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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 14 July 2020

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 14 juillet 2020

Report continued from volume A.

REOPENING ONTARIO (A FLEXIBLE
RESPONSE TO COVID-19) ACT, 2020
LOI DE 2020
SUR LA RÉOUVERTURE DE L'ONTARIO
(MESURES ADAPTABLES EN RÉPONSE
À LA COVID-19)

Continuation of debate on the motion for second reading of the following bill:

Bill 195, An Act to enact the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 / Projet de loi 195, Loi édictant la Loi de 2020 sur la réouverture de l'Ontario (mesures adaptables en réponse à la COVID-19).

The Acting Speaker (Ms. Catherine Fife): Further debate? I recognized the member for Eglinton–Lawrence.

Mrs. Robin Martin: Thank you, Speaker, for the opportunity to speak today to Bill 195, the Reopening Ontario (A Flexible Response to COVID-19) Act.

Just in response some of what we heard across the way: We got a little seminar on what it is to be a Conservative. Although the member opposite got some of the things right, let me just offer a few thoughts on that. Certainly, Conservatives are not happy with big government, as the member opposite said, and unfortunately, when you're in a pandemic, you are driven to use the statute that is available to manage an emergency, which is the Emergency Management and Civil Protection Act, and that is what we have been using. We would like to not have to exercise those kinds of powers, because we don't like exercising those kinds of powers as Conservatives.

"To be conservative ... is to prefer ... the tried to the untried, fact to mystery, the actual to the possible, the limited to the unbounded, the near to the distant, the sufficient to the superabundant" and "present laughter to utopian bliss."

Conservatism "is an intellectual framework that draws on human experience to confront present challenges. It seeks to evaluate new developments by applying ... institutional and moral understanding."

That quote is from a man named Stephen Harper, our former Prime Minister.

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Conservatism is the "disposition to preserve," combined with "an ability to improve." That quote is from Benjamin Disraeli.

So I don't need to take a lecture about conservatism from the member opposite, who favours suspicion over generosity and resentment over gratitude.

But we're here to speak about this legislation and about the work that this government has done, frankly. I think if you ask the people of Ontario, they would say they do trust the Premier. They do know that the Premier does not want to take power and exercise it wildly. What this legislation is trying to do is actually to restrict the amount of power that will be exercised, going forward, under an extraordinary circumstance. Nobody wants to be in this extraordinary circumstance, but we are nonetheless. So some powers are required to keep Ontarians safe, as we have been doing all along.

Now we feel we're at a stage where we can relinquish some of the powers under the Emergency Management and Civil Protection Act, and that is the genesis of this legislation. It's a very important piece of legislation, and one that, if passed, will allow us to do exactly what is described in the name of the bill: to continue to reopen the province and get people back to work and businesses open and operating, while maintaining the ability to protect the health of Ontarians by ensuring we have that ability and the flexibility to respond to changes in the COVID-19 situation—which is exactly what Ontarians want us to be doing. Certainly, the residents of my riding have said that that is what they want.

Over the past few months, we've just seen how quickly the situation can change. Consider that when Ontario first declared the state of emergency on March 12, we reported 12 new cases of COVID-19 that morning, and unfortunately, we reported the first COVID-19-related death in the province. But few of us would have imagined—Conservatives, least of all—that we would have to go through this legislation and exercise some of these powers, but we nonetheless have to because it is an extraordinary situation.

Our public health officials have made recommendations to the government, which we have shared with the public daily. Knowing that we had to act, we listened to our public health officials. We had to work together to slow and stop the spread. Let's face it: It has not been easy for individuals who have seen their hours of work reduced or who have been laid off. It has not been easy for families who haven't been able to see their loved ones at retirement homes or in long-term-care homes. It's not been easy for parents who suddenly found themselves having to juggle child care and education responsibilities when schools and child care centres closed to stop the spread. It's not been easy for tenants who haven't been able to make their rent or for small landlords, frankly, who rely on that rent as their income so that they can survive and haven't been able to collect it. It's not been easy for our small businesses

either, many of whom have had to close to stop the spread, and others, of course, who have had to adapt to the new environment and the new way of doing business, and all of the challenges associated with that.

And let's face it: It hasn't been easy for our front-line workers either; our essential workers, who have had to go to work in some very demanding conditions, and to keep getting up and going every day when things were really hard.

Frankly, it's not been easy for any of us, because it's all new. As the minister said, there's no playbook for a pandemic. We're doing the best we can every day and trying to make the best decisions possible.

Speaker, this hasn't been an easy time for anyone in the province of Ontario, or probably in any other jurisdiction that COVID-19 has hit. But we're seeing positive signs that the province is beginning to turn the corner. More businesses are reopening. As the province moved into stage 2 over the last month of June, 378,000 people went back to work. This positive trend will continue going forward, we hope, and that's what we're working on. That's really thanks to the hard work and thanks, frankly, to the sacrifices made by the people of Ontario in recent months.

We are now in a position, because of those sacrifices, to move forward with reopening. In fact, yesterday, you'll remember the Premier announced that 24 out of 34 health units across the province will proceed to stage 3 later this week, on July 17, where the vast majority of businesses, making up some 99% of our economy, will be able to resume operations with appropriate health and safety protocols and precautions in place.

For communities like mine, Eglinton–Lawrence in the city of Toronto, not proceeding to stage 3 on July 17, our time, I believe, will come very quickly. Our businesses are getting ready for that, but they need to know that they can be comfortable, frankly, with the health and safety measures put in place for their protection—that they will be effective. They need to feel comfortable shopping, dining out in a restaurant or visiting a museum or tourist attraction, and they need to know that their government has the ability, the authority and the willingness to quickly respond to changing circumstances as necessary.

Speaker, in March Ontario was the first province to respond to the emerging threat of COVID-19 by closing public and then private schools. We moved to limit public gatherings, high-contact public settings and, of course, non-essential workplaces at that time. These actions were only possible because of the Emergency Management and Civil Protection Act. The act was updated in the mid-2000s, following Ontario's experience with SARS, to encompass the possibility of an infectious disease emergency. While these emergency powers played an important role in the first phase of Ontario's response to COVID-19, it was clearly not designed for an environment where some emergency measures need to be maintained, expanded or revised over an extended period.

The people of Ontario understand that as we move into the next phase of our response, the extraordinary powers

under the Emergency Management and Civil Protection Act cannot continue forever. Let's just pause there: They are extraordinary powers. But they still expect their government to have the necessary tools to keep them safe in the event that circumstances once again change, just as they did in March, when COVID-19 arrived on our doorsteps.

Indeed, while the provincial declaration of emergency may come to an end shortly, the dangers posed by COVID-19 unfortunately will continue for some months to come. Yet should the declaration of emergency lapse with no replacement, the only options available would be the current public health measures or no measures at all. It would mean an inability for the government to quickly respond to changing circumstances.

Speaker, that is exactly the problem that this legislation seeks to address: the ongoing emergency that COVID-19 poses. This bill, if passed, would support the gradual reopening of our economy by allowing incremental changes to public health measures, recognizing that COVID-19 still poses a threat even after the declaration of emergency has ended. This would include the ability to extend and amend certain existing orders to best protect Ontarians, such as those related to workplace rules or practices, restrictions on gatherings and events, and compliance with public health advice.

In a few minutes, I'll just talk about some of those orders in greater detail, but the key distinction between these proposed powers and the powers that exist under a declaration of emergency is that the government would no longer have the ability to make new orders. That's the key distinction: We won't be able to do something under the new legislation that we would be able to do under the Emergency Management and Civil Protection Act. That is the difference.

Some examples of emergency powers under the Emergency Management and Civil Protection Act that the government would no longer have access to include:

- regulating and/or prohibiting travel or movement to, from or within any specified area—that's an important freedom;
- evacuating individuals and removing personal property—that sounds like an important freedom;
- establishing facilities for the care, welfare, safety and shelter of individuals, including shelters and hospitals;
- collecting, transporting, storing, processing and disposing of any type of waste;
- authorizing facilities, including electrical generating facilities, to operate as is necessary to respond to or alleviate the effects of the emergency; and
- authorizing, but not requiring, any person or any person of a class of persons to render services of a type that that person or a person of that class is reasonably qualified to provide.

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Those are the powers we have now under the Emergency Management and Civil Protection Act. What we are seeking to do is to restrict our ability to have those powers. We don't want those powers anymore. We want to restrict

the power, and that's what Bill 195 does. It restricts the powers that we have, so we have less powers than we currently have under the Emergency Management and Civil Protection Act. So that is not a government over-reaching; that is a government trying to reach less far.

This is a significant limitation on the government's emergency powers, the ones that we already have under the Emergency Management and Civil Protection Act. I believe it is an appropriate limitation as we look toward the end of the declaration, the formal declaration, of emergency, because we're no longer in as emergent a situation as we were at the time when this state of emergency was declared—we have progressed. However, the threat of COVID-19 is still out there and we do need to take certain public health measures—I think we would all agree—to not throw away the progress that we have made over the course of the next few months. But it would allow us to continue our path to recovery, by easing restrictions, where appropriate, while maintaining these measures to address this ongoing threat which we know is out there. The question is, how best to do that?

Speaker, I'm going to take a few moments to walk through a number of specific emergency measures that are in place today and why the government should continue to have the ability to maintain and amend those measures, going forward.

Let's start with Ontario Regulation 52/20, which restricts the size of organized public events and other gatherings. As of today, it restricts both organized public events and social gatherings to a maximum of 10 people. Now, this order has been amended multiple times since the start of the pandemic, as the size of gatherings and types of gatherings permitted have evolved based on the best available public health advice. If the provincial declaration of emergency was to end tomorrow, the government would be left with a choice of continuing the social gathering limit of 10 indefinitely or eliminating the limitations altogether. That's it: no way to change them, no way to modify them to reflect changing conditions.

Now, we already know that as part of phase 3, gathering sizes for public events will increase to 50 people indoors and 100 people outdoors—I should say stage 3—but as the situation changes, it may be appropriate, based on the latest public health advice, for the government to either tighten up on those restrictions once again or to loosen them further. Bill 195 will ensure that the government has that ability going forward.

But what about the handful of emergency orders that apply to work deployment measures for our health care providers, long-term-care homes, municipalities and local public health units? Regulation 116/20, regulation 74/20, regulation 77/20, regulation 118/20, regulation 146/20, regulation 158/20—anyway, there are more, Speaker; I'm sure there are others. I'm not going to go and list them all. These are the orders that enabled the government to implement policies limiting long-term-care home and retirement home staff to one facility. Remember, that was something everybody seemed to want. These are the orders that enabled local hospitals to assign their staff to

long-term-care homes, to share their expertise and help get outbreaks under control. Again, that was a good thing. We all agreed, I think. These are the orders that allowed our boards of health and public health units to quickly amass an army of contact tracers from both inside and outside of their organizations.

Now, the government can carry these measures forward without changing them under existing legislation, but what if the situation changes? What if a small amendment to those orders becomes necessary? Without the bill we're debating today, that would be impossible. The government simply would not be able to act in a timely manner.

What about regulation 141/20, which allows for the rapid construction of temporary health or residential facilities to address the impacts of COVID-19? Speaker, the immediate threat of the first wave may be waning, but we could need to prepare for future waves. Bill 195 will ensure we can continue those measures going forward.

There are other examples, but Bill 195 basically is a way to allow us to do some of these things. It's an important tool for the government to have and one that will simply not exist without the legislation that we're debating today. Nothing is more important than protecting the health and well-being of Ontarians, and that is what we all agreed to do and that's why we're here today. Our government has responded carefully to this situation, and now we are trying to respond appropriately to the existing situation with COVID-19, which is less of a threat. We can now move to not have new orders but just to extend or amend existing orders. That is taking power away from us—power that we have right now in the Emergency Management and Civil Protection Act which, frankly, as a Conservative, I wish we didn't have to exercise at all but we do because we're in a pandemic, which is the unfortunate reality.

Everyone has made significant sacrifices over the past four months to help stop the spread of COVID-19, and we can't allow this progress to be undone. Our constituents do not want that. We must maintain our vigilance until an effective vaccine is available or there is some other way that we can work out to live appropriately in this new COVID-19 world. This proposed legislation would allow us to continue down the path to recovery by bridging the gap between the public health measures and those now needed to support our safe recovery in Ontario. Any updates to the existing orders in the proposed legislation would continue to be informed by public health advice and our resolve to fight against COVID-19 and to support our front-line providers and ensure the health and well-being of all Ontarians.

These are extraordinary times. The Emergency Management and Civil Protection Act has extraordinary powers. I am not comfortable with any of it, frankly, as a Conservative. I don't like it. So I prefer to have less power, frankly, which is what this legislation does.

I also have to recognize, however, as a Conservative, even still, that we are in a pandemic and that we need to take steps to keep Ontarians safe. This is the best way, I think, that we can manage this going forward. Even though

I'm uncomfortable generally with the exercise of these powers, as a Conservative, I can also see the reality that I am facing, which is that we are in a situation where we don't know enough about this disease, but people are under threat from it, and we need to be able to make sure that we protect Ontarians.

So I appeal to the members opposite to consider this legislation as a tool that will allow us to step back a bit from the extraordinary powers under the Emergency Management and Civil Protection Act and allow us to exercise just the powers that we need to keep Ontarians safe as we go forward in this new reality.

Thank you very much, Madam Speaker. I'm happy to take questions.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Mr. Taras Natyshak: It's no surprise that I disagree with the characterization that the member made around the distribution and limitations of the power of Bill 195. My question is: We saw a similar move by the federal government in late March to give themselves extraordinary powers. That was quickly admonished by members of the parties in opposition, including the federal Conservative Party. I'm wondering if the member agrees with her federal brethren that that extreme overreach of power at the federal level was wrong. I wonder if she also agrees that it was right for the federal government to retract that. In light of that, does she think that the government federally has been limited, without the powers that they tried to give themselves, in distributing support to provinces and territories across the country? They haven't really changed anything. They tried to do what you are similarly trying to do, but they pulled it back.

Mrs. Robin Martin: Thank you to the member opposite for the question. In fact, I don't see the situations as similar at all. Unlike the federal government, we have been meeting regularly. The Legislature has been meeting. We've been having debates. We've been going to committee. We've been having these interactions. Again, I think the situations are not comparable.

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What we're seeking to do in Bill 195, as I said in my submissions, is to actually reduce the amount of power we currently have. Currently, the decisions are made in cabinet, approved by order in council and reviewed here within 30 days. Now, the same thing will happen, except it will be at the select committee within 30 days. I do not see that as an overreach; in fact, I see it as pulling back from power.

The Acting Speaker (Ms. Jennifer K. French): Question?

Mr. Aris Babikian: First of all, I would like to thank the member from Eglinton–Lawrence for setting the record straight on some of the issues raised earlier in the debate. As the member notes, the bill would limit the number of ways the emergency orders could be amended within. Would the member expand on whether this approach effectively balances the need to respond to COVID-19, while not overreaching government authority?

Mrs. Robin Martin: Thank you to the member from Scarborough–Agincourt for the question. It is an issue that we, as Conservatives, are very concerned about. We do not like big government, as the House leader from the opposition indicated. That is true. We do not like big government. We do not like the kind of powers that the Emergency Management and Civil Protection Act offers, but those are powers for an extraordinary circumstance and we are unfortunately in an extraordinary circumstance. I like the fact that Bill 195 allows us to step back a bit from those powers, because I would rather not have to exercise those powers in the first place. But we're in an extraordinary event.

The Acting Speaker (Ms. Jennifer K. French): Question?

Ms. Judith Monteith-Farrell: Thank you to the member from Eglinton–Lawrence for her presentation. I can agree with several things she said. It has been difficult. It has been difficult for all of us in that I haven't been able to hug my grandchildren since February. I also agree that we have done an outstanding job in Ontario, and the people of Ontario have done an outstanding job. In Thunder Bay–Atikokan, we're entering stage 3 because of those efforts. So I'm very happy about that as well.

But I'm not happy about this bill. The question I have is: The government already has all the powers it needs, through this pandemic, under the Emergency Management and Civil Protection Act. When it needs to extend that, it has to come to the Legislature. Why is this government introducing a bill with less oversight and accountability when it already has the powers it needs?

Mrs. Robin Martin: Thank you to the member opposite for the question. I am sorry that you haven't had the opportunity to hug those grandchildren. I can't imagine how difficult that must be, so I feel for you and I do think it has been a hard situation for all Ontarians, as I was saying. Everybody has made sacrifices to get us to the place we are.

I think this bill actually, as I've said, gives us less power than we currently have under the Emergency Management and Civil Protection Act. What we are trying to do is say, we no longer need the suite of powers which we have. We no longer need to have that system, and we're in a bit of a lull here, I think, for COVID-19 in Ontario—although there are certain outbreaks happening. We have restricted the powers that we're able to use under Bill 195, and I think that is the step in the right direction. Hopefully, we'll get out of it altogether eventually.

The Acting Speaker (Ms. Jennifer K. French): Question?

Mr. Randy Hillier: I just want to mention to the member from Eglinton–Lawrence—she used the term that this bill takes power away from government. Of course, that is not true, because no bill can take power away from the government. The government's authorities and jurisdictions are conveyed by the Constitution, and no statute can remove power from the government.

But what this bill does do, with regard to power, is it takes away the power of the Legislature to examine and

scrutinize the actions of the government, it takes away the power from the public to understand what the government is doing behind closed doors, and it does it for an extended period of time. It allows for the government to make even more onerous and various wide-ranging requirements without any oversight.

Mrs. Robin Martin: Thank you for the question from the member from Lanark–Frontenac–Kingston.

I accept your correction. I perhaps spoke loosely, because we still would have the power to bring forward the Emergency Management and Civil Protection Act and use it. But I do not agree with the rest of what you said. I do think that the Legislature, through the select committee, will still have the power to scrutinize what the government is doing every 30 days with the reports and having the Premier there to answer the questions, and the public will, as well.

The Acting Speaker (Ms. Jennifer K. French): Question?

Hon. Paul Calandra: I just want to briefly touch on one of the remarks from the member for Essex, who suggested that somehow this bill compares to something that the federal government was doing. The federal government—what they were trying to do was spend people's money without parliamentary oversight for 18 months. That's what the federal government was trying to do and, of course, that is wrong. What this bill does is codify the emergency orders that this House unanimously has supported since March in a piece of legislation without giving the government the ability to put new orders in place and ensuring that we have oversight.

The opposition House leader talked about the select committee perhaps being out of order, but did he bring a motion to this House, to the Speaker? No. When he talked about the debate last night on the select committee, did they defend their amendments? Absolutely not. Two people stood up in six hours, and when it came time for the first vote, six of them showed up.

So my question to the honourable member is this: Does the honourable member agree that the emergency orders that are in place today are important for the health and safety of the people of the province of Ontario going forward?

The Acting Speaker (Ms. Jennifer K. French): I will remind all members to direct through the Chair so that I can hear them. Thank you.

To the member for Eglinton–Lawrence.

Mrs. Robin Martin: Thank you for the question. I do believe that the powers that we have now, the orders that we have now, frankly are necessary to continue for the health and safety of Ontarians for the time being, and we know what those emergency orders are. They're the ones that are the public health guidelines that we have, the guidance that we have that frankly all of our constituents—at least, I've been getting a lot of letters saying, "Please reopen carefully. Do not reopen too soon." And some people are still genuinely scared and some people, especially elderly people, feel that they are in danger. So I

do think that the orders that we have currently are important to maintain, especially from a health-and-safety point of view.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Mr. Faisal Hassan: I rise in the House today to speak to the government's Bill 195, which they entitled An Act to enact the Reopening Ontario Act. After reviewing this bill, I can only conclude that when the government talks of flexibility, it is that this government will have all of the flexibility to exercise unprecedented emergency powers all to themselves that will eliminate essential democratic controls that we have previously had. The ongoing public health emergency, brought on by COVID-19, requires more accountability, and public confidence on how this government and how this place deals with emergency powers is vital. Less accountability and less transparency is exactly the opposite of what Ontarians need from the government.

The COVID-19 public health crisis has required the use of extraordinary powers under the emergency management act. We do not take the use of those powers lightly, or the enormous responsibility to balance protecting citizens' rights with the ability to ensure their health is a priority in this crisis.

Every 30 days since the emergency management act was first used, all members of this House were allowed to debate and give their input and have their community voices heard. Madam Speaker, this has been working very well, and not once has it been shown to slow down a process or obstruct what we are trying to achieve in our response to COVID and public health.

1540

Now the government wants to remove powers of this House that were time-limited and subjected to the checks and balances one would find in a democracy. It seems that the removal of accountability measures might serve a political interest, but they do not serve the public interest.

I will not be supporting Bill 195.

Madam Speaker, it was on January 22 of this year that the first identified case of COVID-19 occurred in Ontario. On January 25, that case was announced to the public. On March 17, the government announced that Ontario had some evidence of community transmission of COVID-19. On that same day—March 17, 2020—the government of Ontario declared a state of emergency and ordered the closing of daycares, libraries, theatres and indoor recreational programs. Public gatherings were limited, and by March 24, non-essential businesses were ordered closed.

The official opposition co-operated at every step. These orders by the government were reasonable and responsible. While we may have disagreed on some points or suggested changes, at the end of the day we supported in this House the emergency orders, and have continued to do so.

COVID-19, as we know, has had a devastating impact on the health and well-being of Ontarians, with seniors in long-term care and retirement and the front-line workers who support them the hardest hit. Our education system

has been upended as the students have been unable to learn in classroom settings. Businesses small and large have been closed and have suffered financial hardship. Essential services that have fortunately been able to continue have, with the amazing sacrifice and help of front-line heroes. Heroes, Madam Speaker, who are, we should be reminded, often among our lowest-paid, have ensured that food and groceries, along with basic essential services, were available as we fought COVID-19.

And, Madam Speaker, it has been a fight—a fight, a battle and a struggle for everyday Ontarians to cope with the economic, mental and physical health crisis brought on by COVID-19. All members in the House have been there fighting, and our own staff and legislative staff have been working tirelessly to ensure that the democratic tools that exist in this Legislature have been used most effectively to be there for Ontarians in our collective fight dealing with COVID-19.

As of this morning in Ontario, we are sitting at 36,839 confirmed cases of COVID-19 that have resulted in 2,722 deaths. In Canada as a whole, we have 108,000 cases and the unfortunate deaths of 8,790 people. Madam Speaker, my heart goes out to the families of those individuals who have lost their lives to the crisis. What we have been going through with COVID-19 was unimaginable, and we are not through this yet. Stage 3 has just been announced in limited areas of this province. We need to walk very carefully with how we open the province, and in situations like the possibility of having our children back in classrooms in September, an abundance of caution, consultation and oversight must take place.

Bill 195 gives the government concentrated special powers that reduce public oversight of emergency orders. At a time when transparency and open democracy is needed, along with the input and co-operation of all members of this House, Bill 195 doesn't consider the need, or, more troubling, the benefit of having those voices to help deal with the crisis of Bill 195.

It has been said that one should never waste the opportunity offered by a good crisis. I sincerely hope that when the Premier is quoted as saying, "We are doing it to help the people—I don't want a power grab," he means it. But Bill 195 does not demonstrate that it is anything but a power grab.

Madam Speaker, the Canadian Civil Liberties Association for over 50 years has been fighting for the civil liberties, human rights and democratic freedoms of all peoples in Canada. The CCLA is a respected leader in defending the democratic rights of citizens. That is a voice that should be taken seriously. The Canadian Civil Liberties Association recently published a letter to all MPPs about Bill 195. I would like to read it in its entirety for the public record:

"We are writing on behalf of the Canadian Civil Liberties Association to urge you to vote against Bill 195, the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020. The proposed legislation is unnecessary and eliminates essential democratic controls over unprecedented emergency powers. It is a significant threat to democratic oversight that should be rejected.

"Ontario's current emergency laws give the executive branch of the government extraordinary powers to curtail basic rights and liberties. One essential check on that power is the requirement that government return to the Legislative Assembly once every 28 days to confirm an extension of the state of emergency. It provides a chance for justification, discussion, debate, dissent, and ultimately gives authority to you, our individual elected representatives, to decide whether these extraordinary powers should continue to be granted. Even in a majority government individual MPPs retain the ability to break rank and vote with their conscience rather than toe the party line. In the face of an emergency, and the exercise of emergency powers, this democratic fail-safe is indispensable.

"Bill 195 would eliminate this democratic requirement—authorizing the Premier and his ministers to continue exercising unprecedented emergency powers without legislative approval for a year.

"The bill would allow current emergency orders to remain in place without a formal declaration of a state of emergency. It would also allow individual ministers to extend and amend many of the emergency orders that are currently in force. The bill's definition of an amendment is excessively broad. It includes imposing 'more onerous or different requirements' and 'extending' the application of the order being amended, including its 'geographic scope and the persons it applies to.' Orders can be amended to have retroactive effect.

"In essence, Bill 195 would entrench the Premier and ministers' ability to impose emergency orders while eliminating the need to regularly return to the Legislative Assembly to justify their need for these extraordinary powers. It eliminates the opportunity for democratic questions, debate and dissent about whether emergency powers are necessary or being used appropriately.

"The powers governments have under emergency legislation are supposed to be exceptional—Bill 195 would make the exercise of those powers the 'new normal.'

"The Reopening Ontario Act has an illegitimate purpose and is seriously flawed. There is no need for this bill—Ontario's existing emergency legislation gives the government all the tools it needs to respond to the pandemic. The question about when the state of emergency should end, and the government should relinquish its emergency powers, needs to remain the subject of regular democratic scrutiny, debate, and control.

"CCLA is calling on all Ontario elected representatives to defend effective democratic oversight of emergency powers. We urge you to vote against Bill 195."

Madam Speaker, I'll be voting against Bill 195.

I am very concerned that Bill 195 and the extension of emergency powers will provide this government with significant powers at the expense of our front-line heroes. Bill 195 will give the government exceptional powers for one and possibly two years.

Unions are particularly concerned that the proposed legislation will override workers' rights. SEIU, which represents many of our front-line health care heroes—those heroes who had to fight for pandemic pay and, in

some cases, are still waiting for those payments. These workers have been putting themselves and their families at risk as they have done their selfless duties. Vacation time has been denied and working extra hours has been the norm as in situations like long-term care where they have been working short-handed for a very long time.

1550

The Service Employee International Union of Ontario has described Bill 195 as an “attack on health care workers” and that it will “deny burnt-out staff without desperately needed respite and vacation after months of excruciatingly difficult circumstances.

“Bill 195 is an extraordinary overreach that would allow for already precarious workers to be further exploited by the for-profit long-term-care industry....”

The carpenters’ union has stated—and I agree—that Bill 195 “will allow the government to make the abnormal become normal,” and that “the government’s actions will enable employers to keep forcing workers to work the extended hours/days without any recourse but quitting.”

Madam Speaker, when it comes to protecting the rights of hard-working Ontarians, this bill does nothing but erode and remove existing rights. Removing rights that have been previously negotiated and are in collective agreements will be allowed under this bill, with zero oversight of the democratic process. The list of protections under attack is staggering, and Ontarians need to be made aware of this.

In the interests of transparency, which this government is in short supply of, I’m going to touch on some of those workers’ rights that can be overridden. As flagged by the Canadian Union of Public Employees:

- vacations can be cancelled or denied;
- your designated shift and work hours can be changed;
- your job can be eliminated and you can be reassigned with no say;
- leaves of absence can be denied or cancelled;
- workers could be told to work at an entirely different site; and
- contractors and volunteers can be brought in to do work as long as there is no layoff; however, those contractors and unpaid volunteers can do your job and you could be reassigned.

It is very troubling that this government would use a crisis as an opportunity to undermine workers’ rights. These are those same workers that we described as heroes. Bill 195 is no way to treat a hero.

Madam Speaker, I have described this bill as a power grab and, in this sense, this government has much in common with the federal Liberals. In their initial reaction to the COVID-19 pandemic crisis, the federal Liberals tried to overreach at the expense of democracy. The federal government would not declare a state of emergency, opting instead for unrestricted powers. Like the time frames set out in this bill, the Prime Minister wanted unrestricted powers all the way until December 2021. Fortunately, the reality of a minority government and the collective outrage of citizens forced the federal Liberals to backtrack on those plans and do what needs to happen in

this House. Listening to and not removing democratic powers from the opposition is what is needed here.

When a government assumes extraordinary powers, then those powers should be subjected to extraordinary scrutiny. Madam Speaker, at a time when we are moving into stage 3, we need direct support and involvement by all in the House. That involvement is taken away by Bill 195. We need to recognize how hard Ontarians have worked and the sacrifices that they have made that have gotten us where we are.

Why Bill 195, when what this province needs now is direct support for small businesses? Some of those businesses in York South–Weston have already closed and many are worried about surviving. I have asked the government for increased testing in my riding, which has been identified as a hotspot. Those are the issues we need to address, not a legislative power grab.

Finally, Madam Speaker, I want to share a letter I received from a concerned constituent in my riding of York South–Weston. In the context of Bill 195 and the reopening of this province, I submit her letter with her kind permission:

“As a resident of Toronto and a person on disability I believe I need to stand up and voice my opinion for the people on Ontario Works and ODSP and senior citizens. Since COVID-19 has started I see the only people get extra help are the working people and we are humans. We need to eat and receive that extra just like the rest of Toronto. I feel we have been left out and being treated unfairly. We are a community that needs to stand together and I do that see that at all. I find it hard to live on one check and not receiving that extra help as they put out that CERB for the working people. I feel that nobody sees the clear picture here. Nobody should go without. The working people get \$2,000 CERB and we are just tossed aside like yesterday’s news.

“Yours truly

“Fiorella Tucci.”

Madam Speaker, the people of my riding, and indeed in Ontario, are not asking for a concentration of government rights and less democracy that is Bill 195. When it comes to COVID-19 and the struggles that have already existed, and made worse by this pandemic, I’m hearing about how children can safely go back to school, how more testing needs to be readily available, how the constant flooding in my riding is not addressed and how—the very real how—the northwest Toronto has been hardest hit by COVID-19 and that the very real social and economic inequalities that exist have increased an already desperate crisis. Let us talk about that, Madam Speaker.

I will not be supporting Bill 195. What we need and what we should be talking about are those issues, issues that affect our communities. I also wrote a letter to the government last week, sharing my deep concern with the flooding in my riding of York South–Weston and in Toronto that happened yet again. My riding of York South–Weston continues to be particularly hit hard. What action is this government taking to mitigate the frequent flooding during heavy rainfalls? When is this government

going to provide the necessary infrastructure investment and environmental assessments needed in areas where flooding is a regular occurrence? It has gotten to the point that insurance companies are telling homeowners they may no longer be covered. Toronto and Region Conservation Authority has already identified the riding of York South–Weston and Rockcliffe area in my riding as one of the highest priority flood-vulnerable areas.

Madam Speaker, I have a lot of things to talk about Bill 195, but I don't have much time, so I will end there.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Hon. Paul Calandra: I appreciate the speech of the honourable member across the floor, in particular because he highlighted some of the emergency orders that he is no longer fond of. Obviously, at some point in time, he changed his mind on those, because the emergency orders that are codified in this bill received the unanimous consent of all of the parties in this place, in fact of all members of this Legislature, to proceed. So I thank him for at least identifying the emergency orders that he no longer wants to support.

I wonder why in the recent amendments that were tabled by the opposition, it does not mention any of these amendments for withdrawal. In fact, it just says that the bill should not go forward. I wonder if he could highlight for me some of the other emergency orders that he is not in favour of and what we should be replacing those with to ensure that the safety of the people of the province of Ontario is protected.

Mr. Faisal Hassan: Thank you for the question from the House leader. We're talking about Bill 195, and I have stated in my debate the issues that we need to be assisting in my community. Wednesday of this week, it rained hard, and when it rains in my community, it rains hard and hits hard. We need help in infrastructure and environment assessments, and those should be the issues we should be talking about—and having more testing. Hot spots have been identified in my community of York South–Weston and the northwestern part of Toronto, and also in Scarborough. We should be having mobile testing. We also wrote to the government telling that we also have other locations: The hospital at 200 Church Street is also a space where testing can occur. This should be the priority of the government.

1600

The Acting Speaker (Ms. Jennifer K. French): Questions?

Ms. Sandy Shaw: I would like to thank the MPP for York South–Weston not only for that fantastic and impassioned speech but for highlighting to the government all the things that the people of Ontario expect to be taken care of and that this government is doing nothing about. Thank you for explaining that to us.

It's not just the people from York South–Weston who are outraged. I spoke with a good friend of mine. Her name is Danute Kudaba. She has worked for almost 40 years in health care. She doesn't mind that she has had to work overtime, have her vacation cancelled, and not see her

family for weeks on end. She has done that. We have all done that, and pitched in. But now she sees Bill 195 as all health care workers will do: as a complete slap in the face.

This government and the Premier—while the cameras are rolling, the MPPs and the Premier like to call these health care workers “heroes,” but when the lights go out and behind closed doors, this is what they do. My question is: Why would this government do this?

Mr. Faisal Hassan: Thank you to the member from the great riding of Hamilton West–Ancaster–Dundas. That is the key, actually. This government wants to give the power to themselves: just a power grab, as I stated in my comments. To simply decide important issues that affect the people of Ontario in a committee, a committee led by a Conservative, once a month won't stop horrible back-room decisions from happening and from being made. That is not what the people of Ontario have elected this government to do. What is important at the moment is that we are in COVID-19 and the people of Ontario deserve our support. Small businesses: This government hasn't provided a cent—

The Acting Speaker (Ms. Jennifer K. French): Thank you. Further questions?

Hon. Paul Calandra: I don't want to belabour this, but this is a very important point that this member raised just now in his speech. He highlighted a number of the emergency orders that were voted on unanimously in this place by all members of this Legislature, including that member. He highlighted the fact that he and his party no longer support those emergency orders. I've got some time, so let me ask him quite clearly: When did he and his party stop supporting emergency orders that were unanimously approved by this Parliament, and why did they not put that in the amendments that they put forward with respect to this bill?

Mr. Faisal Hassan: Thank you for the question, to the member from the government side. The government side has all the powers. You have all the powers. You don't need extra powers. You don't need Bill 195 to give more power to a committee led by Conservative members of the government. We are in a COVID-19 period where people in my community are struggling. Now we have a community that has not been supported. Flooding is a big issue; and small businesses. These are the issues we need to be talking about, and supporting communities across this province of ours.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Ms. Jessica Bell: Thank you to the member for York South–Weston for explaining how COVID has impacted your community, especially with the continued delay in adequate contact tracing to ensure that COVID is under control, not just in the north and in other places but also in areas that are being harder hit in the Toronto area.

My question to you is: Could you summarize what your key concern is with this Bill 195? What's your key concern?

Mr. Faisal Hassan: Thank you to the member from the great riding of University–Rosedale for the great question.

My concern is government taking more power. We have a government that has been, when they were not in government, talking about the rights of each individual of this province. Freedom is very important. A party that prides itself on individual liberties and libertarian ideology of individualism and supporting every member of this province—taking that away is what I'm concerned about; I'm concerned that the government is not supporting the people it represents.

We have flooding. We have businesses that are now about to be closed. In my community alone, we have identified hotspot areas, and we don't have one single testing area. The community has demanded it. The community is asking for it, and as their representative I have written to—

The Acting Speaker (Ms. Jennifer K. French): Thank you.

Question?

Ms. Jane McKenna: I want to, quickly, because I've just jumped in here. I was listening to the member from Hamilton West–Ancaster–Dundas saying that the health care workers all think it's shameful what the government has done. But my daughter is a nurse in Windsor and my uncle is a chief of staff as a doctor, and they all think what we've done is a phenomenal job. They think that we need to stop being on both sides and not listening to all and do what needs to be done.

I'm just curious; there are lots of people who think we have done a good job and there are lots of people who think we need to continue on because we're here for all of the people of Ontario, to make sure that they're healthy and safe and everything else. My question to you is: What do you think we could be doing that's different than what you're saying right now? Because I'm kind of concerned with what you're saying, that all health care workers think that we're not doing a good job, but we actually have been told numerous times that we are.

Mr. Faisal Hassan: Thank you to the member from the government side. That's a very good question, but you must know your daughter is one of our heroes. She's a front-line worker who we need to support, and the nursing association is not supporting this. They are adamantly against it because they realize their rights are important. They are fighting for their rights, and they have not been respected—

Ms. Jane McKenna: Well, they think they are.

Mr. Faisal Hassan: And this bill, would you be voting against it in support of your daughter?

Ms. Jane McKenna: They think they are.

Mr. Faisal Hassan: They're not. Thank you.

The Acting Speaker (Ms. Jennifer K. French): We have time for a quick question and answer.

Mr. Terence Kernaghan: It's clear that the NDP supported emergency measures to deal with the COVID-19 pandemic, yet this legislation itself is thoroughly anti-democratic, as you've pointed out. It's an emergency label without a declared state of emergency. I wanted to ask, are there any other examples or instances of anti-democratic behaviour from this government?

Mr. Faisal Hassan: Thank you to the great member from the riding of London North Centre for the good question. Definitely; this government shuts down everything. They don't share information with us. They're trying now to grab more powers. This is kind of a dictatorship in the making, basically. These are our legislative representatives of the people of Ontario. Every issue should be given the opportunity here to the representatives of the people, not taking their powers away and not limiting the power—

The Acting Speaker (Ms. Jennifer K. French): Thank you.

Further debate?

Mr. Randy Hillier: Speaker, Bill 195, as I refer to it today, a more appropriate title would be the death of democracy act.

Ms. Goldie Ghamari: Whoa!

The Acting Speaker (Ms. Jennifer K. French): Order, please.

Mr. Randy Hillier: Yes, yes; the death of democracy act.

Interjection.

Mr. Randy Hillier: Well, maybe if you were here more often, you'd see that.

The Reopening Ontario Act, as stated by the Canadian Civil Liberties Association, "has an illegitimate purpose and is seriously flawed. There is no need for this bill."

What I want to get into during this discussion is: Why? Why this bill? Of the five Ws, there is no W more important than the question why.

The government has authorities. It has a majority government. It can make and utilize any authority that it is lawfully allowed to do through the legislative process in this chamber. It's always had that authority.

1610

What this bill does is limit this Legislative Assembly's ability to scrutinize and examine what is going on in the decision-making process of certain orders that are included in Bill 195. That's important. Why? Why does the government not want to us know what they are doing with those specific orders?

Speaker, I want to say I have grave concerns about the way the state of emergency was continually extended. I raised those concerns in this House. And I was concerned about what would come after the state of emergency. Bill 195 is what comes after the state of emergency.

I've said in this House that it appears that this government has become addicted to this new-found authority, this authority without accountability. Bill 195 takes that further.

I want to say, when I look at what this government has done and what they are doing and what has happened over the last four months, I come to this conclusion: The harm that happened in long-term care, the many tragic deaths that happened in long-term care—we don't know who made the decisions on those government policies. We don't know why those decisions were made, but we do know that those decisions contributed to, and amplified, the tragedy in long-term care. The government is shielding

itself from its actions in long-term care through the use of this expert panel. They're not using a public inquiry process for us to examine the decisions that they made that led to that amplified tragedy in long-term care.

Bill 195 puts more and more distance between the decisions that happened in long-term care and our ability to find the facts, the ability for us to have the evidence revealed. Bill 195 extends this period out to a year or greater; that's really what I see as why. Why is the government doing this? They do not want to see those decisions and those policies scrutinized by the members of this House or by the public or by the media any time soon.

I'll refer members of this House—there was a really interesting research paper done by the Ontario Civil Liberties Association as well, from a PhD scientist, Denis Rancourt. It's a substantial document. I've got the link on my website. I would encourage people to look at his analysis of what happened in long-term care with COVID-19. He goes into the medical side of this, and I think this is important for everybody to understand, because we had such a significant number of deaths in long-term care. He uses the term that we "accelerated" the deaths of those people in long-term care. Our government policies actually accelerated the deaths and the tragedy in long-term care.

There was a whole bunch—many people may have forgotten some of these policies, but these policies of not allowing residents to leave; the policy of not allowing the family physicians, the OMA, to create assessment centres; the policy that prevented many residents of long-term care from being admitted into hospitals. There are a whole bundle of these policies that have escaped scrutiny.

But there are others, and he goes on to point these out. I think it's good for all of us to understand this. You're elderly, you have chronic illness or multiple illnesses, you're in a long-term-care facility, your immune system is diminished, and the government comes out and says, "We're in a pandemic." You're already in a compromised position. "We're in a pandemic and you are not allowed to see anybody that you know." They raised the fears of so many people. They prevented loved ones from seeing one another. They prevented social interactions for these elderly and ill residents, along with all those other policies.

Mr. Rancourt, in his research, does a very good job of illustrating that we scared a lot of these people to death. We actually scared them to death in a little fashion.

Ms. Goldie Ghamari:—Jesus Christ.

The Acting Speaker (Ms. Jennifer K. French): Stop the clock. Sorry to interrupt the member.

Member from Carleton, I think we'll withdraw.

Ms. Goldie Ghamari: Withdraw.

The Acting Speaker (Ms. Jennifer K. French): Thank you.

Sorry to interrupt the member. Please continue.

Mr. Randy Hillier: I do encourage people to read some of these analyses of what has happened. But at the end of the day, that's where I see Bill 195: keeping this information as far removed from the public domain as can be done. "We'll keep extending emergency orders, keep people

preoccupied, keep people thinking about this other puppy in the window with Bill 195, and keep people from looking into the past, prevent people from looking into the past."

One of the things that was interesting when I was going through this document, because Mr. Rancourt goes through and looks at every American state, he looks at every Canadian province, he looks at all the European countries, and he uses his data, which is called all-cause mortality data. He got that data from every western jurisdiction. But Ontario won't release the data. Ontario does not release the data on all-cause mortality. He can't do that specific analysis in Ontario because this government does not release the data. Again, why? Every American state—go through it—and the UK, Scotland, Wales, Germany, Italy: All of these countries release all the data. You can have an independent analysis. But this government doesn't release the data.

I'm left to conclude that Bill 195 is not a power grab as such. I don't think so. But it is certainly harmful to democracy. It is an affront to democracy. Democracy cannot function if there is not accountability. If there is not transparency, you do not have a democracy.

1620

The attributes and the characteristics of this government as it goes through its mandate are getting worse and worse. They are becoming more egregious, more brazen in their disregard for this House, for the public, for accountability, for fairness.

I said earlier, Speaker, I used to sit on that side of the House and I thought of my colleagues as champions of accountability. I thought of them as vigorous defenders of transparency. I thought of them as colleagues in arms of justice. And I say to them all, "What have you become?" When democracy doesn't look so good—and it doesn't—look up in the morning and look in the mirror, and you will be able to say, "I don't have to go looking for the culprit. He's there."

The Acting Speaker (Ms. Jennifer K. French): Questions?

Hon. Paul Calandra: I applaud the honourable gentleman on this: He has remained consistent throughout his time in office. I don't think anybody would argue that. And I wanted to thank him because I know that he allowed us unanimous consent on some of these, although it wasn't something that he was excited to do. But he understood the challenges that we are under.

So look, I fully expected him to give that speech today, because it's consistent with his full time in office. I am somewhat surprised that the official opposition have found a compatriot in the member for Lanark-Frontenac-Kingston. But as much as he has remained consistent, I think it begs back to at what point—because this member, again, right from the beginning, although he gave us that consent, he was clear that he had issues with the state of emergency.

I wonder if there are aspects of the emergency orders that the honourable member thinks are important, not only for his riding but—

The Acting Speaker (Ms. Jennifer K. French): Thank you. Response?

Mr. Randy Hillier: At this time, no.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Mr. Gilles Bisson: I listened intently to the comments made by my colleague from Frontenac-Addington, and my simple question to you is this: As a long-time Conservative, and I would argue somewhat of a libertarian, how do you reconcile what the government is doing when it comes to this sort of attack on democracy? Because the Tories have always been synonymous with wanting to reduce the power of government and this is obviously an increase to the power of government. How do you square this off?

Mr. Randy Hillier: We all know—

The Acting Speaker (Ms. Jennifer K. French): Just a moment. Response: Lanark-Frontenac-Kingston.

Mr. Randy Hillier: Listen, we all know that no government wants to expose its fallibility, and we all are fallible. We all make mistakes, governments included. Unlike individual members in this House, governments never want to admit a failure and will go to great lengths oftentimes to hide those errors.

I was very supportive of those initial actions back in March. The unknowns were huge. But evidence became revealed and known, and it was not acted upon without that tragedy.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Mr. Jeremy Roberts: I appreciate the comments from the member for Lanark-Frontenac-Kingston. As the member knows, his riding is one of my favourite places in the province. I spent much of my childhood and as many weekends as I can up at Pike Lake in his wonderful riding.

The member and I have known each other for quite some time. We agree on some things and disagree on others. I was curious: Back in March, the member introduced his private member's bill to strike a committee on Indigenous relations. At the time, he discussed how a committee is such a crucial, crucial tool in Parliament to deal with our greatest challenges. At the time, he referred, of course, to Indigenous relations. I wonder if the member might be able to comment on why he feels that a committee for emergency response for COVID is not a suitable parliamentary—

The Acting Speaker (Ms. Jennifer K. French): Thank you. Response?

Mr. Randy Hillier: Thanks to the member from Nepean. The all-party committee that I proposed, and that this Legislature adopted through that motion but hasn't enacted, had no limitations on its function and its use. The select committee that has been established by motion 84 or 85, whichever motion, has very defined limits on its questioning, of who it can question, very short time frames on who it can question, and has no ability to compel that person—it says the Premier “may” show up; it doesn't say the Premier “shall.” So there's no ability to compel any actual result out of that committee.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Ms. Judith Monteith-Farrell: I thank the member from Lanark-Frontenac-Kingston, an area where my daughter was living. You were her MPP until she moved back home. I'm really happy about that, but she loved her time there.

I thank you for your comments. As an insider into the Conservative psyche, I was intrigued by why they're doing this. Could you expand on that a bit?

Mr. Randy Hillier: In a minute I'm not going to be able to expand on it too much more. But as I mentioned in the debate, there were all these policies that came through. If you remember, the policies were going fast and furious. Every day, there were more policies, and there was so much that you forgot what happened yesterday by the time today came around. That's why none of these policies got suitable scrutiny.

One of them is the memo that was issued by the Belleville hospital to all the long-term-care facilities in the Quinte area that said: “If you have a resident who is exhibiting signs of COVID, we will not admit them to hospital.” That meant you will die in place. And at the same time as telling those people that there was such a fear that was overwhelming us, and they couldn't see anybody, they were told they were being denied medical treatment as well.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Ms. Goldie Ghamari: I listened intently to the member's comments. Aside from the fact that accusing our government of bringing about the death of democracy is not only an insult to every single person like myself, who fled from an undemocratic regime to come to Canada, and belittles the experience that we had dealing with an actual undemocratic society, what I would like to ask the member is: When he speaks about the death of democracy and he's being so dramatic, what's his response to the fact that in Ontario we've had less than 3,000 deaths, whereas just south of the border we've had over 138,000 deaths. So my question to the member is: How do you square that with your allegations that we're not doing a good job as government?

Mr. Randy Hillier: Generally, when I'm making a comparison, I try to compare apples with apples, and not apples with oranges. The population in the United States is over 350 million people; the population here is 14 million people. So if you want to be critical, at least come up with some good, substantial and relative facts about this comparison. You can't compare a jurisdiction of 14 million—

Interjections.

1630

The Acting Speaker (Ms. Jennifer K. French): Stop the clock. We will continue, but I'm going to invite folks to bring the temperature down and direct all of their remarks to and through the Chair. That goes for all sides of the House, please.

Interjections.

The Acting Speaker (Ms. Jennifer K. French): Enough. We will continue with questions. Further questions?

Mr. Taras Natyshak: The member has been here for quite some time, and we certainly appreciate his counsel on these types of matters. I'm wondering if he can tell us what cautionary tales he might envision in the future for future Legislatures if this is indeed a precedent. We call it a slippery slope. We saw lots of slippery slopes with the Liberals. This, I would say, is an avalanche, in terms of the devolution of democracy. I'm wondering if he can foresee what impact this might have on oversight and accountability through this body?

Mr. Randy Hillier: I would phrase it like this: Institutions are built slowly and incrementally. Institutions also crumble slowly and incrementally through erosion. I think that's what we're seeing here: a significant erosion.

We saw something that could be justified back in March because of unknowns. That's without a doubt. I think it would have been reckless to do otherwise. But as we kept eroding, week after week, month after month, and we kept forgetting that there was new evidence we should be looking at, there was new data that we should be looking at, we should be looking at new things, we continued to erode. I found it astonishing that this government would bring in this bill at this time. What it will do in a year's time, I have no idea.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Mrs. Gila Martow: I'm very pleased to rise today, and it's such a lively debate here today. We're debating Bill 195, Reopening Ontario (A Flexible Response to COVID-19) Act, 2020.

Throughout this pandemic, I keep thinking about my late father and what he would have to say. During my time in opposition, he would often talk about the deficit and the debt and his concerns, because he always believed in saving for a rainy day. He was born in Poland in a very difficult time. He came to Montreal with his family, and they lived through some very harsh times. He had to put himself through school while supporting his own parents. It was a very difficult time for him.

I know that he would have repeated every single day to me that this is why you save for a rainy day, because you never know what lies ahead: pandemics, floods, other emergencies. He would have been so disappointed in the previous government for not recognizing that SARS happened. SARS was difficult, but it was sort of kept within the medical community. I had to wear an N95 mask while working as an optometrist through SARS. I sympathize with our front-line health care workers. When I had to stay last night until almost midnight because the Legislature was having late sittings, it still doesn't compare to the harshness of having to work as an optometrist in a medical setting through SARS.

I want to really thank all of those who are keeping our communities safe, from the garbage collectors to the health care workers, to all of you at home and all of you who are presently going to work.

Our province has been—

Interjections.

The Acting Speaker (Ms. Jennifer K. French): Stop the clock. I will apologize to the member for interrupting. I'm going to ask both the government House leader and the opposition House leader to stop the cross talk, so that I'm able to give my full attention to the member who does indeed have the floor at this time and for the next 18 minutes. Thank you.

Please continue.

Mrs. Gila Martow: So it is a state of emergency. It's a pandemic. It's far worse than SARS because this pandemic is hitting us economically, and it's a scary time for all of us here in Ontario and throughout the world.

It's been almost four months that we've been extending, by weeks at a time, the state of emergency that we have here in Ontario. We call it the Emergency Management and Civil Protection Act, EMCPA. Each time we extended that, my office was flooded with phone calls, with emails—and I love to hear from you, but it's a little bit overwhelming at times—because they felt that each time we extended those emergency orders, it meant that we were staying in a lockdown, and maybe even a harsher lockdown. They felt that we were locking down the province even more and that they were going to be isolated with stronger measures. They were concerned, and I think it created a lot of stress and anxiety in the residents and within our constituencies.

What I feel that this new bill is recognizing is that this is not just a temporary emergency situation that we have going on in Ontario. This has already been four months, and it's going to be going on for many more months. We need to enact some kind of system that's flexible, that we can still make quick emergency decisions and actions, but that we have the continuity, through the Lieutenant Governor, to continue state-of-emergency measures on an on-going basis, without creating that fear and anxiety that our constant announcements were creating.

Right now, the impact of this legislation is that, while we'll continue the emergency orders under the EMCPA, under this new legislation, we'll continue it for the initial 30 days and, as required, the Lieutenant Governor in Council will further extend those orders for up to 30 days at a time. It will allow the Lieutenant Governor in Council to amend certain emergency orders continued under the EMCPA if the amendment relates to labour deployment or workplace and management rules; closure of places and spaces or regulation on how businesses and establishments can be opened to provide goods or services in a safe manner; compliance with public health advice; or rules related to gatherings and organized public events.

There has been a lot of discussion today about the Select Committee on Emergency Management Oversight, which basically would review reports from the Premier and the Premier's team on any extensions of emergency orders. Of course, we heard the opposition and the independent member speak about concern about the committee, but there are three members of the opposition and one member of the independents on that committee. And it will streamline, I believe, our responses to dealing

with the pandemic, which, I believe—if my office is hearing and my colleagues' offices are hearing such widespread support in our communities—when we're seeing the mainstream media, including the Toronto Star, saying that we've had a fantastic response to dealing with this pandemic, then I know that their constituency offices are getting those emails and phone calls too.

I can understand that it must be that, on the one hand, you're happy, because things are going so well. The latest numbers for new COVID cases today were 111, with 122 resolved. That's extremely meaningful, because it means we're resolving more cases than seeing new cases arrive at our health care doors. So we're doing a fantastic job, and we want to continue that. We don't want to lose hold of the control, the flattening of the curve, whatever you want to call it, of this pandemic. We want to hold on to that, and we want to continue until there's a vaccine, until there's better treatments and even cures. We want to hold on to Ontario's—to keep them safe.

Now it's about re-opening the economy in the safest manner possible. Again, we're counting on Ontarians, who did such a good job flattening the curve, to help us reopen the economy, bring back a normal life for our children and our seniors and for the rest of us as well, because we know that we cannot continue to live in this state of isolation. We cannot compare it to living in a state of war with bombs and being in bomb shelters. We cannot compare this pandemic to that. But I think that if we sit and we think about it, imagine what it is like to live in a war zone, if we all imagine what it would be like to live under certain difficult situations, perhaps not having perfect vision, perhaps not having hearing, how we would deal with that. We hope that we would be able to cope. But imagine, this pandemic, that you had to be in a bomb shelter, that you had to worry about having food, that there was no air conditioning down there in those bomb shelters—the sound, the injuries, on top of the isolation and the total decimation of economies. So here, I think we've had it quite nice, compared to war zones in other parts of the world.

1640

But we want to keep the numbers of the virus down so that we don't have to continue with this unnatural—I really feel it is unnatural, this sort of isolation. The member from the opposition from Thunder Bay—Atikokan spoke about not being able to hug her grandchildren for months. That's not healthy for you and it's not healthy for your grandchildren. We don't want to continue that type of existence, as it were.

We want to introduce legislation that allows us to control this pandemic, while allowing us to get that economy open. I know that everybody is very excited to see that the majority of the province is going into phase 3. Unfortunately, my riding is in York region, and I have to explain to people that we were a little behind in phase 2 reopening because our numbers continue, even now, to be higher than other parts of the province. We will be going into phase 3, but it's hard to predict when because the medical experts are examining the data as it comes in. I'm

assuming that if we were a couple of weeks behind for phase 2, then hopefully, we're only a couple of weeks behind for phase 3 as well.

Once this declaration of emergency ends, this proposed legislation would allow the province to continue its path to recovery by easing restrictions where appropriate, while maintaining measures to address this ongoing threat. I don't believe that the people of Ontario and the members opposite are really concerned that we're not addressing the pandemic properly. I think that we do all here work together and collaborate together.

What I think we're now concerned with is that it's dawning on us that without the revenue we get from the economy, we cannot support our hospitals and our schools in the way we want to. It's actually imperative now that we get the economy going, that we get the schools opened as safely as possible. But parents are relying on us to create a safe environment for their kids. We have to work with our municipal partners. We're working with our federal partners.

We need to make sure that, going forward, our business community feels supported. I know I have visited, like all of you here, many of the local businesses. Whether I visited them in person or through the new virtual world of visiting people through our computers and all of that, we see the sense of concern and the sense of almost fear from some of our business leaders in our communities. But we have their support and understanding that we're doing the best we can, and they are now really ready.

I think that when we all go into the businesses, the plazas, the stores, the companies in our ridings and we see the incredible efforts they have made in terms of putting up Plexiglas, in terms of having masks on hand for people who come in and have maybe left their masks at home or in their car, in terms of having sanitizer readily available—they are co-operating fully to the best of their ability. Oftentimes, it's a concern because while they're not having revenue, we're asking them and expecting them to invest in PPE and Plexiglas and things like that in order to open safely, to protect their employees and to protect the public as well, but also to protect their business interests.

I think that the incredible sacrifices that we're seeing being made are going to continue. I think that people are understanding that in many jurisdictions, in many municipalities, people are now mandated to wear masks indoors. I read a report this morning that said that one of the businesses went from 65% of customers wearing masks to something like, they guesstimated, over 95% of people coming in were coming in already wearing masks. They were just amazed at the turnaround and the acceptance, that people are making those sacrifices. I know that nobody likes to wear the masks and we're all almost uncomfortable when we see people wearing masks, because it's hard to talk to people, it's hard to recognize people. It's probably hard for some of our constituents to recognize us sometimes, so maybe we're able to hide a little bit more than we're used to.

I want to talk a little bit about recovery in York region specifically. My riding is on the south-central edge of

York region. I know that a lot of the patios have opened up and that was a big push that I felt we could support our restaurants by, at minimum, allowing them to loosen some of the rules and regulations around patios to help them get started. Now, we're going to start seeing slowly, through phase 3, the inside of restaurants open.

We're seeing a lot more construction projects moving along. I know we allowed a lot of flexibility in terms of construction. I had to explain to people in my riding that, again, because of social distancing, it's very complicated for the crews. They are used to going in and working on a project and working kind of on top of each other. Now, from what I'm hearing, they're scheduling things to go in in teams to social distance to the best of their ability.

We've seen so many businesses switch their operations to try to help in supplying PPE and hand sanitizers. I know we all thank them, and I'm sure that it's going to be very interesting to see some of those businesses try to remake themselves.

I think that that's what a lot of us are going to be working on over the August period where we're going to be focusing more on our constituencies and the Legislature is going to be shut down, and how we're going to help some of our businesses deal with the fact that they have to get things up and running. They are used to a certain type of shift work, a certain type of scheduling, and they are all pivoting. I know that a lot of businesses said, "Let us open, let us open." The minute we said, "Okay, you are able to open," they were like, "We're not ready."

I think that people are sort of gradually accepting that this staged approach is actually very helpful to them. I think that it would have been hard if we just had a free-for-all and let people open up however they wanted. They are accepting all the protocols and all the recommendations and are very, very thankful. I've been hearing a lot of thanks for our government having 1-800 numbers, having emails where they can go in and check out the rules and see if they were deemed to be open and what the protocols were. They're very thankful for that because I think when people aren't able to access information, it creates another layer of anxiety on top of all of the problems that they are already having.

So, transparency, yes; we all want to see transparency from our government when it's possible. I feel that we are doing our best, in terms of having consultations and meeting and hearing from the public.

I participated yesterday on one of the committees. The committees are going for so many more hours than normal because it's so much easier for the public to participate through the virtual platforms, and we're getting that input. I think that input is being listened to. I feel that the opposition is able to share with us some of their thoughts and their concerns going through this pandemic, and I think that their constituents are very happy to see their ridings going into phase 3 and all that that entails.

It is a lot of extra work, in a way, to do things in such a phased approach because we're all learning and our staff are learning all the different rules. We're getting so many phone calls and emails. But at the end of the day we're learning to adapt to all of it.

Our biggest fear now has to be, can we hold on to this trajectory that we're on and not have to reverse course and start shutting down in any way? I think that that would be the biggest tragedy to befall Ontario. It might happen. We can't always control. It's a virus. It's a pandemic. But we are certainly, within the government, all of us together, collaborating together. This isn't about government and opposition and independent members. I think that all of us together want to see Ontario continue to move to open, to not move backwards, to not see further isolation.

We all want to work on creating a safer system of people able to celebrate all the special milestones in life and to be able to socialize. I think human beings are social animals. We're not used to being alone so much. I think we're worried about people's mental health, and we have special supports for that. People can contact our constituency offices. Our Ministry of Health has set up a program to deal with that.

1650

I think our students and our youth are—this is going to be something that we're going to be talking about for decades ahead. It's going to be sort of one of those moments in history where we talk about, decades later, what it was like to live through that period of history. I think we're living it, and we're working.

I think it's an honour for all of us to be here and lead Ontario through such a difficult time. We'll be able to hold our heads up high and say, "We were there. We were helping. We were working together. We were communicating with our constituents. We ensured that Ontario was one of the best places to live, work"—and hopefully soon people will be playing more. But we always say: "Live, work and play"—that Ontario should be one of the best places in North America, in fact possibly the world, to have had a business, to have had a family and to have spent time during the pandemic. I guess we'll be talking next year, hopefully, about being able to not just visit with our grandchildren and our friends and neighbours here in Ontario, but hopefully visiting friends and relatives across North America and across the world.

I'm really honoured to be part of a government that led this ship through such shaky waters, through such difficult times. I think that sometimes it hits you when a crisis is over. I think we're still in the midst of a crisis, and I think that later on, in the next few months, once the economy gets going again and we see things back to normal, we're all going to realize actually what a scary time we were working here in the Legislature under.

It was an honour and it was a privilege for all of us to do the work we did the last four months. Let's keep it going. It's still an honour. It's still a privilege. There is lots of work ahead. We're still in the middle of a crisis. Let's not lose sight of what we're trying to achieve here in Ontario: getting the economy going.

The Acting Speaker (Ms. Jennifer K. French):
Questions?

Mr. John Vanthof: I listened intently to the remarks from the member from Thornhill. I always enjoy listening to her. She made a couple of comments about how the

government didn't want to lose control and regarding the emergency orders, and how, in her opinion, the government had done such a good job.

But now, with this new legislation being proposed, what has prevented the government in the last four months from doing that job? Has the Legislature, at any time, held the government back? Why would you want to change? There haven't been lengthy debates. When the government needed, we agreed with the emergency orders. When the government needed, we united to approve them. Why, at this time, do you want to remove oversight powers from the Legislature?

The Acting Speaker (Ms. Jennifer K. French): Response?

Mrs. Gila Martow: Thank you very much to the member opposite for the question. Maybe my constituency was different from your constituency, but every time we extended those emergency orders, I got that flood of emails, that flood of phone calls. People felt we were actually making things more locked down and not moving into any type of opening.

I feel that this is going to allow us the flexibility. This is not a flood; this is not a short-term pandemic. We're seeing that this is going on longer and that we need to have the flexibility. We're going to have a system now where we're not going to be having to announce small, little two-week extensions all the time. We're going to allow the government to have the flexibility to ensure that Ontarians stay safe while we re-open the economy—which is actually going to make it a lot more difficult, I think. We have to realize going forward that once the economy is open and we're all in phase 3, our jobs are going to get a lot tougher.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Ms. Christine Hogarth: Before I ask a question, I just actually want to clarify something about the legislation that was said earlier today. I just want to be clear that in the legislation, specifically in section 12, it says, "At least ... every 30 days, the Premier, or a minister to whom the Premier delegates the responsibility, shall appear before, and report to, a standing or select committee designated by the assembly." So the word "shall" has been used in the legislation, and that's about transparency.

I just want to ask the member further about transparency. Can you elaborate on your thoughts about the proposed bill and the transparency measures that are in place?

Mrs. Gila Martow: I think there is transparency in the bill. We are going to have a select committee that isn't just government members. There are going to be three members of the opposition. There's going to be one member of the NDP. I think all members of the Legislature have the ability to make their suggestions.

I haven't heard too many comments from the opposition members and the independent members in terms of how we have done so far in terms of reopening the economy, how we can ensure that we don't see spikes in the number of new COVID cases, that we continue to see those numbers go down while we reopen the economy. If there are any suggestions as to how we could do a better

job than that, then I would invite the members opposite to share those with us.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Ms. Catherine Fife: The official opposition has expressed our concern around transparency with regard to Bill 195. The comments that were just heard that there is a mechanism, if you will, around accountability for transparency by having the Premier show up to the committee—but there's no real enforcement mechanism to hold the Premier of the province to account. The member herself, in her comments, said that transparency is great when it is possible. My question to the member is: When is it appropriate for transparency not to be possible in a democracy?

Interjections.

The Acting Speaker (Ms. Jennifer K. French): Order. Response?

Mrs. Gila Martow: I think we all know that we do our best here in the Legislature to all work collaboratively together, but at the end of the day we have different caucuses. Sometimes, unfortunately, we have to admit that we have different agendas. We try to share information, where appropriate.

Again I would invite the members opposite. I think we've all worked together quite well. If there have been any times they felt we were taking a completely wrong direction—they shared with us that they had thoughts, that there were concerns that were ignored—I would invite them to share them even with me directly. I'm even happy to share those thoughts and concerns with my caucus, with my teammates.

Going forward, we're really relying on medical advice in this pandemic. That's actually one of the complaints I heard sometimes from my constituents: that they felt the Premier and the cabinet weren't making the decisions, that it was medical experts running the province sometimes, and they were concerned about that. So it's interesting—

The Acting Speaker (Ms. Jennifer K. French): Thank you. Further questions?

Mr. Kaleed Rasheed: Thank you to my colleague here for her speech this afternoon. My colleague spoke about the emergency part, and she's right. I have received so many phone calls and emails about individual constituents' concerns whenever we have said that we're extending the emergency.

I would love to hear more of what my colleague has to say about this bill when we say—like not using the word "emergency" every two weeks or so, and how it's going to bring some peace of mind to the people of this province.

The Acting Speaker (Ms. Jennifer K. French): Response?

Mrs. Gila Martow: Thank you very much to my colleague for the question. I think that one of the things we all know—and any medical person will tell you—is that stress makes people—it compromises their immune systems, and that's exactly the opposite of what we want for the citizens of Ontario: to have extra stress constantly.

Going forward, the member opposite said that we were doing fine just constantly extending the emergency orders. I didn't like it. Every day, I felt like I had to go and hide under my desk when we extended the emergency orders because, again, we started getting those Facebook messages and those phone calls and emails that people were concerned.

I think this is going to allow for more flexibility and it's going to be more streamlined. We're going to have a select committee with members of the opposition and independent members represented there. I think that, going forward, we're on the right path to keep Ontario in a great recovery, health-wise and economically.

The Acting Speaker (Ms. Jennifer K. French): Question?

Ms. Catherine Fife: I didn't hear the member from Thornhill talk about the impact on marginalized communities in her comments. Perhaps she might like to speak about the enforcement orders under subsection 7.0.2, which would be extended through this measure, and which confer broad discretionary power to police and bylaw officers. There is a legitimate fear that it will be misused or used asymmetrically against communities who are already over-policed. The order has been compared to carding by some community advocates.

1700

Can the member address this very real community concern around extending emergency measures through Bill 195?

Mrs. Gila Martow: Again, I think that we're relying on a lot of medical experts and emergency personnel to help enforce what we're trying to do in Ontario, which is to stop the spread of a virus during a pandemic. I have a lot of respect, and I would hope the member opposite would as well, for our bylaw enforcement officers, for our police and for all of the first responders who are involved in all of our protection. I think that if there are any concerns, they would share them with us, if there are any specific examples.

I know that I have spoken to the York region police chief during the pandemic about concerns about bylaw officers and youth feeling harassed, and he said that their number one priority is to educate people, and that there were fines being levied only when they were getting big pushback and groups of youth were not willing to spread out or break into smaller groups.

I'm counting on all of the first responders to ensure that nobody feels marginalized and nobody feels to be a target in Ontario.

The Acting Speaker (Ms. Jennifer K. French): There are not enough questions for another round.

Further debate? I recognize the member from University-Rosedale.

Ms. Jessica Bell: I rise today to speak on Bill 195, the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020.

Bill 195 lets the Ford government keep the huge, sweeping powers that a government gets in a state of emergency, but with none of the checks and balances that

should come with this amount of power. The Ontario government will no longer be required to return every 28 days to justify to the Legislature that these massive powers—these extraordinary powers—are still needed and are being used wisely.

Essentially, this Ontario government gets to hold on to its emergency powers even though we are no longer calling it a state of emergency. This isn't going to help people recover; it's a straight up power grab. It gives the Ford government the power to override the hard-fought collective bargaining rights of health care workers for a year or more. These are rights that were fought for by our parents and our grandparents and by our front-line health care workers today. So now health care workers' vacations can be cancelled, their hours of work can be changed and contractors can be hired to do another health care worker's job. These are the front-line workers that the Ford government has said that they care so much about. This bill takes away more of their rights.

The second piece about Bill 195 that is very concerning is that it sets the stage for mass COVID evictions, beginning August 1, because this government has said that the eviction ban will be lifted once this state of emergency is over. So even though many businesses haven't reopened, even though unemployment is at record highs, even though there are many parents who still cannot go back to work because child care and schools are not open, even though you want to keep all these emergency powers, you are now saying that the state of emergency is now over and landlords can begin evictions. That's essentially what this bill is going to do.

What this means is that evictions are going to be more misery for renters, many of whom have lost their jobs during the COVID pandemic through no fault of their own. Their job is not available for them to return to so that they can start paying rent again. However, this bill, once the state of emergency is done, means that they can begin to be evicted starting August 1. I believe that we should be helping people keep their homes in times of crisis, like this pandemic, and not allowing corporate landlords to move in and evict.

This is also a time, if you're no longer going to do a state of emergency, that you give health care workers back a lot of their rights that they fought so hard to get. You cannot have it both ways. If we are in a state of emergency, then keep us in a state of emergency and hold yourselves accountable to the Legislature and the public. If we're not, then it's time to give these emergency powers back, because this is a democratic province and the Ontario government should act like it is a democratic province.

One of the things that most concerns me is that this Ontario government is not providing any good reason for why this government cannot return to the Legislature every 28 days to justify why these powers should be extended.

It's also important to remember that a lot of the powers that are in this act are powers that you already have. A lot of these powers are in the Emergency Management and Civil Protection Act that was put in place to allow this

government to declare a state of emergency and issue orders in relation to that. So when the member from Thornhill is talking about some of the important measures that have been taken, such as limiting social gatherings and closing bars and restaurants, you already have those powers. And this government will continue to have all these powers moving forward so that we can continue to break the curve and get it down so that we can do our best to keep COVID-19 and the pandemic under control. You already have these powers, so it's unclear to me why you need this additional piece of legislation.

What is also concerning to me is that we are talking about this act—and it is, in my view, an act of duplication—and it means we're not talking about all the other important things we need to talk about when we're thinking through how we're going to reopen safely and keep this pandemic under control.

This is not what residents in my riding are calling and talking to me about. The people who are contacting me in my riding—their businesses are going under because this government has not done enough to keep small businesses afloat during this crisis. They have not done enough to ensure that they can continue to pay rent so that when they are able to open, they can break even and continue to provide their services. This government hasn't done enough on that.

This government has no real plan to reopen schools safely, so the residents in my riding are not saying, "Why does the Legislature need to introduce another bill that we already essentially have the powers to do?" They're contacting me saying, "Why does this government have no real plan to open schools?" and "Why is this government delegating responsibility to school boards but not giving them any sufficient funding to open schools up properly and keep kids safe and allow parents to get back to work?" This government should be talking about that but they're not.

This government should be talking about how we're actually going to get a real handle on contact tracing so that we can stop the spread once we get the second wave. There are a lot of things that Ontario is doing right, but there are some things that we are still falling short on and contact tracing is something where we still are not doing enough to make sure that we can live with this pandemic safely for a month, six months or a year, or however long it's going to take.

What we aren't talking enough about here is what is happening with migrant workers, people who have come over here from countries all over the world to help us grow and produce our food. When they get here they are finding that they have very little money and they've got very few rights, and now they're in a situation where they're getting sick and, tragically, some of them are dying because we are not doing enough in this Legislature to keep them safe. We should be talking about that. We should be hearing legislation on how we're going to be dealing with that, but we're not.

What is also concerning is that this government is still not doing enough to provide pandemic pay, which you

promised front-line and health care workers. It hasn't arrived. It has been two months since this government has made an announcement on pandemic pay to compensate people who, when we were doing the right thing and sheltering in place, stepped up and went to work. They still haven't been compensated for that, but instead of talking about that we're talking about a power grab, which is essentially what this legislation amounts to. It is very concerning.

I'm not the only one who has concerns about this legislation. There are numerous stakeholders that have reached out to us to share their concerns with this bill. Some of them include many of these front-line workers that you profess to support, such as the nurses.

The nurses have been sending out letters of concern outlining how this bill restricts the collective bargaining rights that health care workers have, such as the rights around seniority, around contracting out, around leaves of absence, around sick leave, around hours of work and around holidays.

1710

What this means is that:

"(1) Vacations can be cancelled;

"(2) Your shift can be changed (from days to nights, for example);

"(3) Your job can be eliminated and you can be re-assigned with no say"—this is a letter that nurses have sent to me;

"(4) Hours of work can be changed;

"(5) Leaves of absence can be denied or cancelled;

"(6) You can be moved to another site;

"(7) Contractors and volunteers can be brought in to do your work, as long as there is not a layoff," so essentially your work can be reassigned.

It is very concerning to receive letters like this from people who have been on the front lines of the pandemic since January. They're writing to us saying that this legislation is very concerning because it takes away many of their collective bargaining rights. For what? You already have the power to do this. You just need to stay in a state of emergency so you're accountable to the public and the Legislature. But now essentially what you want to do is that you want to have those rights but you don't want to be accountable for it, and that's very concerning. We can see through that, and so can workers.

The nurses aren't the only ones who have expressed their concern with some of these issues. The Canadian Civil Liberties Association has also expressed their concern about the power grab that this legislation is aiming to do. Here's a letter that I received from a constituent in my riding who is expressing some of the concerns that the Canadian Civil Liberties Association has raised.

The Canadian Civil Liberties Association is concerned that, "The proposed legislation is unnecessary"—as I mentioned—"and eliminates essential democratic controls over unprecedented emergency powers. It is a significant threat to democratic oversight that should be rejected.

"Ontario's current emergency laws give the executive branch"—you already have this power—"of the government extraordinary powers to curtail basic rights and

liberties. One essential check on that power is the requirement that government return to the Legislative Assembly once every 28 days to confirm an extension of the state of emergency. It provides a chance for justification, discussion, debate, dissent, and ultimately gives authority to” MPPs “to decide whether these extraordinary powers should continue to be granted. Even in a majority government individual MPPs retain the ability to break rank and vote with their conscience rather than toe the party line. In the face of an emergency, and the exercise of emergency powers, this democratic fail-safe is indispensable.

“Bill 195 would eliminate this democratic requirement—authorizing the Premier and his ministers to continue exercising unprecedented emergency powers without legislative approval for a year.

“The bill would allow current emergency orders to remain in place without a formal declaration of a state of emergency. It would also allow individual ministers to extend and amend many of the emergency orders that are currently in force.” That is a concern.

“CCLA is calling on all Ontario elected representatives to defend effective democratic oversight of emergency powers. We urge you to vote against Bill 195.”

That’s from the Canadian Civil Liberties Association. They have a very strong message to share.

The second piece that I want to raise is around the consequences of passing Bill 195. The consequences of this are that the state of emergency that we are currently in is over. Even though you get to keep all the state-of-emergency powers, the official state of emergency that we are in is over. What this means is that, because of a decision that you have made to allow evictions to begin once the state of emergency is over, it allows the Landlord and Tenant Board to begin eviction proceedings starting August 1.

There are many reasons why that is very concerning. Over the last few months, wisely, residential tenants have been rightfully protected from eviction during this pandemic. In the beginning, it was partly because we wanted to stop the spread of COVID-19. We don’t want a situation where people are being evicted from their homes, going into new homes and spreading COVID-19. It’s also partly because it’s a moral issue. You don’t want people who are no longer able to work because their businesses are shut down to, all of a sudden, be in a situation where, through no fault of their own, they can’t pay rent.

It is also important to remember that many of the people who rent in Ontario and Toronto are people who have been hit by COVID-19 worst and first. These are people who are low-income, who are marginalized, young people. These are the people who, by and large, are more likely to have lost their jobs during the pandemic. These are people who, by and large, are more likely to be the ones who have been essential workers who—when we have stayed home—have gone out to continue to keep our food supply running and our health sector running and our long-term-care homes running. These are the people who are more likely to have contracted COVID-19 or who have loved ones who have COVID-19 and have had to suffer the consequences of that, the health consequences of that.

By lifting this emergency order, you are putting a situation in place where renters are able to be evicted because they are unable to pay rent, through no fault of their own. What is very concerning to that is this is happening at the same time as Bill 184, another bill that we are discussing in the Legislature which would make it easier for renters who, through no fault of their own, enter into a rental agreement, a repayment agreement, and then it would make it easier for landlords to evict them. They would no longer have their day in court at the Landlord and Tenant Board. It would essentially be up to the landlord’s discretion if they fell behind—a few days late, a few dollars behind—when they’re on the repayment plan. They could be evicted, and that’s very concerning.

The reason why that is the concern is because—do you know who that helps? It helps big corporate rental providers. It helps private equity that has moved into Toronto to take advantage of a very hot rental market. We’re talking companies like Akelius, KingSett, RioCan, Oxford Properties. They’re the ones who are set to benefit from Bill 195 and its lifting of the state of emergency, and also Bill 184, because it allows for easier eviction. And do you know who’s going to be hurt? People who are renters: low-income seniors, marginalized people, racialized people, young people, people who have been most affected by COVID-19. I have a lot of concerns about that.

It’s no question that we have not—COVID-19 is still with us. We could have a second wave. Often, people look to Australia right now and they say, “Wow, they’re doing so well.” In many respects, Australia is doing so well. I talk to my family there, and they tell me that many of the restrictions have been lifted. But very recently, as of a week ago, their second wave in Melbourne, which is my original hometown, has begun. Once again, they’ve had to resort back to lockdowns—hard lockdowns in some instances, where people are not even allowed to leave their home at all—and restrictions on where they can go, if schools are open and so on and so on. That could happen here. That could certainly happen here again.

I don’t disagree with the idea of having a state of emergency and having the government have the kind of powers that they need to do what’s necessary to keep us safe: requiring the use of masks inside; closing down schools, if that is what is required; limiting public gatherings; closing bars and restaurants. Those kinds of very extraordinary powers are necessary in times like this. But what is also necessary is that there need to be checks and balances to this extraordinary power. That means that when there is a state of emergency, you return to the Legislature and justify why you need to continue to have these extraordinary powers. It is concerning that this government thinks it’s perfectly okay to end the state of emergency, keep these extraordinary powers and do away with these checks and balances.

I heard the member for Etobicoke–Lakeshore mention that there are still some checks and balances because there will be a committee, and the committee can provide maybe the same kind of oversight as a Legislature would. That is not something that I agree with. The reason why I don’t

agree with it is because not all the MPPs, are going to be sitting on this committee. If I am not on that committee, that means the 100,000 residents in University–Rosedale don't get the same kind of influence, the same vote, the same oversight that they would if these state of emergencies returned to the Legislature.

The second piece is that this committee will have a majority of Conservative seats. That means that this committee—it will be the Ontario government's decision around what kind of processes are used, what will be up for debate, what will be reported on, and—

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Interjection.

Ms. Jessica Bell: Yes, exactly, just like any other committee. That's my point. That's my point, because I don't believe that having a committee provides the sufficient amount of checks and balances that we need to allow this government to have the kind of extraordinary powers that we're giving.

There is a reason why we want the checks and balances to maintain within the Legislature, and we're not alone. As I mentioned, the nurses are very concerned; health care workers are very concerned; the Ontario Federation of Labour, which represents a million workers in Ontario, is very concerned; and the Canadian Civil Liberties Association is very concerned.

Our issue is not with some of the extraordinary powers that are being granted; our issue is with the checks and balances. I urge this government to go back, review the legislation and remember that you have a commitment to being democratic. Ontario is a democratic province. Democracy can be reflected in many different ways, and one of them is to ensure checks and balances.

So that is my request to this government: to go and do that and respect democracy.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Mrs. Daisy Wai: As has been noted in the debate, the proposed bill will introduce new accountability mechanisms not previously found in the EMCPA. Does the member opposite agree that additional accountability is important when it comes to the next phase of managing the COVID-19 pandemic?

Ms. Jessica Bell: Thank you for that question. I do agree that the extraordinary powers that the Ontario government is giving itself—to essentially extend the state of emergency but no longer declare a state of emergency—I agree that there needs to be significant accountability. My primary concern with this bill is that there is not enough accountability.

As I mentioned in response to comments made by the member for Etobicoke–Lakeshore, I have concerns with the committee process. Going back to the Legislature and being accountable to the Legislature is the preferred way to put checks and balances on these extraordinary powers.

The Acting Speaker (Ms. Jennifer K. French): Question?

Ms. Judith Monteith-Farrell: Health care workers have been described as heroes. I know that my daughter

worked as a nurse during the COVID pandemic and dealt with people who had COVID, and it was not only nerve-racking for her—but she bravely did it—it was probably that I was more afraid than her. Many other family members had to face that as well. They've seen us through the worst in Thunder Bay, and I would like to know what you believe the impact of limiting their rights are at this time.

Ms. Jessica Bell: Thank you to the member for Thunder Bay–Atikokan. In University–Rosedale, we have many health care workers who live and work in the riding because we have many of the major hospitals in Ontario. People that I interact with—midwives, doctors, nurses and personal support workers. I was moved, and I will be forever grateful that when I chose to stay at home and do the right thing, they stepped up and went to work. And that was in the beginning, when we didn't know how serious this pandemic was going to be. We didn't know if the PPE that was being provided to hospitals and was being rationed was going to be adequate in stopping the spread, or if we were going to have a situation like we had in Italy, where so many health care workers died. Fortunately, we didn't.

So it is reasonable to say that any kind of legislation the government is introducing that affects health care workers' bargaining rights—

The Acting Speaker (Ms. Jennifer K. French): Thank you. Further questions?

Ms. Goldie Ghamari: I listened intently to the member from University–Rosedale's discussions today, and I just wanted to commend the member. It's obvious that she's very passionate about what she's speaking to today, and I do commend her on that. Sometimes it's difficult for politicians from different parties to see eye to eye, but I think one thing that unites us in the House is that we're all here to make a difference. So I commend the member for being here and for speaking so passionately about what's going on.

Having said that, Madam Speaker, my question to the member is, if you're so critical of what our government is doing to help the people of this province, and given everything we've done and comparing the numbers here versus what's happening down south or in other countries, where is that criticism coming from? Why do you think that we should not be extending the state of emergency or creating the tools necessary to keep the people of this province safe?

Ms. Jessica Bell: Thank you to the member for Carleton. I think I said in my speech that some of the measures that the Ontario government has taken in partnership with public health are things that, no question, have allowed us to get a handle on COVID-19 and the spread. The examples I gave include closing schools, closing bars and restaurants, limiting public gatherings; these are measures that we supported and that were the right thing to do, so thank you for raising it.

My concern is with this legislation and the failure to do the appropriate checks and balances with the power that you are assigning yourselves. That's my chief concern with this bill today.

The Acting Speaker (Ms. Jennifer K. French): Question?

Ms. Catherine Fife: I think the member from University–Rosedale did an excellent job of highlighting the concerns not just in this place, but the perception from the public. Of course we know that, in February, the Premier of this province declared that campaign 2022 was starting. He just started his eight-week trip around Ontario, essentially going to communities across the province; yet this legislation is coming down giving the government extreme power. Can the member from University–Rosedale speak about the undermining of confidence in our democracy when things like this happen in Ontario?

Ms. Jessica Bell: Thank you to the member for Waterloo for bringing up that issue. Democracy is a very important thing and we should be doing everything we can to protect it each and every day.

The public has shown a remarkable willingness to work with the government to do everything we can to stop the spread: from staying at home, to not visiting loved ones in long-term-care homes, to wearing a mask indoors and so on. But it is very important that the Ontario government do everything it can to maintain its legitimacy, so that requests that you make to the public to sacrifice—to sacrifice—are listened to. That only happens if the Ontario government behaves in a legitimate way. When you make announcements but then go on the campaign trail, maybe that legitimacy starts to get jeopardized in some way, and we don't want that for the spread. We don't want that to—

The Acting Speaker (Ms. Jennifer K. French): I thank the member. Further questions?

Mr. Mike Harris: I'm not sure where to go from here, actually. That was kind of interesting.

Well, listen, I think the member from University–Rosedale might have mentioned this during her comments. Being from Australia as she is, she'll know that there are parts of the country that have actually gone back into lockdown. I think you might have touched on that, but I'm not 100% sure. We're really trying to avoid doing that here in the province of Ontario. We want to make sure that the government has the tools—the right tools—to be enabled to be able to make sure that we don't move into that kind of position.

I'm wondering if maybe the member opposite could explain a little bit more about some of the things she thinks may be that the government could do to be able to not regress back into that kind of situation.

Ms. Jessica Bell: Thank you for also mentioning what has happened in Australia. I follow it closely; my mother still lives in Victoria.

Australia, and especially Melbourne, they were lauded as being leaders in the fight to stop the spread of COVID-19. They listened to public health. They limited international travel very quickly. They did a lot of things right. However, COVID-19 is back with a vengeance in Melbourne and Victoria, and their daily case count is now higher than Ontario's.

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One thing that I think is very critical is that all levels of government, at this point, should take direction from

public health, because we are still in a very difficult situation. We should be introducing legislation, and when there are extraordinary powers within that legislation, we should make sure that there are appropriate checks and balances.

The Acting Speaker (Ms. Jennifer K. French): There's time for a quick question and answer.

Ms. Sandy Shaw: We've been listening, and we still have not heard any good reason from the government side as to why they're introducing this bill. The MPP from Thornhill said that it was inconvenient for her to answer emails about emergency legislation. We've now heard that it might be inconvenient for the Premier to come to Queen's Park and pass legislation. Democracy is not an inconvenience.

Do you, having listened to this, have any idea why the government—

The Acting Speaker (Ms. Jennifer K. French): Thank you. A quick answer.

Ms. Jessica Bell: To me, it seems like a straight-up power grab. The Ontario government already has all the power it needs to listen to public health and do the right thing to stop the spread. There is no need to introduce legislation that allows you to keep these powers but not be accountable to the Legislature.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Mr. John Fraser: I'll be sharing my time with the member from Scarborough–Guildwood.

I'll just say at the outset that I will not be supporting Bill 195. Bill 195 overrides broad legislative oversight measures that protect all Ontarians. The government is now proposing in Bill 195 to supersede or overwrite a law that's currently in place for emergencies in Ontario, a law that currently works. The government has not made a case as to why Bill 195 is needed or advisable or why the emergency act needs to be overridden. They simply haven't made that case.

At no point in this sitting has there every been any delay, like a reasoned amendment or undue debate, over the emergency act—never, not once. It has passed every time it came up with less than a couple of hours' debate, which is lightning speed in this place, and it happened because that's what Ontarians expected of us in this emergency. There has been co-operation from members on all sides of this House. Even the member from Lanark–Frontenac–Kingston has been reasonable in his opposition. As passionate as he feels, we haven't had a filibuster. That could have happened, because he has done it before. So there's a lot of co-operation here.

The emergency act gives the Ontario government extraordinary powers that, in fact, limit people's constitutional rights. That's why we come back to this Legislature every 30 days to debate and extend it—so that we can ask questions and speak on behalf of all of our constituents. The use of emergency powers affects the rights of every Ontarian, and that's why it needs to come back to all of us. Every member, just like every Ontarian, has the right to know the reasons why the government is taking these actions and to have their voice heard.

What Bill 195 proposes is to remove that oversight and put that oversight into a select committee that meets monthly, outside of this room, which the Premier can go to if he wants to. He can send a minister. The Premier can delegate a minister to amend orders without cabinet approval. Less than 10% of the members of this Legislature are going to be on the select committee. It will meet once a month for a couple hours. The government will have the majority on the committee, and they'll write a report. The opposition may write a dissenting report, and then after a couple weeks or a month, the report will be brought back to this Legislature and tabled, and then it will go on a shelf. That's what happens. We all know that. What's discussed in this committee won't be discussed in the Legislature, where it needs to be. The overwhelming majority of members of this House will not have a say, whatever side you sit on.

Here's why this is important. Think about this: Here's what emergency powers mean and what we've already seen. We've closed people's schools. We've closed their churches, their mosques, their synagogues, their temples, their businesses. We've closed their places of work. We've limited gatherings of people—actually limited how many people you could have in your backyard. We've put restrictions on their travel. We've restricted access to essential caregivers and family members to their loved ones in hospitals, long-term-care homes, retirement homes, group homes, and there's an incredible amount of pain and suffering that's happened as a result of that. We've closed daycares. We've overridden collective agreements, telling people where and when they have to work, what shift, overridden seniority. And then, to top it all off, we've assigned fines and sanctions if people don't comply.

Those are all extraordinary measures. I don't think we can imagine those measures other than the context we're in. Whether we're in this context or not, those measures still override people's constitutional rights, all of our rights. Ontarians put their trust in us so we could take the necessary action to reduce the spread of COVID-19 and prepare ourselves to better manage the risks associated with the virus.

Here's the thing: The government can still amend orders on all of those things that I've just mentioned. They have same powers. They say they're limiting it—a little, not very much. All of those things, they still have these powers, but with less oversight. They don't want to come back for a vote here, for any of us, whatever side you sit on. I don't care what side you sit on, the people we represent expect that we will be vigilant when it comes to their fundamental rights. That's why we're here.

Now, I firmly believe we should continue using the emergency act and come back here every 30 days to give it the oversight it deserves, to give every member of this Legislature and every Ontarian the right to hear the rationale, the reasons and to have their say—not to slow it down or stop it, because that hasn't happened here, but to be vigilant when it comes to their basic, fundamental constitutional rights.

The other interesting thing about Bill 195 is it allows the Premier and the government to continue holding these

powers with limited oversight and extend them beyond the next election. That's a long time. I really don't understand why we can't come here, sit four days a week and make sure that when we're extending these extraordinary powers, which Bill 195 will do, we're not making sure that we're doing the right thing. That's why we're here. That's why people elected us.

The government put into Bill 195 a flaw that's in the emergency act, and we all knew about it. Maybe you didn't know about it; this may be news to some people here. It was in the bill, the original emergency act, that we all agreed needed to be fixed. That flaw is, after one year, you can table a motion to extend it for another year. That's all you have to do: Just table the motion, put it on the table, it can sit there for a year. Never debate it, never vote on it, and it'll just go for another year. They knew that needed to be fixed, and they put it into the legislation. They put the flaw into the legislation and they knew it. They said it needed to be fixed.

So one of two things is happening here: Either the government is in a hurry, which is very concerning when it comes to emergency powers, or they want the power. Either way, it's not good; wrong thing. It's a pretty big flaw. Putting it in this bill amplifies its fault. It makes it even worse than it already is.

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Ontarians have put their trust in us. We asked them for the power to take away their basic, fundamental rights so we could get through this thing together. It's a lot to ask, and they gave it to us—all of us, not a select committee. We have asked a lot of every Ontarian and they've sacrificed a lot, so we at least owe it to them to give the full consideration of this Legislature and the opportunity for every member of this Legislature to be aware of the reasons the government wants these powers and to debate it in a fulsome way.

I'll say it once more: Not once has the debate on emergency orders lasted more than a couple of hours. There has been the full co-operation of every member of this Legislature. We've all worked together to make sure that what we needed to do for Ontarians would happen as quickly as possible. We put that trust that Ontarians gave every member of this Legislature and then gave it to the government. Bill 195 erodes that trust, in here and out there.

We are still in a state of emergency. We all know that. I don't take any joy in saying it. Things are good now. They may not continue to be good. We're all working really hard, all Ontarians. Using the emergency act is the right thing to do. Let's call it what it is.

I'm not going to be voting for Bill 195. It doesn't give the proper oversight to the extraordinary things that we're taking away from Ontarians, that we're asking of them. I would encourage every member of this Legislature to be very thoughtful about what we're doing on behalf of all Ontarians.

The Acting Speaker (Mr. Percy Hatfield): The member for Scarborough–Guildwood.

Ms. Mitzie Hunter: Before I begin, I just want to say a congratulations to my niece, Jayda, who has just graduated high school and will be starting Queen's University in the fall. She'll be studying political science. Today's debate around our democracy is really fitting; it's really poli sci 101.

Speaker, it's an honour for me to rise in this House to debate Bill 195. Indeed, I feel that it is my duty as a member of this chamber to record my strong opposition to this bill, which threatens the values and the principles of our democratic institutions.

The motto inscribed above the north entrance to this assembly reads, "Ut inceptit fidelis sic permanet." This translates from Latin to "Loyal she began, loyal she remains," representing the Loyalist refugees, people from all backgrounds who settled here in this land: loyalty to Canadian values and loyalty to our country and loyalty to our province. The very institutions that we are loyal to in this House—democracy, due process and good government—are under threat from Bill 195.

My first qualm with this bill is that it is unnecessary. This government has a majority and can pass any legislation it wants through the proper processes and channels, which include legislation, motions, standing committees, orders in council, and broad emergency powers and orders. The government does not need to bypass the existing powers in order to do its sole will. To do so, they willfully avoid important and needed oversight and accountability.

This legislation will allow the government to sidestep the Legislature and the people of Ontario, whose duly elected representatives will not be allowed to weigh the benefits of the proposed measures or hold the government to account. It will remove the accountability mechanisms that are vital to our democratic institutions in Ontario.

The member from Ottawa South rightly noted that since the introduction of the emergency measures on March 17 and throughout this pandemic, we have seen enthusiastic co-operation, not only between different levels of government at the federal, provincial and municipal levels but also across party lines in this very House.

Although there has been reasonable disagreement, all members of this House work together to implement unprecedented changes that COVID has required of us to carry out our work on behalf of Ontarians, to keep the population safe during this health crisis. We have mostly put aside partisan differences to provide swift action and support for Ontarians when they've needed it the most. The mantra has often been, "We're in this together." Speaker, the results speak for themselves. Ontario is now getting prepared to enter stage 3 of its recovery, thanks to the collective efforts of millions of people in every part of our province.

Not only is this legislation unnecessary; Bill 195 is a dangerous power grab. The province is well into the recovery period. Most businesses and places will reopen across the province in a matter of mere days. Are we in a recovery, or are we in a state of emergency? The Premier cannot have it both ways. The Premier wants to emerge

from a state of emergency but keep the free use of the powers he has grown accustomed to, minus the critical oversight of a democratically elected Parliament.

This is dangerous ground. We no longer need to respond with the same sense of urgency that we did in March. We are still in the midst of a pandemic, but soon we will see an end to the emergency and we can take time to review and debate new measures instead of forcing them through the Legislature, unexamined. If we're no longer in a state of emergency, why is the Premier keeping emergency powers for his exclusive use to use whenever he sees fit? This diminishes the civil liberties and freedoms that we have as rights in this province and country.

The emergency measures act is a serious piece of legislation. It actually is only to be used in extreme circumstances in a crisis. This legislation, Bill 195, is in fact a power trip bill. This legislation would grant extraordinary, unprecedented power to the Premier without any oversight from the people of Ontario and their elected representatives. It is actually akin to giving himself a War Measures Act-like tool. You remember that? It was used in Canada in both world wars and the October Crisis. These extraordinary powers gave the government the ability to take drastic measures, some of which were necessary and some which were found to be excessive and controversial. In fact, the Momiji Health Care Society in my riding of Scarborough–Guildwood stands as a reminder and a cautionary tale to all governments to slow down and step away from bills that give you too much power.

Ontario elects representatives to work together, to provide checks and balances on power. The people of Ontario do not expect the government of the day to consolidate power to avoid transparency and scrutiny. Just because you have the power does not mean you must use the power. I always remember this from my former colleague Nathalie Des Rosiers.

This is an excessive bill. By the government's admission, the COVID-19 threat is already under control. This excessive bill reveals the old Premier Ford; the Premier is back to his old ways. Remember when he threatened to invoke the notwithstanding clause in the early days of his government to interfere with an election that was already under way? This is yet another case of this government's willingness to grab power at the expense of our democracy's health and our individual rights and freedoms.

Considering the government's indifference towards our democratic institutions, it is deeply concerning that the powers in this bill are designed to stay in place in the lead-up to the next election. Is the Ford government hoping to tip the scales in their favour? We won't know. We won't be able to ask questions. The government will have exclusive and sweeping powers with very little oversight.

The powers to pass emergency measures are supposed to be used only when in extraordinary and extreme circumstances in order to respond to extraordinary situations. They give the government a great deal of power to change our province on short notice.

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The state has immense power over our daily lives, as we know from this spring's lockdown and all of the

various stay-at-home measures. It was for the best, given the fact that we were in a health crisis. People understood that, the need. But it was a vulnerable time for everyone. We all felt this vulnerability and this exposure and relied on our government to do the right thing and to make decisions in our collective best interests. It was a decision that was justified in this House with broad consensus from all members, from all parties.

Extending these powers keeps Ontarians vulnerable long past the peak of the pandemic, and it is entirely unnecessary. Extending the emergency orders currently in place after the emergency has ended will allow the government to override all manner of Ontarians' civil liberties, including collective bargaining rights, which is a charter right. I urge the Premier to stop this power trip.

I believe that this power grab in Bill 195 is excessive. I will vote against this bill in favour of our democracy and the health of that democracy that will stand now and into the future for all Ontarians.

The Acting Speaker (Mr. Percy Hatfield): Questions and comments?

Mr. Mike Harris: I find it rather ironic that the member from Scarborough–Guildwood would stand up here and talk rather sanctimoniously about our government eroding the confidence in democracy here in the province when the government that the previous member was a part of did that for 15 years. My question to her is—she seems to think that she has all these great ideas—how would she do this? What would she do to be able to protect the people of Ontario? To the member, I ask the question.

Ms. Mitzie Hunter: I would say to the member opposite that I'm doing exactly what I was elected to do by the people of Scarborough–Guildwood, which is to be here and to participate as a legislator in decisions that impact the health of every Ontarian.

You look at the example with the long-term-care centres. In my riding of Scarborough–Guildwood, there have been numerous outbreaks. I've stood in this Legislature—in fact, before the state of emergency was declared on March 17. On March 11, I asked the minister about how we protect our long-term-care homes, and I suggested that we close those facilities to unnecessary visitors to protect health, because the virus was spreading in the community at the time. It was very early days, but that alarm was sounded by this member in this Legislature, working together with the government on the pandemic.

The Acting Speaker (Mr. Percy Hatfield): The member for Waterloo.

Ms. Catherine Fife: Thanks to both speakers who commented on Bill 195. We definitely share some common concerns, I think. The member from Scarborough–Guildwood mentioned the former member, Nathalie Des Rosiers, and how she would often—in a very beautiful French accent, I might say—talk about power that legislators have and how careful and how cautious we have to be with that power. But also, she used to comment about the motivation that the government has in overstepping their limit on power.

Perhaps the member could talk about what that does to the confidence in our democracy in the province?

Ms. Mitzie Hunter: I know when I raised the War Measures Act, I did see the members opposite cringe. I'm glad that you did cringe, because it's something that we should all be very cautious about. You should know that the emergency acts flow from the War Measures Act. They flow directly from that. It is about taking away people's individual rights in order to overcome something that is an extraordinary threat to all of our survival. So it should not just be used at whim and at will. In fact, I strongly believe it should not be used without the oversight provided by the elected representatives of all the people of this province. That's what the Legislature is here for. That's what this place was established to do. Bring the decisions here that are vital to the survival of the people, and you won't go wrong.

The Acting Speaker (Mr. Percy Hatfield): Thank you. The member for Mississauga Centre.

M^{me} Natalia Kusendova: Ma question est pour le député d'Ottawa-Sud. On a célébré aujourd'hui le jour de la Bastille ensemble, alors je vais demander ma question en français.

Lors de mon retour à l'hôpital, j'ai pu constater de mes yeux le travail acharné et le dévouement de nos travailleurs de santé de première ligne. Non seulement cela, mais j'ai vu de première main comment le travail des Ontariennes et Ontariens pour aplatir la courbe a fait en sorte que nos hôpitaux restent dans une capacité gérable. Donc, notre système de santé est en bonne position alors que la pandémie a duré au cours des derniers mois. Notre gouvernement reconnaît ce travail dur pour maintenir une capacité adéquate dans les hôpitaux.

Ce projet de loi reflétera ceci, limitant la capacité de modifier les ordonnances d'urgence existant dans certaines facettes. Il semblerait excessif de contester ce projet de loi alors qu'il reflète simplement à quel point la situation de notre province est meilleure, tout en gardant la capacité de prendre des décisions, si nécessaire. Est-ce que le membre est d'accord?

Mr. John Fraser: Merci pour votre question. Je ne vais pas répondre en français parce que we don't have enough time—pas de temps.

Nothing in this bill gives the government any more powers than it has right now. It could do that right now. What it does is that it says it doesn't come back here to all of us. That's the point I'm trying to make.

I know you all care—we all care—about capacity in hospitals. The bill doesn't change that. The bill says, "You don't get to talk about that." I don't get to talk about it. They don't get to talk about it. The seven people on the select committee don't get—or the 11, I should say; I don't want to overstate it.

We're overriding people's constitutional rights.

The member from Scarborough–Guildwood mentioned the War Measures Act. It's analogous. I know that was more extreme, but we're doing the same thing.

The Acting Speaker (Mr. Percy Hatfield): Questions and comments?

Ms. Goldie Ghamari: Mr. Speaker, I can't help but rise and ask a question of the member. She said that when she mentioned the War Measures Act, she saw members of the government cringing. Yes, you're right; I did cringe. Coming from a country that my parents escaped from, that is literally an undemocratic terrorist regime that is murdering people, that has no democracy, that has no rule of law—to hear members of the opposition accuse us of being undemocratic or challenging the rule of law is cringe-worthy because it's literally disrespecting the experiences of the people in Iran and other countries around the world who have to deal with an undemocratic country.

My question to the member is, what makes this unconstitutional? What exactly about our bill, which has done nothing but protect the people of Ontario, protect lives and make sure that we're not dealing with the situation south of the border—what do you not like about it?

Ms. Mitzie Hunter: I want to thank the member for her personal story. We all have those personal stories.

I think that it's a reminder. I used this language to caution this government. You have a majority. You have the power to write legislation. Why write legislation to unilaterally give yourself more exclusive emergency powers? Why would you do that? This Legislature is a symbol of our democracy. It is our democracy here—124 members who are duly elected to represent the people of Ontario. Flow your legislation through the House. Use the emergency powers in a cautious way. Don't abuse it.

The Acting Speaker (Mr. Percy Hatfield): Questions and comments?

Ms. Jessica Bell: Thank you to the member for Scarborough–Guildwood for your presentation. I was listening carefully. Thank you, also, for the comments you made about democracy. Democracy can take many shapes and forms, and it's not just about whether you can walk down the street and be free of persecution.

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Can the member from Scarborough–Guildwood elaborate on what specifically your concerns are with moving from this bill being accountable to the Legislature to being accountable to just a select committee?

Ms. Mitzie Hunter: My greatest concern is the fact that this legislation and its decisions will take away from the transparency inherent in this House and put it in a select committee that doesn't have the same level of transparency. It doesn't have the same level of oversight, is not as accountable to each member of the Legislature the way that the current emergency orders report back to the Legislature every 30 days for renewal.

Part of that renewal is that these are extraordinary powers that limit people's freedoms. Their right to collectively bargain—we've mentioned that. We've seen where the nurses are concerned that their shifts are going to be changed without discussion. The rights that they have bargained for are going to be taken away under those extraordinary powers. It's just one example, but it really is a cautionary tale for this government to slow down and to stop the power trip.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Ms. Goldie Ghamari: It's an honour to rise today and speak to Bill 195. Having heard the debate in the House both yesterday and today and having listened intently to the Solicitor General's comments earlier today and also from her parliamentary assistant, Bill 195 is something that I'm proud to support and it's truly a privilege and an honour to be here to speak on behalf of the people of Carleton in supporting this critical piece of legislation.

Mr. Speaker, I'm going to read an article. This is from CTV Ottawa today. It was published just about six hours ago, at 12 o'clock, and I think this is going to put it into context. CTV Ottawa published today that, "There are seven new cases of COVID-19 in Ottawa, while no new deaths have been reported for an 18th straight day."

"Ottawa Public Health announced the new cases in their daily update on their COVID-19 dashboard." Mr. Speaker, I just want to repeat that again: "There are seven new cases of COVID-19 in Ottawa," however "no new deaths have been reported for an 18th straight day."

When you look at that and you compare that to what's going on south of the border and to what's going on in other countries, especially in the previous months, I think that really speaks to what our government has done to protect the people of Ontario. When you read an article and when you look at these statistics, it's easy to just disassociate yourself. It's easy to just see it as a number or just another statistical figure.

Every single one of these numbers is a person—every single number. These are individuals, people who have lost their lives. And this is not just impacting them, but it's impacting their family, their friends, their loved ones. It's so unfortunate that we've had so many deaths, but at the same time we should also be grateful and thankful that the numbers weren't much higher. Because if we hadn't taken the steps that we did to get to where we are today, the numbers could have been much higher and the situation could have been much worse.

We look at Texas. We look at Florida. We look at what's going on down south and the fact that today there are over 138,000 deaths in the United States. It's mind-boggling, Mr. Speaker.

When I stand here and I look at what our government has done and what the Premier has done, and the fact that he's really taken the politics out of the decisions that he's been making—and not just him, but everyone. All of our ministers: the Minister of Health, the Minister of Education, the Minister of Long-Term Care, the Associate Minister of Mental Health—everyone—they've really buckled down. They've focused on the facts. They've focused on the advice they're getting from the experts in the field. And not only that, they've been collaborating with their colleagues, both federally and municipally, so that together we can support and guide and protect the people of Ontario.

Ultimately, when we're elected to be here in the House and when people put their faith and trust in us, and for me, when the people of Carleton put their faith and trust in me

to represent them here in this House, that's a big deal. They rely on me to do what's in their best interests. They rely on me to be their voice and to represent them.

When I hear these allegations and accusations that our party is trying to consolidate power or that our party is trying to limit parliamentary procedure or impact people's constitutional rights, it almost seems—I don't even know how to say it, Mr. Speaker, without being disrespectful. It just seems like they're really cheapening people's lives, and it almost seems like they're just taking these numbers and they're using them as pawns or statistics without realizing that every decision we're making has an impact on someone's life.

For better or worse, as legislators in this House, we are the ones who are dealing with this pandemic. We might not know it now, but 10 years, 20 years, 50 years or 100 years from now, when in the history books they're writing about this situation and what happened, I think it's going to be very obvious how things played out and what actions were taken and who really did the job well.

Even in question period today—and I completely understand. In a democracy and in a system that we have, it's the role of the official opposition to question the government on what they do. But just hearing the leader of the official opposition or other members of the official opposition questioning the Minister of Education on the fact that he has no plan for September; meanwhile, the Minister of Education has made it—

Interjections.

The Acting Speaker (Mr. Percy Hatfield): Order, please.

Ms. Goldie Ghamari: Again, I hear members of the official opposition laughing instead of actually taking the time to listen to what I'm saying because while they're making these allegations and while they're standing there, grandstanding and accusing us of not doing our job, what the Minister of Education has in fact done is taken the expert evidence and expert medical advice of Ontario's Chief Medical Officer of Health. He has used that to create a scenario and he has used that to create three different situations, because none of us will know what's going to happen in September. Obviously, we would love to have schools open on a full-time basis, five days a week. There's nothing more that we would like. But again, that's not something that we can predict down the road, and the Minister of Education made that very clear. He has worked with experts in the field to come up with three scenarios, because none of us has a crystal ball.

I guarantee you, Mr. Speaker, that back in January, none of us would have known or predicted that we would be in this situation today, six months later. I think that speaks to the importance of having these emergency measures in place because what these emergency measures do is give our government the opportunity to move forward in a post-COVID situation. It gives our government and legislators an opportunity to deal with these situations and future situations so that, moving forward, if we're ever faced with a similar scenario, we have the tools at our disposal to keep the people of Ontario safe.

I just want to quote something that the Minister of Health said back on July 7 when they announced legislation to protect public health as the economy reopens. The Minister of Health said, "If passed, the proposed legislation would allow us to chart a responsible path to economic reopening and recovery without putting all the progress we've made in fighting this virus at risk. Even as we continue certain emergency orders under the proposed legislation to protect public health, we will always be a government accountable to the people of Ontario. That's why" we're going to "ensure ongoing updates are provided and that a report is tabled within four months of the anniversary of this proposed act coming into force."

The Solicitor General said—she mentioned this in her speech as well today—that while the declaration of emergency may come to an end shortly, the risk posed by COVID-19 is likely to be with us for some time to come.

1810

This new legislation, Bill 195, that we've introduced in the House, and one that I'm proud to support, is going to provide the government with the necessary flexibility to ensure that select tools remain in place to protect vulnerable populations such as seniors and to respond to the deadly virus.

Again, Madam Speaker, the flexibility in this legislation speaks to the fact that we do not have a crystal ball. We can't predict what's going to happen in three months, five months or six months, but what we can do is ensure that we do have the tools necessary at our disposal to continue to keep the people of Ontario safe.

Essentially, what this bill does is, once the declaration of emergency ends, the proposed legislation, Bill 195, is going to allow the province to continue on its path to recovery. It's going to do that, Madam Speaker, by easing restrictions where appropriate and it's going to maintain measures to address the ongoing threat of COVID-19. That would include the ability to extend existing orders and to amend existing orders that are related to closing or regulating places, compliance with public health advice, restrictions on gatherings and organized public events, and also work redeployment and labour practices.

Madam Speaker, what that says—and I want to be very clear about this because, again, I've heard a lot from the official opposition and the independent party members that this is sort of a sneaky way of consolidating power or reducing democratic rights. I see the member from Ottawa South nodding his head—

Mr. John Fraser: That's a yes.

Ms. Goldie Ghamari: Obviously, I disagree with the member—

Mr. John Fraser: I agree.

Ms. Goldie Ghamari: —because I think a lot of Ontario does disagree with the member because that's the reason the Liberal Party has lost official party status, but that's a whole other scenario.

The reason that we're doing this, and the important thing here, is that the tool for amending and extending certain orders would only include those emergency orders

that are active when the declaration of emergency concludes. So, Madam Speaker, the proposed legislation is not going to provide the ability to make new orders. The proposed legislation only deals with the orders that are already in place and have been in place to protect the people of Ontario from the COVID-19 pandemic.

One thing that our government campaigned upon, and something that I personally take very seriously given my background—coming from an undemocratic country and my parents fleeing the terrorist regime in Iran—is that transparency and accountability is very important to me. It's something my parents taught me to always value and respect. One thing that we've done to ensure that our government remains transparent and accountable, given the fact that we're introducing legislation that's going to extend certain emergency orders, is that the act does include accountability measures that are in addition to those prescribed during a declaration of emergency. These accountability measures include requiring the government to report to an all-party select committee of the Legislature at least once every 30 days to provide the rationale and to answer questions regarding the extension of any emergency order.

That all-party select committee refers back to government notice of motion number 85, which we've been debating last night and I think we might be debating again this week, which discusses the creation of a committee that is comprised of both government members as well as official opposition and independent party members. The Premier and/or designate would have to report to that committee every 30 days. I think that speaks to how seriously we're taking this as a government.

The other accountability measure, Madam Speaker, we're taking is that it also requires the Premier or designated minister to report regularly to the public on orders that continue to be in force. I think that accountability is the most important because ultimately it makes the Premier of Ontario—regardless of who they are—accountable to the people. I think that's so important because, when you're talking about democracy and you're talking about the rule of law, you have to lead by example. I think the fact that this legislation, even though it's providing tools to protect the people of Ontario in extraordinary circumstances—at the same time, it still provides the mechanisms that will hold government accountable. I think that is what makes this legislation so critical and so well-written and something that I personally am so proud to support, not just as someone who comes from the background that I do, but also as someone who is a lawyer.

One thing I learned in law school, right at the beginning, was constitutional law and democracy, and the intersection between Legislatures and the courts and the rule of law and how legislation interacts with the common law, and also how oftentimes judges can rule on a piece of legislation or what legislation can do or whatever the case might be. These are things I'm well aware of. Prior to getting elected, I appeared not just at the international trade tribunal on matters of law, but also at the Federal Court of Appeal, the Federal Court, the Superior Court,

Small Claims Court—which is something that all articling students go to—and the landlord and tenant tribunal. I've appeared at all levels of court, so I do have an intimate understanding and knowledge of the rule of law and how the court system intersects and interacts with the Legislature and legislation, and nothing in this piece of legislation even begins to question the relationship between our various democratic institutions. So when I hear these allegations that our government is looking to limit democracy or that we're trying to consolidate power, but they don't provide any facts, it's hard to swallow.

When I'm looking at what has happened here versus what happened in the States—everything we've done has been to protect the people of Ontario. All the decisions we've made have been made with the guidance of the Chief Medical Officer of Health of Ontario. He has been working tirelessly.

When the members of the official opposition laugh at me when I'm mentioning that we don't know what's going to happen in September, I think that cheapens the situation and I think it devalues the experiences that people are having right now. We can't predict what's going to happen in September. We don't know if there's going to be a second wave or not.

I think part of the reason our government has been so successful in protecting the people of Ontario is that we have been flexible and we have been able to modify and adapt and move forward with the ever-changing science. This is such a new situation, and I think if we hold to a rigid path and put our blinders on and say, "This is the path we're going to take," that's to the detriment of the people of Ontario. Instead, if we keep an open mind, like the Premier has done, and if we continue to rely on the expert advice of medical officers and the experts and continue to engage in consultations with parents and teachers and businesses and everyone in the province as we open our province and move into stage 3—I think keeping an open mind and understanding that we need to have that flexibility to protect people and to change the situation is really what's going to help the most.

Ultimately, everything that we're doing is to protect the people of Ontario. Everything that we're doing is to make sure that we can save as many lives as possible from this unprecedented pandemic. I know it's something that none of us ever thought we would face or deal with in our lifetimes, but we are here, and whether you believe that God put you here or whether you think it's a coincidence or whether you think it was destiny or whatever the case might be—for whatever reason, the universe decided that at this moment in time we're going to be the ones who are here dealing with this. I really hope that we can all come together and put aside the partisanship and focus on helping the people of Ontario.

I urge the members of the official opposition to take some time to read the legislation—not look at the talking points and not focus on attacking our government—and just think about what is in the best interests of the people of Ontario. When you make these allegations claiming that we're trying to limit democracy or we're trying to attack

the Constitution, what are your allegations based off of? Give me some facts, give me something. I understand members of the official opposition—we're supposed to criticize each other. I get that; I really do. But I think in this kind of situation, instead of criticizing each other all the time, maybe we should really just focus on what we can do to improve.

1820

So maybe instead of just attacking us constantly, or maybe instead of just saying that we don't have a plan, even though we've made it very clear that we can't have a plan because we don't know what the medical experts are going to say, you give us a plan. And if you do want to give us a plan, please tell us what that plan is based off of. Is it based off of your personal opinion, or is it based off of expert advice? Because everything that we have done, we have relied upon the experts.

That's why, Madam Speaker, I'm so happy and I'm so proud to support and promote Bill 195, because I think it's ultimately a legacy to what we have done to protect the people of Ontario. I really do hope that everyone in this House will support this legislation, because ultimately the more we can do to protect the people of Ontario and the more lives we save, that's what matters in the end.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Ms. Catherine Fife: Very interesting to hear the member from Carleton say that earlier today the official opposition was grandstanding by asking a question of the Minister of Education; bringing the voices of parents, students, and teachers and educators to this place, and calling that grandstanding. Maybe they're going to get rid of question period next time. It's a slippery slope once you try to grab additional power.

Just to give you a quick example, our education critic today was in one of the washrooms here in the Legislature. Now, we have touchless taps and soap dispensers that actually have soap in them. That's what we need in schools. If you follow Fix Our Schools, they will tell you that the infrastructure deficit in our schools is huge. You could be planning to go back to school five days a week; you just can't cheap out on it. And when you dismiss the official opposition, you also dismiss the people of this province. Why are you so content and happy to do that?

Ms. Goldie Ghamari: I think, again, it's unfortunate, and this is what I meant when I said I just wish that the official opposition wouldn't attack us so much, because just to mention her question to me that, "What's next, we're going to end question period?" I think this just shows the unwillingness to really listen to what we're saying and to what we're doing.

At no point did we say that we are going to cheap out on students. In fact, the Minister of Education made it very clear all of the investments that we're doing—in fact, I know that in Ottawa, at the Ottawa-Carleton District School Board, we're investing additional millions of dollars to protect schools. But again, speaking to schools, it's not about whether or not we want them open. Obviously we all want the schools to be open. It's about whether

or not it's safe for our children. That's what we're going to rely upon. That's not a political decision; that's a decision that's based on fact from the chief medical officer of Ontario.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Mr. John Fraser: I thank the member for her comments. I guess the question that I have is fundamental constitutional rights—and I know you're a lawyer—things like the ability to gather, to earn a living, to have access to your family, all those things that we do under the emergency orders that are really significant, and if we took COVID out, we would look at those and go, "Wow, those are pretty drastic." What's happening is the debate over that is getting put to 10% of this House, outside of the—

The Acting Speaker (Ms. Jennifer K. French): Question?

Mr. John Fraser: Why does the member not think it's important for all of us to continue to debate these rights?

Ms. Goldie Ghamari: I obviously think it's very important to debate these rights, but at the same time, I also think that we need to take the politics out of it, because I don't think it should be up to any politician to determine what's going on. One thing that our government has done from the beginning is that every single decision that we have made has been based on facts and science. It's been based on the expert advice of the chief medical officer of Ontario. The people of Ontario have realized that. They've respected that. I think part of the reason why we have been so successful in mitigating and limiting COVID-19 in this province is because the people have understood that we are here to protect them, we are here to support them. They have worked with us, and they have maintained the physical distancing and limitation on gatherings. Together, we can get through it. And these decisions have been based on facts and science.

The Acting Speaker (Ms. Jennifer K. French): Question?

Mr. Lorne Coe: Bill 195 would limit the number of ways that emergency orders could be amended within. Does the member from Carleton think that this approach effectively balances the need to respond to COVID-19, while not overreaching government authority?

Ms. Goldie Ghamari: Thank you to the member from Whitby for that question. I think one of the reasons why we're not just going to keep using the existing state of emergency is that recent public health indicators show us that we're beginning to turn a corner in the COVID-19 outbreak. As we cautiously move forward with recovery, we really need to consider the best way to move forward to ensure that we do not spark a sudden outbreak.

This act provides the government with extraordinary powers to deal with the most urgent phase of the COVID-19 emergency, but it would also ensure that our government maintains only the ability needed to continue to keep Ontario safe from the ongoing threat of COVID-19 as we move forward. So what this bill does is that it would support the gradual reopening of our economy by allowing incremental changes to public health measures, while

recognizing that COVID-19 still poses a threat even after the declaration of emergency has ended.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Mr. Taras Natyshak: Just want to get the member on the record here for the sake of the members in the chamber and for the sake of posterity: At some point, governments change. They change political stripes and they change partisan affiliations. I wonder if the member would agree that if a Liberal government was in place, or an NDP government or a Green Party government, if these extraordinary measures would be warranted today, and would she vote in favour of any other party to bring these about?

Interjections.

The Acting Speaker (Ms. Jennifer K. French): Order. Response?

Ms. Goldie Ghamari: I actually didn't hear the question because there was too much clapping and cheering from the other side. I would ask the member to repeat his question, please.

The Acting Speaker (Ms. Jennifer K. French): I recognize the member from Essex.

Mr. Taras Natyshak: I'd be happy to. If the same circumstances—and undeniably, they may—would the member herself vote with another political party? If these measures were enacted by a different political stripe, would she stand in her place in this House and support the extraordinary measures that she—

The Acting Speaker (Ms. Jennifer K. French): Thank you. Response?

Ms. Goldie Ghamari: Thank you to the member for his question. I was elected to represent the people of my riding. There is no monopoly on a good idea, and unlike the member opposite, I would put my pride aside, and I would vote for the best interests of the people of Ontario. If that meant voting for a piece of legislation from the opposite party, if it was in the best interests of the people of Ontario, then I would vote for it, because that's what I'm here to do.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Mr. Sam Oosterhoff: I appreciate the opportunity to stand in this House. I want to thank the member for Carleton for rising and speaking to this important legislation. I'm wondering if she could speak to the importance of when it comes to providing hope for our communities, seeing that we are moving away from the emergency orders that have, obviously, been drastic. We recognize the severity of the actions taken. Could the member on our benches, the member from Carleton, perhaps speak to the hope that this provides people in our communities as they see us moving away from the emergency orders?

Ms. Goldie Ghamari: I'd like to—

The Acting Speaker (Ms. Jennifer K. French): Sorry. Response? Now I recognize—oh, hold on, I don't. Stand, please. I can't recognize you—thank you. Member from Carleton.

Ms. Goldie Ghamari: Thank you, Madam Speaker. Sorry, I got a little excited there with the member's question.

There has been, I think. There's a lot of hope right now. There's a lot of optimism, moving forward. I think a lot of that has to do again with the situation and what's going on.

1830
I actually want to share with everyone—this is an email I received on July 12, so just a few days ago. This is from Judith Sammon, who is a constituent in my riding. She's vice-president of the Munster Community Association, and she writes:

“Dear Goldie:

“I hope that this message finds you, your family and staff well during this pandemic.

“Many things, including MCA events and the AGM, have been cancelled due to COVID-19. However, I am happy to report that the MCA executive has continued meeting virtually with the assistance of Zoom. That being said, I would like to formally introduce you to Patty Searl who has taken over my duties as MCA vice-president. I am sure Patty will do an excellent job and I hope that you continue to support the wonderful community of Munster, including the Munster Community Association....”

I think what this shows, Madam Speaker, is that, despite the pandemic, community associations have been working together, have been working to help their communities and there is hope that, moving forward, we can get back to a state of where we were before, and our government is here to support them in doing that.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Ms. Catherine Fife: It's been a very interesting debate on Bill 195. I'm not sure that all the government members have taken the time to actually review this piece of legislation. The former member for Welland, the late Peter Kormos, had advised all of us when we first came into this House that one of the key things we should do as legislators is read the bill—not just read the notes, not just read the messaging, but actually read the legislation to fully understand what we're talking about here in this place.

There is no question, there is no doubt that Bill 195 is not needed, and I think the people of this province see through that. It has been described that this bill has illegitimate purpose. The existing emergency legislation gives the government the tools they need to deal with the pandemic. This is an overstep of that power, and we will not be supporting it. In fact, if there was a way for us to stop this legislation right here, right now, we would.

And prior to running out of time, the member from Carleton had just been speaking about—if you don't respect this legislation, then the opposition is cheapening people's lives. I take great umbrage at that, Madam Speaker, because what the official opposition has done consistently through this pandemic in this House, which is our job, is to raise the awareness that the pandemic and COVID-19 have on the people of this province.

Indeed, the pressure that we have elicited on the government throughout this period has effected some real change. And it's true, the official opposition can be a thorn in the government's side, and we have been. Sometimes that is our job. It is also our job to bring the perspective of

the lived experience of citizens in this province to this place.

What Bill 195 essentially will do is take the decision-making, once Bill 195 passes—it's going to pass because they have a majority government. Just like the notwithstanding clause—and we fought that tooth and nail, as did the people of the city I'll remind you—it removes the power that we have as individual legislators, that the people who have sent us here to this place where we take our seats—we take an oath actually to serve those people. What Bill 195 does is, it gives that power to 10% of the people in this place on the government side. Even our amendment yesterday to try to make—the committee that you're creating to deal with this in place of us doesn't have equal representation. I mean, that would have been a concession if the government truly believed this is something that we really, truly need. We didn't even get a chance to vote on that amendment yesterday.

I think it's very important for us to remember the context in which Bill 195 has come to this Legislature. Not only will we have this committee that is going to replace us, essentially, that will not have equal representation; it claims that the Premier, or his designate, will come to make an opening statement. There is, however, no enforcement to make sure this happens.

So it's just really a charade, Madam Speaker, and this is all happening within the context—and we can all remember this very well, that in February 2020, so not that long ago, the Premier stood in his place and declared that the election was on, that the campaign had begun. He even went to the member from Essex's riding to have a huge hullabaloo and called out the member in that situation and said, "We're coming for your seat." It's truly a testament to how effective the member from Essex has been. He is our ethics critic, and this government has given him a lot of material to work with.

Not only has the Premier declared that the campaign is on, but just today he went on the road. The Premier is on the road again. He's on the road for eight weeks. He will be visiting places across the province, making funding announcements with various members of his caucus. So we are essentially in an election.

Meanwhile, back here at the House, the people's House, Bill 195 will remove our voices from any further decisions going forward to deal with the pandemic. Keep in mind: There is nothing right now that can happen in this House that the government does not really want to make happen.

When the member from Carleton says, "Oh, I don't know what you're talking about," this is what we are talking about: who holds power, who uses that power, and who can abuse that power. Remember that our role here in this Legislature is to share power; it is not to hoard the power. That is why we are here in this place. And because there are so many Ontarians who have a disparity in how they live their lives, from their housing situation to the level of sick days that they have to the minimum wage that just got cut back before this government came here, our job is to make sure that we are sharing the power that this

place affords. That is the power and that is the strength of our democracy. Is that happening right now? No, it is not. Will it happen if Bill 195 passes as it is drafted? No, it will not.

There was some talk about—this is essentially a big-government bill, and the Progressive Conservative brand is smaller government, less intrusion. I think that because COVID-19 has been such an unprecedented situation for the province to experience, when the government shut down the businesses and limited people getting together and limited outdoor activities—everything short of what happens in a bedroom, although there was some talk of that at some point—this was accepted because of the circumstances.

Yet the Conservatives at the federal level—when Justin Trudeau tried to do essentially the same thing, a power grab once COVID-19 had hit, at the federal level, this is what Andrew Scheer said: "There are several aspects of the government's legislation that are undemocratic." This is what happened when the Liberals brought in sweeping powers to unilaterally spend, borrow and change taxation levels without Parliament's approval for the next 21 months. They snuck in that 21 months. I don't know if you recall this. Later, because democracy works—and because it's a minority, I might add—the opposition parties made the government pull that 21 months, therefore upholding their rights as individual members and therefore upholding their rights as the rights of citizens in this country. That's the extension of the power that we have as individual MPPs. In the end, the big quote was that Trudeau had to "stick with the whole democracy thing." Yes, democracy can be messy, but democracy is certainly worth fighting for in all contexts—in all contexts.

Where we are right now is, if Bill 195 does pass, there will be no meaningful democratic check on government power. We are not in this together if we're not all in that backroom. As decisions get made by a very select group of people, there is no check and balance on that power. You are actually hobbling us. You are taking away our roles and our responsibilities as legislators.

It is completely and utterly unnecessary. Earlier today our government House leader commented that at every step of the way, when you have brought in emergency powers or emergency extensions of those powers, we have not stood in your way. We have not extended the debate. It happened to be here on the first day, and the discourse and the tenor of those conversations was respectful, because we had a shared purpose as a Legislature. We had a shared purpose in ensuring that Ontario was going to get through this together.

1840

This step that you have taken compromises your brand. Now that the Premier has declared that we are in an election, be mindful of that. Use your individual voices as legislators. Try to get to the government House leader. Try to get to the cabinet table and ask, "If we don't need to do this, why are we doing it?" The intention of this legislation and the motivation for this legislation call into question the

very values that the Premier espouses every day at those press conferences.

Those press conferences have really received some attention. Earlier this week, Bob Hepburn wrote that once Ford declared that there was an election, these public relations campaigns “appear as news.” Every day, these news announcements—it is truly unearned media.

Ms. Sandy Shaw: Like Donald Trump.

Ms. Catherine Fife: Very similar to Trump. Nobody wants to be compared to Donald Trump. You really don’t want that. The comparison on using the pandemic, on using this crisis to further your own political gains is distasteful to Ontarians.

Ms. Donna Skelly: Oh, come on. My God. Unbelievable.

Ms. Catherine Fife: You may not like it. You may not like hearing it. But you should pay attention to it.

Mr. Hepburn also went on to say, “In reality,” these press conferences have “deteriorated into a political advertising exercise—and it’s free!”

Even Justin Trudeau cancelled his pandemic briefings on June 29 because there was no purpose to them at that time.

The perception of what’s happening in this place matters, because it speaks to the confidence that the people have in us and in this Legislature. There are very good reasons for the people of this province to be concerned.

I understand that the Conservatives are not always in support of our labour partners. Our labour partners have raised some very valid points that Bill 195 will undermine. As a woman in the province of Ontario who has benefited from the civil rights that unions have fought for, be it pay equity or vacations or sick leave or child care, I take their criticism of Bill 195 seriously.

The proposed legislation extending emergency powers will give the province significant powers at the expense of front-line workers. Bill 195 overrides worker rights in the following areas:

- article 7, grievance and arbitration procedure;
- article 9, seniority;
- article 10, contracting-out of workers;
- article 11, work of the bargaining unit;
- article 12, sick leave;
- article 14, hours of work;
- article 16, holidays;
- article 18, vacations.

This will hurt workers in the following ways—and I urge you to listen to this criticism: Vacations can be cancelled; your shifts can be changed, from days to nights, for example; your job can be eliminated and you can be reassigned with no say; hours of work can be changed; leaves of absence can be denied; and you can be moved to another site.

The nurses of Ontario are paying very close attention to this piece of legislation. The nurses, of course, have been caught up in this under-1% raise—0.993%, I think it is. They want to come to the table and collectively bargain with the government—especially this government, who talked extensively about how important nurses were

during COVID-19. There are basic safety considerations that still are at play in the province of Ontario.

The midwives of Waterloo region have reached out to me because they still don’t have personal protective equipment. It boggles the mind. This government took the midwives to court, not one, not two, but three full times. I have to say, they’re batting zero on defending constitutional rights in the province of Ontario. Thankfully, the Superior Court of Ontario has recognized that midwives have been disproportionately discriminated against by first the Liberal government and now the Conservative government by not acknowledging the pay discrepancy.

Midwives—and it does seem like women in the province of Ontario continue to be singled out, if you will, be you a child care worker, a nurse, an ECE, a personal support worker—did I already say that? Yes—or nurse. I should say “personal support workers” twice because they were being forced to move from home to home just to make ends meet during this pandemic. They were not protected by this government. No iron ring was around any long-term-care home. And instead of talking about the state of affairs in our long-term-care facilities, be they for-profit or not-for-profit—and we know how poorly the for-profit homes are doing—we should be debating legislation right now around ensuring that air conditioning is actually funded in the province of Ontario. Are we doing that? No, we’re not doing that. Are we talking about the personal support workers that still have not received the top-up and are still being paid around minimum wage or less, and are understaffed still?

These are the things that we should be talking about, and that’s actually what the Premier had promised us, not a bill that undermines our roles and responsibilities as elected members of provincial Parliament. He promised that we will be in this together and we will fast-track and streamline legislation that can address COVID-19, be it in education or be it in health care or be it around the working conditions of some of the most marginalized and vulnerable workers, who—we’re going to be here probably until midnight again tonight. We should be here that late because there are people around this province who have been working through this entire pandemic without a sick day, without a raise and without any security.

Really, when people look at what is happening here in this Pink Palace, and the government is fighting for more power instead of talking about the people that we serve, this compromises and undermines everything that we are supposed to be doing in this place.

I would say about Bill 195 that it is distasteful in so many ways that a pandemic is cover for a power grab. This is not how a democracy should operate. It’s not how a true leader gets a constituency—in this case, the province of Ontario—through an emergency, just as we have experienced.

I will say that people in this province have tolerated the violation, the removal of their privileges of as citizens, because they believed that we were all in this together. They will not tolerate this on a go-forward basis. They will not adhere to public health directives if they see a

government clearly moving towards a very partisan and political direction. Bill 195, which enacts the so-called Reopening Ontario (A Flexible Response to COVID-19) Act, will move forward and modify the manner in which we work in this place. There are many people who care deeply about the work that we do because they count on us to come here and to make sure that their interests and their rights are upheld.

That leads me to the final point that I want to get on the record, because some of the existing emergency orders, which now will be extended without oversight, may have an asymmetrical impact on marginalized Ontarians. This is very timely and very important. For example, the Reg. 114/20 order under subsection 7.0.2(4) of the act, “Enforcement of orders,” confers broad discretionary power to police and bylaw officers. There is a legitimate fear it will be misused or used as asymmetrically against communities who are already over-policed. This order has been compared to carding by some community advocates.

Allowing the indefinite extension of this order and any other order that increases state power could have a negative impact on marginalized communities, and at no point has any government member addressed this issue. Given the politics and the culture of this province that are at play right now, including Black Lives Matter, if you want to instill confidence in the justice system, in the police, then that also requires checks and balances in this place to ensure that there is not an overreach on behalf of police in the province of Ontario.

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We have a duty and a responsibility to share the power of this place, not to put it in the backroom and out of the sight of the people of this province. I take that duty and that responsibility very seriously, and I would urge the members on the other side of the House to please try to get the powers that are within your party to listen to the legitimate criticism that we have brought forward. Bill 195 is not needed. It has illegitimate purpose, and it needs to be defeated so that we can get back to the real work that the people of this province expect us to do.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Mr. Sam Oosterhoff: I appreciate the chance to rise. I want to thank the member opposite for her comments. But it's very clear, Speaker, that the NDP have a lust for power. We heard time and time again today from the member opposite about power and how they want power and the NDP needs power. I don't know if I've ever heard the word used as many times in the Legislature as in the speech that the member opposite spoke.

I want to thank the people of Ontario who decided to send this government to this Legislature with a majority, and that is very important to remember, Speaker, as we have these conversations. My question to the member opposite who wants the power to make all the decisions: What date would she end the emergency orders, if she doesn't want this legislation, and why?

Ms. Catherine Fife: Just as the discourse with the education minister today who said, “We don't really know

what's going to happen”—there is a need to be flexible. And you already have that power right now; that's the point. You hold all the cards right now. You have a majority government.

You have run roughshod over legislation and private members' bills and even citizens' rights with the “notwithstanding” clause, the threat of the “notwithstanding” clause, which actually overhangs this entire place, because the Premier said—and you will remember what he said. He said he will pull that out of his pocket at any point in time. So Bill 195 is not needed. Bill 195 has illegitimate purpose and it should not come to the floor for a vote in this Legislature.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Ms. Sandy Shaw: The expression, “illegitimate purpose,” is very apt, and I think that what we are seeing here—in my riding, what I am asked to do is to help citizens get their test results back. I have been asked to make sure that the workers have PPE. I've been asked about plans for child care. I've been asked about protecting people in long-term care. That is the purpose of my work here.

Here we have a bill called Reopening Ontario, and it doesn't speak to any of these things. Instead, it seems to me that the members opposite are busying themselves giving away the constitutional rights of the members and their constituency. My question to you would be: What would you expect to be in a bill called Reopening Ontario? Not a power grab, but what are some of the issues that you think the people of Ontario really want us to be dealing with?

Ms. Catherine Fife: Thank you for the question. I didn't get to this part, but it relates to the situation around health care. The SEIU has said that Bill 195 is an attack on health care workers, “which would deny burnt-out staff without desperately needed respite and vacation after months of excruciatingly difficult circumstances.

“Bill 195 is an extraordinary overreach that would allow for already precarious workers to be further exploited by the for-profit long-term care industry, including denials of vacation and respite.”

I would expect, during a pandemic, that this allowance would not be part of legislation that a government brings forward.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Mr. Jeremy Roberts: I appreciated the remarks from the member for Waterloo. She always speaks with great passion and conviction, and I appreciate that.

The member mentioned numerous times in her speech that there is going to be no oversight whatsoever. I know sometimes when we give speeches, we make over-generalizations. We're all guilty of this in the heat of the moment. But of course, when I read this legislation, I see two pieces of important oversight: the sunset clause and the select committee.

I recall that the member opposite delivered a passionate speech in defence of committees back in May 2019, where

the member said, “Committees are ... really where true consensus and collaboration should be happening.” I wonder if the member opposite could inform the House why she does not feel that that select committee is an example of parliamentary oversight.

Ms. Catherine Fife: That’s a great question. Thank you so much for that, and thank you for your gentle comments about my criticism of Bill 195.

I do believe in the committee structure, but I don’t believe that the committee that will stem from Bill 195, which has up to seven members of the government, three members of the official opposition and one independent member, is going to replace this Committee of the Whole, which is this Legislature.

I also would say to the member that the oversight committees are not working right now. I want you to free the Auditor General. I want public accounts to come back. That’s important work that will happen and that should also shape how we are designing and drafting legislation. No committee would come forward with a bill like Bill 195, which removes—no member should ever vote to remove their own powers.

I still believe strongly in the committee structure. I just note that there’s no equal representation and no enforcement mechanism to make this committee work.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Mr. Taras Natyshak: Listening to the members of the government defend the merits of this bill, I think I’m getting closer to answering the question from the member from Lanark as to why they’re doing this.

I want to ask the question of my colleague. This is not only an affront to democracy and our responsibility as opposition members, but it is so as well to members of the government, and the backbenchers especially, who will now effectively be muzzled or have their roles and responsibilities abdicated to actually represent their ridings. When issues around nursing conditions and pay and sick leave—all the issues that we’re hearing around our community—are raised, they will now, effectively, not be able to talk or advocate on behalf of their constituencies.

I want to ask my colleague: Does she think that this, potentially, is a way for the government to quell any potential dissent on the part of the government, and those government members who are hearing that this government isn’t on the right path on a whole host of issues in terms of how they’re dealing with the pandemic?

Ms. Catherine Fife: I don’t pretend to know what’s happening in the PC caucus. I do know, though, that earlier, the member for Thornhill said that transparency is really great when it’s possible. So I’m not sure if she was speaking to the transparency of what is happening within that party and how they design legislation or the transparency of what’s actually happening in this place.

It’s not an easy job to try to hold your own party accountable. I think this is something that we probably all share, because we speak as a collective voice. But I will say that any chance you get to stand in your place and share your perspective and your values and relay how your

constituents are feeling in this House—that is the responsibility that we should all hold close to our hearts.

So yes, that’s a more sinister perspective, but I guess it’s always possible.

The Acting Speaker (Ms. Jennifer K. French): Question?

Ms. Donna Skelly: To the members opposite, I want to assure them that certainly the constituents who I hear from and, in fact, people right across Ontario are telling us that they do like what we do and they stand behind the way this government is moving forward in reopening Ontario. Not only are we hearing it, but it’s reflected in the polls. If you look at the most recent poll, I think it would show that we have gained support, probably at the expense of the members opposite. I just want to assure you that you may be hearing that in your ridings, but we are hearing that people in Ontario, people in Flamborough–Glanbrook and right across Hamilton, do appreciate this very measured way we are moving forward—

Interjection.

The Acting Speaker (Ms. Jennifer K. French): Order.

Ms. Donna Skelly: —in Hamilton West–Ancaster–Dundas as well, from the hospitals that I respond to, that we are taking the right approach.

To the member from Waterloo, I would ask you: If you don’t agree with the way we are moving to reopen in these stages, taking a very measured approach, what’s your suggestion?

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Ms. Catherine Fife: Thank you. I think I’d just go back to the principle of trust. Trust is something that is very tenuous. Once an electorate loses trust in their elected public figures, there’s no getting it back. That is why the Liberals are over there, and they were all there last time. So I just want you to think about that, because for those of us who have experienced it, once trust is lost, it is lost.

There is no substitution for the work that we do here with a constructed committee that’s supposed to have oversight and be representative when it truly is not. So what I would say is that we have not stood in the way of the ideas that the government has brought forward. We have offered constructive criticism at times. But there is no need to have Bill 195 come to the floor of this Legislature. Let’s get back to the real issues that people expect us to be dealing with in Ontario.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Mr. Mike Schreiner: I rise today to speak on Bill 195. Throughout the COVID-19 pandemic, I’ve been willing to quarantine partisanship and work with all parties in this House. While I’ve often criticized the government for not doing more to help people during the pandemic, I have also worked with them to provide unanimous consent to extend the state of emergency and to even pass bills that help people, like a commercial rent eviction ban, even if the bill did not do enough to provide the support people and businesses need.

But I have to draw the line at Bill 195. How can the government members opposite stand here with a straight face in this House calling for an end to the state of emergency, yet retain the extraordinary powers that should only exist during a state of emergency? It establishes a dangerous precedent, but that's exactly what Bill 195 does, and it gives the government the power to extend these orders for up to two years without having to pass any new legislation and without meaningful oversight.

The Canadian Civil Liberties Association has said, "The proposed legislation is unnecessary and eliminates essential democratic controls over unprecedented emergency powers. It is a significant threat to democratic oversight that should be rejected."

The Emergency Management and Civil Protection Act is far from perfect. The one important element that exists in that act is a requirement to come back to this House to extend a state of emergency every 28 days. Bill 195 would eliminate this democratic oversight. Instead, Bill 195 gives the executive—the Premier—the unprecedented ability to extend or amend the extraordinary powers for another year, with an option for two years—right up until the next election. Just imagine the outrage from government members if any of the opposition parties were in power and put forward such legislation to provide them to extend extraordinary powers for two years.

To quote the CCLA again, "The powers governments have under emergency legislation are supposed to be exceptional—Bill 195 would make the exercise of those powers the 'new normal.'" Think about that: extraordinary government powers as the new normal.

One of the most troubling of those powers is that the government will have the power to keep orders in place that allow employers to override collective bargaining agreements. I've consulted with health care workers, and they have told me that employers are doing exactly that right now. They are overriding collective agreements—for example, by denying vacation or ignoring seniority clauses in the name of COVID—despite there being no cases in that facility. I'm worried that the government is using COVID to undermine constitutionally protected collective bargaining rights.

I'm also extremely concerned about the lack of an effective democratic oversight mechanism for these extraordinary powers. We have placed great trust in the government during this pandemic, during this state of emergency. But unfortunately, as we've seen this House dissolve into partisan antics over the last few weeks, that trust is starting to erode.

Recently, the government has not engaged opposition parties in the drafting of COVID-related bills such as Bill 195. It has rushed controversial and non-COVID-related bills through the House and through committee. It has rushed through bills that ignored the lessons of COVID-19, such as Bill 175, which opens the door to more privatization in home and community care. It has cancelled House leaders' meetings, and called bills for debate with little or no notice to the opposition, and more importantly, for the people of Ontario to engage around those bills. So,

Speaker, you can see why people don't trust this government to have such extraordinary powers for the next two years, and that's why the government needs to provide more oversight through a more balanced select committee.

Last night, I called on the government to support the official opposition's motion to at least provide a bit more balanced oversight for the select committee mentioned in Bill 195, and speaker after speaker on the government benches said they would vote against that. I want to remind the government what I said last night, for the members who may or may not have been here: Whether intended or not, Bill 195 feels more like a power grab than a real mechanism for ensuring democracy and oversight as we respond to COVID-19.

I will be voting against Bill 195, but I will offer some advice to my colleagues on the opposite benches: The people of this province will not support a government that uses the cover of COVID for a power grab, so proceed cautiously.

The Acting Speaker (Ms. Jennifer K. French): Questions?

Ms. Jessica Bell: Thank you to the member for Guelph for your presentation. I have also heard from health care workers, personal support workers and nurses about the consequences of what this bill could mean to their working conditions. Could you elaborate? What are you hearing from health care workers about what this bill could mean for their working conditions?

Mr. Mike Schreiner: Yes, I appreciate—

The Acting Speaker (Ms. Jennifer K. French): Response? The member from Guelph.

Mr. Mike Schreiner: Thank you, Speaker. I got a little too excited there, so thank you.

I appreciate the member's question. This bill affects close to 30 emergency orders, and many of them, if you look at the details, actually deal with work orders, many of them helping to support front-line health care workers. What those workers are telling me is that they're deeply concerned that their constitutional bargaining rights are going to be overridden because of these emergency orders; things like vacations, things like staffing, things like seniority etc.—things that affect the day-to-day work life for these front-line heroes.

The Acting Speaker (Ms. Jennifer K. French): Question?

Mr. Kaleed Rasheed: Thank you to my colleague and good friend. During your speech, you constantly said "power grab," as did my respected colleague over here, during her speech, as well—she constantly said "power grab." The people of this province trusted us in doing a job, to make good decisions for them and to basically make their life easy and make it comfortable. Especially during this pandemic, this is exactly what we as a government have been doing.

To my colleague across the aisle, I just want to understand that when you say "power grab," where do you see in this bill where it says that—

The Acting Speaker (Ms. Jennifer K. French): Thank you. Stop the clock. A reminder to all members: If

you direct your comments to and through the Chair, you will have a better sense of the timing.

I will return to the member from Guelph for his answer.

Mr. Mike Schreiner: I appreciate my colleague's question. The power grab, whether it's intended or not, is that extraordinary executive power exists during a state of emergency. That's why it requires the Legislature to debate and approve an extension of that extraordinary executive power every 28 days. To cement that in the executive for a year, possibly two years, up until the next election, is an exceptional amount of power in the hands of the executive of this province.

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I think the people of Ontario require oversight, and one of the ways that oversight happens is through the members of this Legislature. I would encourage all members, regardless of party, not to give up that power for such a long period of time.

The Acting Speaker (Ms. Jennifer K. French): Further questions.

Miss Monique Taylor: I'd like to thank the member from Guelph for his perspective on this bill. I know myself as well as all of our colleagues here in the House have heard from our constituents about the things that they need in their daily lives, whether it be help to get into long-term care, whether it be help with their children with special needs, whether they're trying to fix simple things that happen every day in our lives, like with the Ministry of Transportation. The issues have been endless. With a title such as this and the reopening of our communities, do you see our communities' voices and what you're hearing in your constituency office reflected in this bill today?

Mr. Mike Schreiner: I appreciate the member's question. The only thing I have heard on this bill from constituents is concern: concern about the precedent that we would be establishing with this bill to put so much power in the hands of the executive.

I can recall Conservatives across the country being outraged when the federal Liberals wanted to give themselves extraordinary powers for a couple of years, or almost two years. That's why I'm surprised that the members opposite, who generally don't like big government and don't like to see power concentrated in the hands of the executive, are supporting this bill. I would think if the opposition had gotten in the way and not granted unanimous consent for emergency orders, I could see maybe why the government would respond in this way, but when it's come time to pass bills to help people, nobody has denied unanimous consent to do that.

The Acting Speaker (Ms. Jennifer K. French): Further questions.

Ms. Christine Hogarth: Thank you to the member for your statement. I always do appreciate listening and hearing your point of view on pieces of legislation.

Just a question with regard to—when we talk about the Emergency Management and Civil Protection Act, some of the items noted during debate, the proposed bill will introduce new accountability mechanisms that were not previously found in the Emergency Management and Civil

Protection Act—that's a hard thing to say. Does the member opposite agree that additional accountability is important when it comes to the next phase of managing the COVID-19 pandemic?

Mr. Mike Schreiner: I appreciate the member's question—and yes, that is a mouthful.

Yes, we need additional oversight, which is exactly why I'm opposed to Bill 195. The current Emergency Management and Civil Protection Act has an important accountability mechanism in it. It requires the government to come back to this Legislature and ask for an extension every 28 days.

What the government is asking us to do, and we need to be very clear about this, is to allow the government to extend or amend existing emergency orders for the next year, with an option to increase it to two years. That is a dangerous precedent.

I ask the members opposite to think about one of the questions that was asked earlier today: that what if a Green, NDP or Liberal government was asking for such extraordinary powers? Would you sit there and want to grant it? Do you want to do that? Do you want to establish this precedent for the future?

The Acting Speaker (Ms. Jennifer K. French): Further questions.

Mrs. Jennifer (Jennie) Stevens: To the member from Guelph, the Emergency Management and Civil Protection Act, the EMCPA, was put into place to allow this government to declare a state of emergency and issue orders related to that. Do you feel that if the government wants to do this and extend emergency orders, could it be done under the already established EMCPA legislation?

Mr. Mike Schreiner: I appreciate the member's question. The short answer is yes, they could do that. They have extraordinary powers under the state of emergency. I think I need to correct my record, because I said that no one has denied unanimous consent. I do recall, I think, the member from Lanark did, so one member has. But then we all debated the extension and have approved it. Extending the state of emergency, a denial of that while we're in a state of emergency hasn't happened. That's why I don't understand why the government needs to bring forward something that extends these extraordinary powers, without that 28-day accountability, for the next year.

The Acting Speaker (Ms. Jennifer K. French): Further questions?

Mr. David Piccini: My question for the member is, members joined, myself and many others, at the standing committee on finance, and one of the consistent themes we hear is, how can we support Ontarians with the psyche piece. The declaration of emergency has done its part. Traditionally, it was designed not for these prolonged global pandemics. So how do we juxtapose this legislation, which gives the government the ability to wind down those powers over a prolonged period of time, with what you're hearing on finance committee, which is, end the declaration of state of emergency, because we're not in one, and we can still exercise safety and health over a prolonged period of time?

Mr. Mike Schreiner: I think the short answer is, if we're not in a state of emergency, then let's end the declaration and let's end the extraordinary powers that the Premier has. If we're still in a state of emergency, then we will pass legislation for a state of emergency so that the government can respond quickly to that emergency. The existing legislation provides the government with the ability to do that.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Mr. Rudy Cuzzetto: It is an honour to be back here at Queen's Park today to speak in support of Bill 195, Reopening Ontario (A Flexible Response to COVID-19) Act, introduced by the Solicitor General.

The Premier's declaration of emergency back on March 17 provided the government with extraordinary powers under the Emergency Management and Civil Protection Act to deal with the most urgent phase of the COVID-19 crisis. Over the past four months, we used these powers to take many careful and measured actions to protect Ontarians, based on the evidence that we gathered every day and based on the advice of Dr. David Williams, our Chief Medical Officer of Health, local public health officers and our front-line workers.

But, Speaker, the fact is that the declaration of emergency provided many tools that are simply no longer necessary, including evacuations and travel restrictions. That's why Bill 195 is before the House today: to ensure that our government keeps only the powers that we need to support the gradual and safe reopening of Ontario, easing restrictions where it is appropriate but also maintaining important measures to address the ongoing threat of COVID-19 as we move forward.

If passed, this Bill 195 would allow us to continue to act quickly, to extend or amend existing orders to protect Ontarians, including orders related to workplaces and restrictions on gatherings and events. As always, this decision would be based on the latest public health advice. The government would no longer have the ability to create new orders. With that said, if the data changes or the threat grows, we would protect the people of Ontario with a new declaration of emergency, if necessary.

Whether you had to self-isolate or lost your job or closed your business, or if you had to continue to work in very challenging conditions, the last four months have been difficult for everybody. Ontario has made many sacrifices to help stop the spread of COVID-19. We must not allow the progress that we have made together to be undone.

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I'd like to thank our front-line workers for all their efforts at the Mississauga hospital in my riding, and the Peel police, the Peel paramedics and so many others working to keep essential services available, from our utilities to groceries. Our local businesses have also stepped up with donations of thousands of dollars and pounds of food, and millions of pieces of protective equipment. Many have retooled their businesses to make critical supplies or to help deliver essential goods and services.

I would like to recognize a couple of examples of this, starting with Ford Motor Co., where I worked for 31 years. Ford Canada division retooled production lines to make hundreds of thousands of face shields for front-line health care workers and first responders across Ontario. I want to thank Caroline Hughes and her team, and Jerry Dias from Unifor, for working together on this.

Second, we all want to recognize the people with disabilities facing challenges due to COVID-19. For example, the hearing impaired can't lip read through masks. My constituents Max and Sarah Veinot came up with a creative and innovative solution: masks with clear windows to allow for lip reading. On Thursday, I will be delivering more to Etobicoke, and on Friday I will be going to Whitby to deliver more of these face shields for impaired people.

When local firm Como Construction shut down, they transitioned into producing masks to make life easier for the hearing impaired. During this crisis, they still work 10 hours each day. Their children help and their elderly parents help. They've donated these masks around the province, across the country and around the world, including the US and the UK. I understand that the demand has been hard to keep up with.

Max, Sarah and your whole team: On behalf of us, I want to thank you so much. It's because of the great work of Ontarians like you that we are now on a path to recovery.

Bill 195, if passed, would help keep us on this path. It would help to bridge the gap between the public health measures we need to respond to the threat of COVID-19 and those we need now to support a safe recovery and to prevent a second wave.

Speaker, I'd like to take this moment to address some of this criticism of Bill 195 from the Canadian Civil Liberties Association, which alleges that this bill would allow the province to continue its extraordinary powers without the oversight and accountability mechanisms that are critical when power is excessively concentrated.

I respectfully disagree. Since March, the Premier and the ministers have been open and transparent about the data and models, and the decisions we've made to protect the health and safety of Ontario. Almost every day, the Premier answers questions from the media. Bill 195 includes new measures to guarantee accountability and transparency. Section 11 will require the Premier to regularly report to the public on orders that remain in effect. Section 13 would require the Premier to table a report, within 120 days of the anniversary of Bill 195 coming into force, on all orders that were amended or extended, and the reasons for these decisions. Most importantly, section 12 requires the Premier or a minister to report to an all-party select committee of this Legislature to justify extensions of any emergency order and to answer questions from MPPs at least once every month.

Already, we have question period three days a week in July. Speaker, it is useful to compare this with the federal Liberal government's decision to shut down Parliament for four months, with the support of the NDP. Duff

Conacher, the co-founder of Democracy Watch, said, “The New Democratic Party forgot the middle part of their name in rolling over and supporting the Liberals in this undemocratic move.” Fortunately, our government has taken a different approach, and you can see it in Bill 195.

Speaker, on this issue of transparency, I would also like to thank the Premier and the Minister of Long-Term Care for their commitment that the independent commission into our long-term care system will begin its—

Interjections.

The Speaker (Hon. Ted Arnott): I’m going to ask the member to please take a seat. I apologize.

There’s a way to depart early if you’d like to avail yourself of it. There is a means.

Mr. Taras Natyshak: I’m familiar with it, Speaker.

The Speaker (Hon. Ted Arnott): Okay.

I apologize. The member for Mississauga–Lakeshore has the floor.

Mr. Rudy Cuzzetto: I know that the Minister of Long-Term Care and her staff are closely monitoring the situation. Her parliamentary assistant, the member for Oakville North–Burlington, visited Camilla Care facility with myself in October 2018. We met with some of the current residents.

On their behalf, my team and I reached out to local businesses to ask for their help. Many gave money, food or supplies, including Lakeview Village partners, Italtasta, Fair Grounds organic café, Nutrafarms, Meaty Meats, and Sai Dham Canada. Oasis Convention Centre cooked up all this food for these residents at Camilla Care.

All of you know that we had an issue at Camilla Care, and one gentleman, Innis Ingram, tied himself to a tree. I’ve been in contact with Innis for a long period of time during this ordeal at that facility, and we’ve been working together. He has his mother there. He’s really concerned about his mother and all the residents. We’ve been working to overcome the issue that that facility has had.

Mr. Speaker, I’ll be sharing my time with my colleague here from Mississauga East–Cooksville, so I will be giving it over to him right now.

The Speaker (Hon. Ted Arnott): I recognize the member from Mississauga East–Cooksville.

Mr. Kaleed Rasheed: Thank you to my colleague from Mississauga–Lakeshore for doing an exceptional job. He’s has been out there every day distributing food or PPE. Sometimes I ask him, “When do you sleep?” because you go online and you see the MPP for Mississauga–Lakeshore in the morning carrying a lot of cartons in his hands, and then by the afternoon a lot of PPE, and then by the evening, cooking dinners for thousands of people—great job.

Mr. Speaker, just this afternoon, we had a call with some ethnic media individuals from across Ontario with the Ministry of Health. During this call, we heard some really positive remarks from media individuals talking about the great work that our government is doing, which was really encouraging, because they said that they had been hearing from their own respective communities of the work that we as a government, under the leadership of

Premier Ford, have been doing during this pandemic, this crisis of COVID-19.

But I just want to talk about some personal experiences of mine, and also why it is so important for us to make sure that we continue to lead from the front during this crisis. My brother was here from Sydney, Australia. I know the mother of a member opposite lives in Victoria, Australia. My brother came with his family for three weeks of vacation. Little did we know that he was going to be staying here for four months. Very recently he travelled back.

But when he was here, they decided in Sydney to open schools for two days. My nephew, who is in SK—they got an email that the schools will be reopening, but they will be starting with two days as a precautionary measure. Again, because he was not there, he couldn’t go back. But then I think after about a month’s time, they received another email saying that, unfortunately, that was a very quick decision they had made, and they would like to reverse that decision because they found that the number of cases had started to climb.

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As a father of four kids, and three kids who are going to school, I was having a conversation with my brother, and I said, “When you go back, are you going to send your son to school?” He said, “I don’t know. I’m not comfortable yet.” As a father of three school-going children myself, with all due respect, it’s just that it’s the parenthood that comes into play, that we don’t know what the unknowns are at the moment. We don’t know. The chief medical officer, every day, gives a briefing. They are looking at things on a daily basis. So it’s very difficult to predict, during COVID-19, what’s going to happen a week from now or a month from now, because there are a lot of unknowns. I think what our government is doing and what the Minister of Education is doing is that he is giving options, but he’s also giving parents the option.

I have spoken to so many parents in my riding of Mississauga East–Cooksville but also a lot of my family friends, my colleagues from my previous job and other individuals who they feel like they are not ready yet. But I must give credit to businesses out there, the organizations out there, the private sector out there who are saying to their employees, “You know what? We are standing with you. If you have to work from home because your child is at home, work from home.” A lot of businesses have changed the way they have been doing business, they are changing their model with the use of technology.

But when we say that Bill 195, when we talk about this bill—and as I mentioned, my friend my colleague from Guelph, during his remarks, was mentioning about power grabs. This is not a power grab. It is not. Because what I know is that, during these next two years, if I do something, the people of this province are the ones who are going to judge our government, are going to judge me. If they feel that Kaleed has done something wrong, they’re going to throw me out, and I may not be re-elected.

As a government, we know the things we have to do are things we cannot do. Throughout the discussion, the

remarks, the debate today, it was all about going back to “power grab.” Again, it is not a power grab. It’s just that, as I mentioned in the example of my brother, the government, the province or the state—they call them states over there. The state had to make a decision that they were not going to call students until they figured out how to get control of this virus.

But we don’t even have to go through almost 21 hours of flights. Just go south of our beautiful country, our province, and see what’s happening in the United States right now. They are our economic partners, and I have a lot of family members—two of my siblings are in the States, and my youngest brother went back to his job because they live in Dallas, Texas. They went back to their jobs and, about a week later, his employer said, “You know what? Stay at home,” because they realized that they were not able to control—or they made some decisions that were not the right calls. As we can see now, they are reversing those decisions and are now looking at maybe going to stage 1. In some states, I’m hearing they may go back to stage 1 because they feel like they were very quick to react.

But here in this province, we took a phased approach. We started with stage 1. We looked at the numbers, and then, based on the Chief Medical Officer of Health’s advice, we went to stage 2. Then, we waited, looked at the numbers again and looked at how the people of this province were reacting. God willing, we are going to go to stage 3 now.

My colleagues on the other side have been saying that Bill 195 is all about a power grab. It’s not a power grab. It’s simply saying that we need to continue to make good decisions in favour of the people of this province—that tomorrow, God forbid if something goes wrong, we are quick to react.

As I said, what I’m hearing so far is some very positive feedback from people not just in my riding, but other places in our province. People are praising our government and the Premier.

He is out there today thanking businesses for stepping up. He went to my colleague’s riding of Waterloo today. Why? It’s all about thanking the businesses that stepped up during this time to support the people of this province.

I know my time is up, but I just want to say this bill is not a power grab.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Percy Hatfield: I’d like to tell you a little story about this big land called Mississauga. Once upon a time, the member for Mississauga–Lakeshore and the member for Mississauga East–Cooksville used to get together in a clubhouse and make big decisions. Everybody respected them because they were real decision-makers and leaders in their community. One dark and stormy night, the two members went to make a decision but were told, “No, there’s a new normal. The member for Carleton is going to be making your decisions. She’s on a committee. Don’t worry about it. From time to time, we’ll bring in the government House leader or perhaps the member from Niagara West. They don’t have to come, but we’ll invite

them in to make your decisions for you.” Anyway, they weren’t such a big, happy family anymore.

My question is, do you see any parallels here, guys? Your decision-makers now making decisions—all of a sudden, in the new normal, there’s going to be a little committee. and you’re going to be shut out in the cold.

Mr. Kaleed Rasheed: Thank you to my friend from Windsor–Tecumseh. I can tell you one thing: The member from Mississauga–Lakeshore and the member from Mississauga East–Cooksville have a voice in this caucus. They always had a voice.

The House leader has said this many, many times: All members who are in this House come because they want to participate. They want to participate in questions and answers. They want to participate in debate. This is what true democracy is.

When we talk about my say in this caucus and the say of the member from Mississauga–Lakeshore—I am very proud to stand here today and say that we have our say and we have every member’s input—

The Speaker (Hon. Ted Arnott): Thank you. Questions?

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Ms. Donna Skelly: My question is actually to the member for Mississauga East–Cooksville. Over the last couple of days, we’ve heard from members of our caucus and members from our colleagues across the floor, sharing their experiences through COVID and describing some of the challenges that many of our constituents have faced, as we all have shared some of the concerns by, particularly, people in the business community who wanted us to open up—open fast, “Let’s move forward.” Then all of a sudden, you’ll hear from someone who says, “Take it easy; we’re worried. I have an elderly parent, I have a young child and I’m a little worried.” So we struggle as government members on what we’re doing with COVID-19 and how to keep Ontarians safe.

How does this allow this government and our province to move forward, while opening up the province but protecting Ontarians?

Mr. Kaleed Rasheed: Thank you to my colleague. I think she is a great representative of her riding, and as I said, one of the representatives who is representing the Hamilton region really, really well. So keep up the great work.

Mr. Speaker, as I said during my remarks as well, as a government, what we are doing is that when we—our approach has always been, let’s open up the province slowly, gradually, but also continue to keep an eye on the numbers or the cases. But the most important thing is to take the advice of the chief medical officer of this province.

I said yesterday during my remarks that I’m not a medical expert. I’m hoping that one day my daughter is going to get into a medical field, but her father is not a medical expert, so we have to listen to the advice of the Chief Medical Officer of Health. Again, when we opened stage 1, we looked at the advice and then slowly, slowly stage 2, and we will continue to do so throughout this period.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Taras Natyshak: I'm interested to know from the member from Mississauga–Lakeshore why he believes no other province or territory in Canada has seen it necessary to invoke extraordinary powers such as the province of Ontario has. In fact, British Columbia is in a minority government, so any of their policies or legislation has to come before the minority government, and they have to find consensus. Yet they have still not felt the need to circumvent their Legislature in order to get things done, and I would argue that they've done quite a considerably better job than Ontario has. They have recovered quicker, they flattened their curve sooner, and they've dealt with migrant worker outbreaks a lot more effectively than this province has. Why do you think they haven't gone to that extent?

Mr. Kaleed Rasheed: Thank you for the question from the member across. Other provinces have done this as well—and Bill 195 will give us less power—so that we can implement what we have to implement to improve the lives of the people of Ontario. COVID-19 is a deadly disease, and we have to fight that as much as we can to prevent it coming back in the fall. Bill 195 will help us do that, and we'll have less power for our government.

The Speaker (Hon. Ted Arnott): The next question.

Hon. Paul Calandra: I appreciate the opportunity to add some words to this, especially given how hard this particular member has been working throughout the entire COVID-19 pandemic.

It's been interesting, this debate, Mr. Speaker. The NDP have been so worried about our image, it's almost as though they're desperate for us to ensure that we win the next election because they know that they're not ready to form government. But I think that what is most important out of this is that the opposition seems to be prepared to withdraw all of the emergency orders right now and leave Ontarians unprotected after so much work has been done, after we've made so many gains. The opposition, what they're doing here today, is fighting to withdraw all of those emergency orders that we've worked on together. I wonder if the member opposite could highlight for us the dangers to the people of the province of Ontario if we did what the opposition asked us to do and withdrew all of the emergency orders that have been so effective in protecting Ontarians.

Mr. Kaleed Rasheed: Thank you to our House leader. That's exactly what I was saying during my remarks as well, too, that what I've heard during the day today is, "You know what? Just end this emergency." In other words, leave people somewhat hanging out there without any support from their government.

Going back to the example of my own brother, the government had to come back and make some changes because they just took some steps thinking that things are going to be back to normal as they were before, without taking proper precautions or measures.

One thing I can assure the members opposite is that we are here for the people of this province. We will continue

to work for the people of the province, and we're going to make sure that we continue to make sure that the people of this province are safe and we are going to continue to fight for their safety.

The Speaker (Hon. Ted Arnott): Member for London North Centre.

Mr. Terence Kernaghan: I'd like to thank the members from Mississauga–Lakeshore and Mississauga East–Cooksville for their comments. My question is to the latter. During COVID, we've seen people working together. It has brought out the best in people: sharing approaches, sharing resources.

The EMCPA can be renewed as needed. Within this House, we've seen a great collaboration across the floor in passing legislation as necessary. So my question is, why is Bill 195 necessary, and are you hoping that Ontarians will not notice or that they will forget this blatant—using your words—power grab?

Mr. Kaleed Rasheed: Thank you to my colleague for the question. As I said, Mr. Speaker, the member opposite thinks that this is a power grab. I don't think that this is a power grab. The people of this province don't think it's a power grab. Otherwise, why would the people of this province continue to say that we as a government have been doing an exceptionally amazing job during this COVID-19 crisis?

The people of this province have trust in us to make the right decisions for their health and safety, for their children, for their grandchildren because, God forbid, if this virus comes back, we are going to be ready to fight this virus. We are going to continue on this path to make sure that we do the right thing for the people of this province.

The Speaker (Hon. Ted Arnott): Now further debate.

Mr. Percy Hatfield: I am privileged to represent the good people in Windsor–Tecumseh, and it is always an honour to stand in this House, tonight talking about Bill 195 and the process of reopening Ontario.

I know the political historians in the House will correct me if I'm wrong, but I believe it was a former British Labour minister, Harold Wilson, who said that a week in politics is a long time. I think back to the last four months and I think we've been through a lifetime politically.

Thursday, March 12, I left here on the train to go home to Windsor. The intention was to wake up in the morning, pick up my two granddaughters, ages seven and nine, and take them down to Florida for March break. Well, when I got to Windsor, their mother had decided that wasn't going to happen anymore because of the threat and the fear of COVID-19.

I had to go to Florida anyway. My wife was down there. My Windsor-built Grand Caravan was down there, and I had to drive it home. The original intention was to go down at Easter and drive it back at Easter, but when we got word the borders were closing, we decided we'd better get home as fast as we could. Of course, then we were quarantined for two weeks, like everybody else that came back from a trip across the border.

That was a real experience, staying in the house for a couple of weeks—I'm sorry.

The Speaker (Hon. Ted Arnott): Thank you. I have to interrupt the member. I apologize.

Pursuant to standing order 50(c), I'm now required to interrupt the proceedings and announce that there have been six and a half hours of debate on the motion for second reading of this bill. This debate will therefore be deemed adjourned unless the government House leader directs the debate to continue.

I recognize the government House leader.

Hon. Paul Calandra: No, not to continue tonight.
Second reading debate deemed adjourned.

The Speaker (Hon. Ted Arnott): Orders of the day? I recognize, again, the government House leader.

Hon. Paul Calandra: No further business.

The Speaker (Hon. Ted Arnott): This House stands adjourned until tomorrow at 9 a.m.

The House adjourned at 1950.

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Lucille Collard, Parm Gill
Natalia Kusendova, Suze Morrison
Lindsey Park, Gurratan Singh
Nina Tangri, Effie J. Triantafilopoulos
Kevin Yarde
Committee Clerk / Greffière: Thushitha Kobikrishna

Standing Committee on the Legislative Assembly / Comité permanent de l'Assemblée législative

Chair / Président: Kaleed Rasheed
Vice-Chair / Vice-président: Vijay Thanigasalam
Rima Berns-McGown, Michael Coteau
Faisal Hassan, Logan Kanapathi
Jim McDonell, Christina Maria Mitas
Sam Oosterhoff, Kaleed Rasheed
Sara Singh, Donna Skelly
Vijay Thanigasalam
Committee Clerk / Greffière: Valerie Quioc Lim

Standing Committee on Public Accounts / Comité permanent des comptes publics

Chair / Présidente: Catherine Fife
Vice-Chair / Vice-présidente: France Gélinas
Deepak Anand, Jill Andrew
Toby Barrett, Stan Cho
Stephen Crawford, Catherine Fife
John Fraser, France Gélinas
Christine Hogarth, Norman Miller
Michael Parsa
Committee Clerk / Greffier: Christopher Tyrell

Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé

Chair / Président: Deepak Anand
Vice-Chair / Vice-président: Will Bouma
Deepak Anand, Toby Barrett
Stephen Blais, Will Bouma
Stephen Crawford, Laura Mae Lindo
Gila Martow, Paul Miller
Billy Pang, Dave Smith
Jamie West
Committee Clerk / Greffier: Isaiah Thorning

Standing Committee on Social Policy / Comité permanent de la politique sociale

Chair / Présidente: Natalia Kusendova
Vice-Chair / Vice-président: Aris Babikian
Aris Babikian, Jeff Burch
Amy Fee, Michael Gravelle
Joel Harden, Mike Harris
Christine Hogarth, Belinda C. Karahalios
Terence Kernaghan, Natalia Kusendova
Robin Martin
Committee Clerk / Greffier: Christopher Tyrell