. Extensive research suggests there are at least nine stressors affecting pollinator health and we clearly identified these in our response, suggesting the government address all health factors as part of a comprehensive pollinator health strategy."

They're saying, "We want to work with the government. Don't just do things without consulting us—and get it right on the science. Don't shut down an industry." You have to balance what's going on.

I understand and I respect the fact that most of the members on the government side are from urban areas.

**Mr. Lou Rinaldi:** Not me.

**Ms. Laurie Scott:** I know, not all. I said "most" are.

We represent predominantly rural areas. We're here; use us as information education sections, to the government, Mr. Speaker. We're here to offer advice to—I mentioned quite a few organizations that give good advice. I just want to get it on the record that they want their message heard by the government.

I think what's really sad about young farmers who struggle to get in—the survey mentioned quite a few times that it's very hard for young farmers to get in. It's even harder when their parents, who are in farming, tell them not to get into it. They say something like three out of five farmers wouldn't have gone into the business if they had known about the red tape and paperwork. That doesn't encourage them to tell their children, "Let us help you get into the business."

We all want to buy local food. We want to help our farmers—on this side, anyway. So we were shocked about the proposed closures of Alfred and Kemptonville Colleges. I know that our member from Oxford wrote a letter to the Premier about it right away. The member from Leeds-Grenville has fought tirelessly to keep the agriculture courses in Kemptonville College, because we want those young people. We've discussed the need for young people in the agribusiness sector.

We have the auto sector and the agribusiness sector. You can talk to two different sets of people about who



employs the most number of people in Ontario, but they are the top 1 and 2.

We need to do more for our farmers so we support Bill 40, but we would like to talk about more agriculture issues and make changes to help the farmers.

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

**Mr. Jagmeet Singh:** First of all, I want to commend the member on her 10 minutes. That was very informative.

One of the points that I want to build on is the fact that we don't have a lot of discussion in this House about agriculture, and I think we need to do that more often. In fact, my colleague mentioned the point that the importance of our farmers can't be highlighted enough, can't be emphasized enough.

I want to share a personal story about farming. Both of my parents come from farming traditions. They were both long-time farmers back home. There are significant barriers for farmers; there are significant difficulties that farmers face.

1710

In a vibrant society, one of the things that we need to talk about is this concept of food security. Your independence, as a nation or as a province, often flows from the fact that you have food security, that your space, your community—wherever you live, whether it's a city, a province or a country, if your country, your community, your space can provide food for its inhabitants, its citizens, its residents, it makes you more secure and it makes you more independent.

Sometimes we don't really think about the importance of farmers on that level. Having the ability to feed our communities is something of vital importance. Having the fundamentals, like water, food and shelter: Those are the three things that we need absolutely, and everything else is on top of that. Even if we talk about poverty reduction, essentially the first step of addressing people's conditions is finding them a place to live, and then once we find them a place to live, they need to have food and shelter. If we can't provide food on our own in our own communities, in the places we live, we're losing some of our independence, we're losing some of our sovereignty in a way, and we're losing some of our security. It's something that's vitally important.

My family went through a lot of difficulties when the government made policies that made it harder to be a farmer. If policies are made that encourage farming, that make it easier to be a farmer, that support them, then we'll have more farmers, we'll have more independence, we'll have more food security. So it's something we need to look at. There's a direct connection between the policies that governments implement and the ease in which it is for farmers to operate, for them to get into the work of being a farmer.

My colleague from the Progressive Conservative Party mentioned how difficult it is for young people to get into farming, and it is very difficult. If we want this industry and we want this tradition to grow and to continue, we

need to make sure young people are encouraged to enter into it. We have to do that by making policies that make it easier to enter into farming.

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

**Mr. Joe Dickson:** Thank you to the previous speakers.

**Mr. Arthur Potts:** Another rural member, a great rural member.

**Mr. Joe Dickson:** A great rural member? Thank you very much—from a city boy.

**Mr. Arthur Potts:** You're welcome. We love having you on board.

**Mr. Joe Dickson:** From a city boy.

I'd like to just make a couple of comments, if I could, and I know sitting across the floor—I can't mention names, so I won't say Mr. Hardeman, an expert on agriculture, will turn around and listen like all of the other members over there.

I just want to mention that the opposition parties are really extending this, whether needlessly or not. It's a debate on Bill 40, and we should perk it up. Let's move it on. It's now sitting on 10 hours. That's a pretty good indicator that we should be well on our way to the next bill, so we can produce more work, get more work done and do a better job quicker and more productively for the residents of Ontario.

Over half the members of this Legislature have spoken to this bill—and then most of the other half have also spoken as well on it. I think there are some members here who have spoken on it two times. I know the member from Ajax–Pickering has, and he's enjoyed both occasions.

This government has extended the debate past the 6.5 hours threshold so we would have an opportunity to speak to the bill. The signals are there. We have a desire to get on with it, and I think—because I've listened to the members and there has been productive comment from all parties—it's time to complete this process. Let's rectify this. Let's approve it. Let's move it to committee for consideration. There is a lot of time that we can spend on it there. I'd like to see all parties involved in that. I know both the NDP and Ms. Scott have done a great job. All of my farm background is—

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

**Mr. Joe Dickson:** —particularly around Lindsay—thank you—and—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you very much. Questions and comments?

The member for Wellington–Halton Hills.

**Mr. Ted Arnott:** Thank you, Mr. Speaker. I want to commend my colleague—

*Interjection.*

**Mr. Ted Arnott:** I think he's finished.

I want to commend my colleague the member for Haliburton–Kawartha Lakes–Brock for her presentation this afternoon on Bill 40.

I've heard a number of the government members in their two-minute hits this afternoon start talking about, it's time to move on with this bill and move it forward. In the past, in recent days, that has foreshadowed a closure motion from the government side. Of course, that puts the Speaker in the difficult position of deciding whether or not enough debate has taken place and whether or not to allow the motion to proceed or whether to ask for further debate.

I would submit to you, Mr. Speaker, when there is a significant number of members of the Legislature who haven't had a chance to speak to the bill—and I'm not talking about two-minute hits. I'm talking about debating the substance of the bill with either a 20-minute or a 10-minute slot, especially on an issue such as agriculture, which is vitally important to the entire province. The fact is, we very rarely debate agriculture issues in the Legislature. This government hasn't seen fit to bring forward very much in the way of agriculture legislation.

Allowing a fulsome debate on this particular issue would show a measure of respect for our farm communities and our agribusinesses and our farm families. I think we owe it to our farm families to allow a fulsome debate on this issue because it involves agriculture. I would suggest and submit to the government and implore them, really, not to move closure on this bill until every member who wants to have an opportunity to speak to it has been given that opportunity. It is so vitally important to the province and certainly to members of the Legislature from our side. The vast majority of our members come from small-town and rural Ontario, and we all have an interest in agriculture. We would all want to have the opportunity to participate fully in legislative debates on this issue, like Bill 40.

Again, I want to congratulate the member for Haliburton–Kawartha Lakes–Brock for her presentation. We look forward to further debate on Bill 40.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Timmins–James Bay.

**Mr. Gilles Bisson:** I very much fear you're not going to get a lot of debate. I think at one point they're going to pull the trigger on closure, calling the question.

Anyway, I just want to say again: Congratulations to the member for her—

*Interjection.*

**Mr. Gilles Bisson:** Did I hear something? Sorry; it was one of those things, right?

Anyway, I was just saying that members make some good points. I think what the opposition is saying to the government is that the bill, in itself, is not a bad thing, but really, there are a couple of things that we need to do.

Probably the most important one: There needs to be an appropriation of dollars tied to this bill. If you don't appropriate the dollars, what it means to say is that technically, you can be in a spot where there are more people coming to the pool in order to try to recoup losses they would have had as the result of whatever happened that year, and there would be less money to go around. It's one of the bills where the government can do some

really good press releases and say, "Look what we're doing. We're going to help the agricultural industry."

On the surface, it's a good bill, and there's probably no argument that it's going to help the agricultural industry by title, but you can't bank a title. You can't go to the bank and say—well, you can bank a title if you own the land; that's a whole other issue. But my point is, you can't bank the money because of the title of the bill; there has to be money tied to it. I think one of the things the opposition is saying is: The government has to put in place, in their appropriations in the budget this year, the money for that. The reason that we're a little bit doubtful is that the government has had some 13 years to do this and they haven't. Why, all of a sudden, is it being done now? Is it because the government has finally decided they're going to appropriate the dollars? It seems to me that if that was the case, the government would have announced it in their budget this year and would have said, "And we're going to be introducing the bill and here's the money for the appropriation." But we didn't get that in the last budget, which tends to tell us that this is more about the title of the bill.

As I said earlier, I think we're going to hear the long comment of the member across the way telling us at what point we've been debating this bill and when they plan on calling the question.

**The Deputy Speaker (Mr. Bas Balkissoon):** I return to the member for Haliburton–Kawartha Lakes–Brock.

**Ms. Laurie Scott:** Thank you, Mr. Speaker, and thank you to the members from Bramalea–Gore–Malton, Ajax–Pickering, Wellington–Halton Hills and Timmins–James Bay for their comments.

We, in the opposition, are trying, certainly, to get the message through to the government about the importance of agriculture. We do agree with the bill, but we'd like to see more things done for agriculture. We have—I don't know—almost 20 more members who want to speak to this bill, because, as the member from Wellington–Halton Hills said, we don't get a lot of chances to speak about agriculture and we think the farmers would like us to speak more about agriculture in this Legislature, for sure. I don't think they want to see the government shut down debate, as they keep alluding to in all their questions and comments.

The Ontario Federation of Agriculture asked for this legislation three years ago. Where has the government been? They have been in power for—are we at 12 years yet?—anyway, a long time. The Ontario Federation of Agriculture has been asking for this for at least three years. Definitely for three years, we have it down that they asked for this piece of legislation. If the government is in such a rush now, where were they in the other years?

We talked a lot about youth and keeping the youth involved. We brought up Kemptville College. I want to mention that agriculture programs close to home are extremely important. In Haliburton–Kawartha Lakes–Brock, a large majority of my young people wanted to go to eastern Ontario—we're a part of eastern Ontario; some people don't realize that. They wanted to go to Kempt-

ville for the agriculture courses. They were pretty devastated when they were no longer going to be available to them.

1720

We need to grow the agri-food business sector, which, as I said, employs hundreds of thousands of people that we forget about. So we should encourage more agriculture sector development.

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

**Mrs. Gila Martow:** Thank you, Mr. Speaker, and thanks for remembering the name of my riding. I know that's a very challenging part of your job because it's a very challenging part of my job.

We've all heard the story of the city mouse and its cousin off in the country. I guess you could ask: What do I, who live in an urban area of Thornhill, have to add to the discussion? Well, I have a lot to add to the discussion, because part of the discussion is about budgeting; part of the discussion is about, as we've said, people being able to save for their retirement and help their kids get an education and get started in life.

We've often spoken about mental and physical health. We all know it's extremely challenging for farmers when the weather is good and co-operating. We can only imagine how difficult it is for farmers when they are seeing ice destroy their apple trees or droughts destroying their crops, and the incredible pressure they must be under 24/7 worrying about all of these things.

It behooves all of us to find solutions, not necessarily just in terms of changing the names of bills or giving government new powers or setting up some kind of insurance scheme or pension fund or help when times are rough. I don't think most farmers want a handout. They just want to be treated fairly, on a level playing field, and have their concerns addressed.

Too often, we see that professionals spend so much time qualifying, requalifying and filling out government forms that they're not left with enough time to practise their profession. We've often heard police complain about that, that they can do less policing when they have to fill out so many reports. We can't expect people who go into professions such as farming to be filling out forms all day long when they need to be addressing concerns.

It comes down to politicians working with the communities, working with the farmers, and finding innovation. I often like to talk about Israel. I know the member opposite who spoke earlier on this bill has visited Israel many times, as have I. It's an innovative country. It has only been around for a little over 60 years, and they have developed so many fantastic agricultural techniques. These are people whose parents weren't in the agricultural sector when they came from Europe and northern Africa. They had to learn about farming on their own and figure things out. They didn't just keep doing things the same old way, the way their parents and their grandparents had done. They tried new techniques. We often hear about drip irrigation, because water is such a

valuable asset. Farmers even in North America and across the world are using all kinds of innovative farming techniques that were developed in Israel, and other countries as well.

That's what we need to be doing. We need to be speaking to the farmers, yes, but we need to be working with agricultural colleges, such as Kemptville, and the universities, the engineering programs, the business sector and food plant processing and asking them, "Where do you see a chance for some kind of innovation?" And instead of giving government grants for research on things that don't necessarily help some of our sectors here in this country, maybe we need to focus a portion of that research on perfecting new techniques for agriculture.

We've all heard the stories. It was going to be a crisis when the world population got over, you know, several billion. People were going to be starving to death because we didn't have enough farming to produce enough grain and rice to feed the people in the world. Innovation took place, where they were able to plant more crops, of higher yield, using less land, less water and less fertilizer. Here we have a state where it was predicted that people were going to be starving, and we have plenty of food in the world. The problem is the distribution of food, not the production of food.

I'd like to talk a little bit about the wine industry, because that has been mentioned repeatedly as something that's growing in Ontario, something that we want to promote here. It's a big tourism draw, not just in Niagara-on-the-Lake and the Niagara Escarpment but in Cornwall and other parts of the province.

As somebody who enjoys visiting some of the wineries and taking the courses and learning about different wines, it was interesting to me to learn that icewine, which Canada and Ontario are quite famous for across the world, was apparently discovered quite by accident. That's how it was explained to me. What happened was, the grapes froze overnight. They play sort of a dangerous game making icewine, because they need to have that exact situation where the grapes are freezing but not completely frozen. They're harvested and smashed while they're still quite frozen so that the juice that comes out is concentrated. What I always picture in my mind is when you make Popsicles in your own freezer at home, if you make it out of apple juice and you eat the Popsicle, you can almost suck out the juice, and you're left with just the ice. That's what they did with the grapes; they were left with just a kind of watery ice, and the syrup that came out was a thick syrup, and they were able to make the icewine.

There's progress being made in terms of maple syrup because across North America, the grading of maple syrup was not the same. We heard a few weeks ago, that there was a private member's bill, I believe, to address that inequality. We want our maple syrup producers to be treated fairly.

There were grants that were given to companies in the GTA and York region by this government for food

processing. My understanding was that the grants were going to be given to rural areas to help with food processing, to promote food processing and agriculture in rural areas. Instead, what happened is, the grants went to apparently Liberal-friendly companies that were producing things as mundane as bread. We're expected to believe that, somehow, it's helping rural communities, agricultural communities, that some big, huge bread-manufacturing plant in the GTA is using eggs. They couldn't even find a plant where they were using all products from Ontario. They were using wheat from Manitoba and all over the country, and all they could even show in one of these processing plants was that the eggs were coming from Ontario.

I don't live in a rural community; it's true. I've tried to do some small gardens when my kids were little. Of course the rabbits came along and ate it all, so I gave up after a few years of that. But I think it does teach us a lesson to try to just grow even a few things in our own backyard, and now there's hydroponics and greenhouses.

When we try to plant even a plant in our own house, we see the challenges; we see how you have to really treat it as a living thing. It needs our undivided attention. So many people, when they go away on vacation or a trip, have a neighbour come in and water their plants. Well, what do farmers do when they have a family emergency or they need to go away? Who's going to take care of their animals? Who's going to take care of their crops? I can just imagine the stress and the challenges that they face.

We all have to eat to survive, but it's up to us, when we're eating the foods that we all enjoy, to recognize where that food came from so that we don't think, like too many people do these days, that the food comes from the supermarket prepackaged. Somebody's entire life was devoted to producing that food. It deserves our respect, and it deserves our commitment to make things better for them, not just in terms of their own business but in terms of them being able to enjoy a good quality of life where they can get a good night's rest and enjoy everything that life has to offer.

1730

I remember when my parents moved to a lake north of Peterborough. We didn't really think of it as a rural community because Peterborough is fairly urban. They came from Montreal on the night that they moved in. Early in the morning, my father was sleeping in, but my mother and I were up. It was about 6 or 6:30 in the morning, and we both got up because we heard a cow mooing. Being city folk, we weren't quite used to hearing cows mooing. I walked out in the hallway and saw my late mother, and I said to her, "Ma, it's time to milk the cows." Anyhow, we were laughing so hard, Mr. Speaker, we had to fall on the floor.

I'll end on that note—

*Interjection.*

**Mrs. Gila Martow:** No, we didn't go milk the cows. But the farmer nearby was up that early every single morning.

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

**Mr. John Vanthof:** It's once again an honour to be able to rise in this House and follow the member from Thornhill. I did listen intently to her remarks, and I really appreciated them. As someone who grew up with a farm background, a lot of the things she described are very true.

Trying to grow a garden in your backyard is equivalent to agriculture on a miniature scale. When the rabbit comes to eat in the garden—on a commercial farm, lots of times pests will come and also destroy your crops—or just when your seedlings come up, you'll have a heat wave, and it will kill the seedlings.

What the member for Thornhill was talking about was very, very pertinent to this debate today.

**Mrs. Gila Martow:** What a shock.

**Mr. John Vanthof:** No, it really was. Specifically, what the member was saying came from her heart; it didn't come from just a couple of stock notes. That's why this debate should continue: because what she was talking about is very, very pertinent to the Agriculture Insurance Act.

We're talking about insuring more products against things that the member from Thornhill was talking about, and we have yet to hear from the government how that's actually going to work. Again, there is nothing in this act, except that the minister has the power to make the regulations after the fact, that actually demonstrates that they're going to follow through with the real purpose of this act.

Yes, when it passes, there is going to be the big press release—the government once again helping farmers. But if they follow through by taking money out of risk management to put it into the Agriculture Insurance Act, it will actually be a net loss for farmers. Could you imagine that? A great press release, but a net loss for farmers. That's why it's so important to be able to debate this in this House.

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

**Ms. Indira Naidoo-Harris:** I'm pleased to rise today to speak to Bill 40 and to respond to the member from Thornhill.

I've heard a lot of comments while I've been here in the House this afternoon, and I have to say that I'm hearing a couple of things over and over again. One thing that's coming through strong and clear is that we are all here to support our local farmers and thriving agribusiness. But the other thing that I think we have to talk about is that this bill actually increases the level of protection for our farmers, so I happen to think that this is a really important bill.

In my riding of Halton, we're fortunate to live in an area that's one of the most productive agricultural areas in the province. You drive down any side road, and you're going to see fields of corn, fruit trees or pumpkins. But you're also going to see bee farms. You're also going to see livestock farms. This area and this sector is

one of the pillars of our thriving economy, and it represents employment for thousands of people and, of course, billions of dollars—\$12.1 billion in this sector alone.

But, Mr. Speaker, as we all know—and we've been talking about, and I've heard from the people in my riding—agricultural markets and the industry are, of course, volatile and unpredictable. People have come to me and said that they would like to see and have more protection. That's what we are talking about here today. It's a tough business. Our local farmers are continually vulnerable to outside forces, and they need help. They need protection. It's important for our farmers to have effective business risk management programs in place. That's what this Agriculture Insurance Act aims to do.

Ontario's inability to offer production insurance plans for commodities beyond crops and perennial plants represents a significant gap, and we're going to make sure that this doesn't continue. We're extending the protection.

I'm proud and pleased to be here today to rise and speak in support of this bill.

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

**Mr. Ernie Hardeman:** I'm pleased to rise again to commend the member from Thornhill for a very good presentation on this bill, but my comments are primarily going to be to the member from Halton. I appreciate the comments she made as to how we're all here to do the best we can for the people we represent. It happens to be that most of us on this side of the House represent the agricultural and rural part of the province—and where the member from Halton would fit in with that.

The truth is, when she was describing this bill—I just want to point out that she needs to get someone from the Ministry of Agriculture to explain the bill just a little further. This bill does not provide a single bit of extra protection. This bill gives the minister authority, if he wishes, to add agriculture products as opposed to just the crops. Now crop insurance and agriculture insurance only cover disaster or the elements of nature. If there is a decline in the price of the product, as you mentioned—in fact, this bill has nothing to do with the price of the product. That is the risk management part of the program, but this isn't risk management. We're talking about weather or illness insurance.

I want to point out that one of the farmers' comments about this was just that, and it's the other side of that: What concerns them most is that they may lose risk management for their cattle, because presently the risk management program covers all the issues to deal with cattle. So if they lose money with cattle or if the price is down, if the cattle didn't do well and they don't have enough to cover their expenses, risk management comes in and pays the bill and helps them stay afloat. This is only if there's a disease or some element that takes away the actual livestock. If the bottom drops out of the market, they get nothing for that and they go bankrupt because they have no protection.

I just want to finish off by saying this—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. The member for Timmins–James Bay.

**Mr. Gilles Bisson:** I'm going to go back on a bit of a theme that we've been trying to explore in this particular bill, and that is, at this point the government has never come out and responded to the question, are they going to do an appropriation of dollars in order to make sure that the crop insurance bill is actually funded? I haven't heard one government member get up to this point and say, "Well, of course it will be. Wait till the next budget."

I just say again, the government has a bill that by title sounds like a good thing. They've got a bill in detail that we can support, that we think is a good thing. The question becomes this: If I was the government and I knew I was moving this bill last spring, which they would have known—or last summer, I should say, after the general election—I would have put in my budget the appropriation dollars for this bill.

**Mr. Arthur Potts:** What if they vote you down, Gilles?

**Mr. Gilles Bisson:** Good accounting practices as the reason they vote people down? That doesn't make any sense.

But anyway, my point is that you would put the appropriation in last year's budget and then you would have introduced the bill, but in the budget you would have said, "Mr. Speaker, our government is going to put in place X number of dollars in order to fund a bill on crop insurance that we'll be introducing in this House later on this year, and we want to see it have quick passage."

That would have been one way to do it. But the government has another option. They could do what they seem to be doing now, which is to introduce the bill and then, hopefully, in this year's budget coming up in 2015-16, the government does the appropriation then. But I tend to think that is not the case because, as the member for Timiskaming–Cochrane, our ag critic, pointed out, it's been 13 years that the government could have brought the legislation forward, because the agriculture ministers across the land have agreed to this scheme. They could have done it 13 years ago and they didn't. It leaves us with the question, and I hope the government will answer this in debate, are you planning on doing the appropriation for this bill to make sure this new bill is properly funded?

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

**Mrs. Gila Martow:** I want to thank the members from Timiskaming–Cochrane, Halton, Oxford and Timmins–James Bay—hopefully I pronounced the first one correctly.

I guess it comes down to how: How is this going to be done? We hear a lot of people from the government side talking about what they want to achieve, but I'm not hearing too much about how we're going to create less risk, better protection or better risk management.

1740

Obviously, as I said before, we need more innovation. That's what's really needed here. We need to realize that

we could be a leader in agriculture in North America and the world in all aspects and in food processing, but we need to be more innovative. We can't just rely on trucking and proximity to markets.

The member from Oxford mentioned insurance for prices going down. Well, you know what? I think there should be some kind of balance between decreasing the risks enough that people are able to sleep at night—we have to balance that in terms of a free market system. We can't always guarantee the exact kind of risk management that maybe people would like.

I'm reminded, actually, of when people used to say that they didn't like farming tobacco. I remember reading that many times. People didn't like being tobacco farmers. They knew it wasn't contributing to the welfare of making the world a better and healthier place, but it was a very lucrative crop. You used to hear the term "cash crop." It was very lucrative, and that's why people did it.

We have to find that balance in terms of agriculture and have some kind of point system—what we want them to grow, the way we want them to grow—where, if people are growing things, we give them the ability to do it with incentives.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate? The member for Kitchener–Conestoga.

*Interjections.*

**Mr. Michael Harris:** I was waiting.

**Mr. Arthur Potts:** This will be another roundabout discussion.

**Mr. Michael Harris:** Stay tuned.

Speaker, thanks for the opportunity to speak today to Bill 40, the Agriculture Insurance Act, a piece of legislation that is probably a decade too late and, as I will detail, more than a few dollars short.

I will say, though, that I'm happy to stand up to speak today on Bill 40. I will also say that in the past, cutting some of our bills short does and has prevented some of the members from speaking on behalf of their constituents. I look at Bill 56 as a great example of one; I simply didn't get that opportunity to speak to it and would have loved to have had that opportunity. Nonetheless, the community that I come from in Kitchener–Conestoga, a significant agricultural community as well in south-western Ontario—I look forward to providing my commentary on behalf of those folks.

For more than a decade, the government proposing this bill—which sits across from us, of course—has really ignored the calls for expansion of crop insurance as they have instead misused countless billions to the point that they sit under four OPP investigations; and now they come to us with a proposal that many welcome but, given the history, leaves many unanswered questions.

Speaker, just for a minute, I would like to read from the Ontario Federation of Agriculture's 2011—that's three years ago—issue note with regard to the agri-insurance program. You'll note some of the issues they raise date back to 2003—coincident, I'm sure, with the onset of the current Liberal government.

Under the heading "Agri-Insurance Program," the OFA website indicates:

"National, government-supported crop insurance coverage plans for some crops have been available in Canada for over 40 years. Plans have evolved over time. For insured crops, insurance coverage provides production risk protection to producers by minimizing the economic effects of crop losses caused by specified perils (such as drought, flood, hail, frost, excessive moisture and insects).

"Typically farmers pay 40% of the total premium cost. The federal and provincial governments each pay 30% of the premiums and share the administration costs 50/50. In Ontario, coverage on 90 commercially grown crops is delivered by Agricorp (a provincial government agency). Agricorp reports that more than 16,000 producers and five million acres of Ontario farmland are insured each year.

"Under the APF, effective April 1, 2003, crop insurance became known as production insurance. Both levels of government also committed to creating new insurance plans to cover livestock and crops that did not have coverage. Unfortunately, little progress was made towards this commitment under the APF.

"Under the Growing Forward framework agreement, governments amended the production insurance agreement by renaming it the federal-provincial agri-insurance agreement. The Growing Forward framework agreement states that:

"Agri-insurance provides insurance against production losses for specified perils. The federal government contributes to agri-insurance contracts offered to producers by provinces or territories. The commodities covered vary by province or territory, and will expand to cover additional commodities."

"The OFA remains disappointed with the slow progress made by governments with respect to developing new insurance products. This disappointment is aggravated by the governments' decision to terminate the self-directed risk management program leaving many horticulture, honey and maple syrup producers without any protection. Insurance coverage has been developed for some horticultural crops. Progress has been made towards developing insurance coverage for bees. Livestock insurance coverage will likely not be made available to farmers any time soon."

That was the feeling in 2011. After years and years of waiting, farmers felt little progress. Really, given the circumstances, could you blame them?

As we've heard, Bill 40 amends the Crop Insurance Act (Ontario), 1996, to expand the scope of the act. Specifically, the bill would expand the act so that it would apply to not only agricultural crops and perennial plants as it currently does, but also to all agricultural products that are designated by the minister through regulation.

Speaker, history has shown that crop insurance—where costs are shared by producers, the provincial and federal governments—can mean the difference between paying the bills and losing the farm. For almost 90 commercially grown crops including grains and oilseeds,

like corn, soy, wheat, tree fruits and grapes, vegetables, specialty crops and forage, it can mean keeping the farm going, feeding the family and, ultimately, creating jobs.

There's no doubt that farmers across the province would welcome the opportunity to work with their associations and consult with Agricorp to determine the needs of producers for specific commodities. In fact, I'm sure many of them wondered why, when they had an agricultural minister who was also the Premier of the province, the minister failed to bring this to fruition previously.

Certainly, after more than a decade of waiting, the expansion beyond vegetables, fruit, honey and tobacco would be important not only for farmers themselves but for the provincial agricultural sector as a whole. The fact is, Speaker, that Ontario stands alone as the only province without authority to offer production insurance plans for agricultural products beyond crops and perennial plants. It's well past the time to bring Ontario in line with the rest of the country.

That said, while we support the direction of the bill, we do wonder—farmers wonder—what commodities will be considered for coverage. In 2013, more than 14,000 farmers had crop insurance in Ontario, representing more than five million acres of farmland. The open-ended nature of this bill does raise the concern that it doesn't lead to a situation where there is a reduction in available funding for those already covered. I feel that it's essential that when this bill passes second reading, it goes out for full consultation to ensure these new changes don't take away from the existing programs that aid farmers—across the province, not just here in Toronto.

All that said, while farmers and we in the official opposition are willing to support the direction we hope this is heading in, given the history of the government's approach to agriculture, there is and will be reason for concern.

I will remind members of the eyebrow-raising year-end grant processes that prompted our then agriculture critic, the member from Oxford, to write the following letter to the agriculture Premier. It was dated May 2—and this is from our agriculture critic, the good member from Oxford, who is attentively listening to this debate. He wrote: "My concern is that you and your ministry have given out more than \$11.5 million in year-end funds without any public application process. I am concerned that recipients were only invited to apply based on their relationship with your ministry.

"I specifically asked staff from your ministry whether the application form was publicly available and was told clearly that it was not.

"The Auditor General was very clear in his report on Ministry of Citizenship funds that the availability of grants should be communicated publicly. In fact, in his report he stated: 'However, for this process to meet the expectations of being fair, open and transparent, it will be necessary for the ministry to ensure that the potential availability of year-end grants is widely communicated to potential applicants and that eligibility and assessment criteria are established and consistently applied.'

"The grants I am referencing are not part of the Local Food Fund. They are the six grants of year-end funds that were not part of any established program. In fact your staff informed us that two of the grants had to be specially approved through Treasury Board because they did not fit the guidelines of any established programs within the Ministry of Agriculture and Food."

He goes on to say: "In our briefing OMAF staff were quite clear that the grants were approved by an 'industry panel.' I ask you to clarify exactly who was involved in making these decisions, whether it was an industry panel as they told us or the rural economic development advisory committee as you now claim.

"I am questioning the transparency, fairness and openness of the grant process that you put in place."

Again, it's the lack of transparency and fairness that we don't want to see repeated once this legislation is in place. And there's further reason for caution when you consider the Premier's handling of our province's agricultural colleges, an issue that again prompted action from the member for Oxford.

He writes, "I was very disappointed and troubled to hear you are closing Kemptville and Alfred agricultural colleges. These colleges are an important part of developing our future farmers. I know from my experience as Minister of Agriculture, Food and Rural Affairs that this decision would not have been made without the involvement of your ministry and usually the minister. Our farmers are aging. We need to encourage more young people to enter careers in agriculture, and yet by allowing these colleges to close, you are taking [away] the ability of a lot of young people in eastern Ontario to get the skills they need to become farmers."

I've got a few seconds left. There's some content that I still want to get on the record, Speaker. I'll leave it at that and I look forward to finishing the last two minutes.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. This House stands adjourned until Monday at 10:30 a.m.

*The House adjourned at 1752.*

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| Delaney, Bob (LIB)                           | Mississauga–Streetsville                                 |  |
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| Dickson, Joe (LIB)                           | Ajax–Pickering   |  |
| DiNovo, Cheri (NDP)                          | Parkdale–High Park                                       |  |
| Dong, Han (LIB)                              | Trinity–Spadina  |  |
| <b>Duguid, Hon. / L'hon. Brad (LIB)</b>      | Scarborough Centre / Scarborough-Centre                  | Minister of Economic Development, Employment and Infrastructure / Ministre du Développement économique, de l'Emploi et de l'Infrastructure   |
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| Fedeli, Victor (PC)                          | Nipissing  |  |
| Fife, Catherine (NDP)                        | Kitchener–Waterloo                                       |  |



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| Fraser, John (LIB)                               | Ottawa South / Ottawa-Sud                                 |   |
| French, Jennifer K. (NDP)                        | Oshawa  |   |
| Gates, Wayne (NDP)                               | Niagara Falls   |   |
| Gélinas, France (NDP)                            | Nickel Belt   |   |
| <b>Gravelle, Hon. / L'hon. Michael (LIB)</b>     | Thunder Bay–Superior North /<br>Thunder Bay–Superior-Nord | Minister of Northern Development and Mines / Ministre du<br>Développement du Nord et des Mines  |
| Gretzky, Lisa (NDP)                              | Windsor West / Windsor-Ouest                              |   |
| Hardeman, Ernie (PC)                             | Oxford  |   |
| Harris, Michael (PC)                             | Kitchener–Conestoga                                       |   |
| Hatfield, Percy (NDP)                            | Windsor–Tecumseh  |   |
| Hillier, Randy (PC)                              | Lanark–Frontenac–Lennox and<br>Addington                  |   |
| Hoggarth, Ann (LIB)                              | Barrie  |   |
| Horwath, Andrea (NDP)                            | Hamilton Centre / Hamilton-Centre                         | Leader, Recognized Party / Chef de parti reconnu<br>Leader, New Democratic Party of Ontario / Chef du Nouveau parti<br>démocratique de l'Ontario  |
| <b>Hoskins, Hon. / L'hon. Eric (LIB)</b>         | St. Paul's  | Minister of Health and Long-Term Care / Ministre de la Santé et des<br>Soins de longue durée  |
| Hudak, Tim (PC)                                  | Niagara West–Glanbrook / Niagara-<br>Ouest–Glanbrook      |   |
| <b>Hunter, Hon. / L'hon. Mitzie (LIB)</b>        | Scarborough–Guildwood                                     | Associate Minister of Finance (Ontario Retirement Pension Plan) /<br>Ministre associée des Finances (Régime de retraite de la province de<br>l'Ontario)   |
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| Jones, Sylvia (PC)                               | Dufferin–Caledon  |   |
| Kiwala, Sophie (LIB)                             | Kingston and the Islands / Kingston et<br>les Îles        |   |
| Kwinter, Monte (LIB)                             | York Centre / York-Centre                                 |   |
| Lalonde, Marie-France (LIB)                      | Ottawa–Orléans  |   |
| <b>Leal, Hon. / L'hon. Jeff (LIB)</b>            | Peterborough  | Minister of Agriculture, Food and Rural Affairs / Ministre de<br>l'Agriculture, de l'Alimentation et des Affaires rurales   |
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| MacLeod, Lisa (PC)                               | Nepean–Carleton   |   |
| Malhi, Harinder (LIB)                            | Brampton–Springdale                                       |   |
| Mangat, Amrit (LIB)                              | Mississauga–Brampton South /<br>Mississauga–Brampton-Sud  |   |
| Mantha, Michael (NDP)                            | Algoma–Manitoulin   |   |
| Martins, Cristina (LIB)                          | Davenport   |   |
| Martow, Gila (PC)                                | Thornhill   |   |
| <b>Matthews, Hon. / L'hon. Deborah (LIB)</b>     | London North Centre / London-<br>Centre-Nord              | Deputy Premier / Vice-première ministre<br>Minister Responsible for the Poverty Reduction Strategy / Ministre<br>responsable de la Stratégie de réduction de la pauvreté<br>President of the Treasury Board / Présidente du Conseil du Trésor |
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| McDonell, Jim (PC)                               | Stormont–Dundas–South Glengarry                           |   |
| McGarry, Kathryn (LIB)                           | Cambridge   |   |
| McMahon, Eleanor (LIB)                           | Burlington  |   |
| <b>McMeekin, Hon. / L'hon. Ted (LIB)</b>         | Ancaster–Dundas–Flamborough–<br>Westdale                  | Minister of Municipal Affairs and Housing / Ministre des Affaires<br>municipales et du Logement   |
| McNaughton, Monte (PC)                           | Lambton–Kent–Middlesex                                    |   |
| <b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>   | Ottawa–Vanier   | Attorney General / Procureure générale<br>Minister Responsible for Francophone Affairs / Ministre déléguée<br>aux Affaires francophones   |

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| Milczyn, Peter Z. (LIB)                          | Etobicoke–Lakeshore                                       |  |
| Miller, Norm (PC)                                | Parry Sound–Muskoka                                       |  |
| <b>Miller, Paul (NDP)</b>                        | Hamilton East–Stoney Creek /<br>Hamilton-Est–Stoney Creek | Third Deputy Chair of the Committee of the Whole House /<br>Troisième vice-président du comité plénier de l'Assemblée<br>législative   |
| <b>Moridi, Hon. / L'hon. Reza (LIB)</b>          | Richmond Hill   | Minister of Research and Innovation / Ministre de la Recherche et de<br>l'Innovation<br>Minister of Training, Colleges and Universities / Ministre de la<br>Formation et des Collèges et Universités |
| Munro, Julia (PC)                                | York–Simcoe   | Deputy Opposition House Leader / Leader parlementaire adjointe de<br>l'opposition officielle   |
| <b>Murray, Hon. / L'hon. Glen R. (LIB)</b>       | Toronto Centre / Toronto-Centre                           | Minister of the Environment and Climate Change / Ministre de<br>l'Environnement et de l'Action en matière de changement climatique   |
| Naidoo-Harris, Indira (LIB)                      | Halton  |  |
| <b>Naqvi, Hon. / L'hon. Yasir (LIB)</b>          | Ottawa Centre / Ottawa-Centre                             | Minister of Community Safety and Correctional Services / Ministre<br>de la Sécurité communautaire et des Services correctionnels<br>Government House Leader / Leader parlementaire du gouvernement   |
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| <b>Nicholls, Rick (PC)</b>                       | Chatham-Kent–Essex  | Second Deputy Chair of the Committee of the Whole House /<br>Deuxième vice-président du comité plénier de l'Assemblée<br>législative   |
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| Potts, Arthur (LIB)                              | Beaches–East York   |  |
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| Rinaldi, Lou (LIB)                               | Northumberland–Quinte West                                |  |
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| Tabuns, Peter (NDP)                              | Toronto–Danforth  |  |
| Takhar, Harinder S. (LIB)                        | Mississauga–Erindale                                      |  |
| Taylor, Monique (NDP)                            | Hamilton Mountain   |  |
| Thibeault, Glenn (LIB)                           | Sudbury   |  |
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| Vanthof, John (NDP)                              | Timiskaming–Cochrane                                      |  |
| Vernile, Daiene (LIB)                            | Kitchener Centre / Kitchener-Centre                       |  |
| Walker, Bill (PC)                                | Bruce–Grey–Owen Sound                                     |  |
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| Wong, Soo (LIB)                                  | Scarborough–Agincourt                                     |  |
| <b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>    | Don Valley West / Don Valley-Ouest                        | Minister of Intergovernmental Affairs / Ministre des Affaires<br>intergouvernementales<br>Premier / Première ministre<br>Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario       |
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Committee Clerk / Greffier: William Short





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