



Legislative Assembly
of Ontario

First Session, 41st Parliament

Assemblée législative
de l'Ontario

Première session, 41^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 24 September 2015

Jeudi 24 septembre 2015

Speaker
Honourable Dave Levac

Clerk
Deborah Deller

Président
L'honorable Dave Levac

Greffière
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Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 24 September 2015

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 24 septembre 2015

The House met at 0900.

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

Prayers.

ORDERS OF THE DAY

STRENGTHENING CONSUMER
PROTECTION AND ELECTRICITY
SYSTEM OVERSIGHT ACT, 2015
LOI DE 2015 POUR RENFORCER
LA PROTECTION DES CONSOMMATEURS
ET LA SURVEILLANCE
DU RÉSEAU D'ÉLECTRICITÉ

Mr. Chiarelli moved second reading of the following bill:

Bill 112, An Act to amend the Energy Consumer Protection Act, 2010 and the Ontario Energy Board Act, 1998 / Projet de loi 112, Loi modifiant la Loi de 2010 sur la protection des consommateurs d'énergie et la Loi de 1998 sur la Commission de l'énergie de l'Ontario.

Hon. Bob Chiarelli: Mr. Speaker, I'll be sharing my time this morning with my parliamentary assistant, the member from Mississauga–Streetsville.

Before I start my remarks, in the moment of reflection we just had here in the Legislature, my thoughts of reflection had to do with the tragic events that occurred in the riding of my critic and good friend the member from Renfrew–Nipissing–Pembroke. We are all shocked by what happened in the community. I'm sure we all share the concern of the member for the events that unfortunately occurred in his riding.

Today, I rise to begin second reading debate of Bill 112, the Strengthening Consumer Protection and Electricity System Oversight Act, 2015. This legislation moves forward one of the vital pillars of our electricity modernization plan announced last spring, our proposed legislation that would strengthen the Ontario Energy Board Act.

As announced in April, our government is broadening the ownership of Hydro One in order to make the largest single investment in transit and transportation infrastructure in this province's history. Our government's plan is to make a major dent in our infrastructure deficit by investing \$130 billion over the next 10 years in transit, roads, bridges and other economic assets. A significant part of these investments will come from the net proceeds of the broadening of ownership of Hydro One.

It is important to recognize that these billions of dollars in proceeds will pay down debt and pay for infrastructure, and that will be done without borrowing, without adding new taxes or without cutting important programs. This approach will support more than 20,000 jobs each year and provide a major driver for economic growth in every region of Ontario, including the riding of Renfrew–Nipissing–Pembroke, the riding of my energy critic, and it is being done in a way that protects the public interest.

The Ontario Energy Board is a central part of this focus on protecting the public interest. This independent agency has the power to approve or disapprove rate increases. Regardless of the utility before them, the OEB's mandate is to protect the interests of ratepayers and to set just and reasonable rates. Whether that utility is owned by a single municipality, like Hydro Ottawa or Toronto Hydro, does not matter, they are all included, or by multiple municipalities like York region's Power Stream, they are also included. They're all included. And it includes private companies like Fortis, Union Gas and Enbridge.

Let me re-emphasize this point, Mr. Speaker: It is the Ontario Energy Board that sets the rates that can be charged to ratepayers, not Hydro One or Toronto Hydro or Ontario Power Generation or Enbridge. They cannot set their own rates; they never have been able to. That has been the way up until now for Hydro One and it will continue to be that way after Hydro One's ownership is broadened.

We have heard a great deal of baseless, unmitigated spin by members opposite that a utility like Hydro One, as its ownership is broadened, would see rates rise as a result of broadening ownership. I will repeat again: The OEB sets rates for municipally owned utilities, for generators, for private companies such as Enbridge and Union Gas, and it will continue to set rates for Hydro One.

In the words of the leader of the third party in a letter she copied me on just two days ago—I'd like to read a quote from that, one sentence: "The Ontario Energy Board is legislated to protect the interest of consumers with respect to prices and the adequacy, reliability and quality of electricity service." So then, when a leader stands up and says that Hydro One will be able to raise its own rates, she is talking against her own words in her own quote in a letter she signed two days ago.

There are numerous examples of times when the OEB has, in fact, received an application to increase rates and delivered a reduced rate for consumers instead. This is

done based on facts and evidence filed before the board. This is done based on an open and transparent public hearing process. Plenty of advocates go before these hearings and weigh in, look at the evidence that is used to base rate increases on, and then the energy board makes a determination. This is done with fairness for the ratepayer and with customers foremost in mind.

For example, in 2010, Hydro One asked for a distribution rate increase but received a 9% reduction for its capital request. In 2012, Hydro One asked for a rate increase for transmission and the OEB ruled a 3% reduction for its capital request. In 2011, Toronto Hydro made a distribution request to the OEB and received about 11% less than what they requested. In 2014, Ontario Power Generation asked for a rate increase and the OEB approved half the requested amount. When they applied for a 6.2% rate increase in 2011, the OEB denied their request and, in fact, lowered the rate by 0.8%.

Over the past six months, the Ontario Energy Board has also decreased natural gas rates for Enbridge and Union Gas customers. The OEB reports that in the last six months, the typical residential customer with Enbridge Gas Distribution has seen their bills go down about \$105 per year, and Union Gas customers have seen a decrease of \$184 a year, thanks to the Ontario Energy Board.

Year after year, the OEB's mandate is to protect the interests of ratepayers, and indeed, it will continue to do so in the future. Today, we are debating Bill 112, about enhancing these powers to ensure strengthened protection for Ontario consumers, greater compliance and additional enforcement tools.

The OEB has taken important steps to put the consumer front and centre, and indeed, that is a key part of the OEB's mandate. Building on this success, Bill 112 will do more to strengthen protections for consumers.

I'd like to speak about six key areas where this legislation will increase protection for consumers and ratepayers. First, this legislation would increase the ability of the OEB to levy financial penalties on utilities, including Hydro One, that break the OEB's rules. The public rightly expects the highest standard from utilities regardless of their size or service territory, or whether they are municipally owned, privately owned or any hybrid thereof, such as Hydro One.

To that end, we are proposing increasing the cap for administrative penalties or fines, to be clear, to a maximum of \$1 million, and that's \$1 million for every single day that the contravention continues, be that a gas distribution company, a private utility, a municipal utility, or, indeed, even Hydro One is subject to those fines. This is similar to the Alberta Utilities Commission as well as the Ontario Securities Commission.

Second, the OEB will be empowered to appoint a supervisor in situations where a distributor or transmitter is unable to meet its financial obligations or reliability standards.

Third, to help streamline and clarify the ability of utilities to expand their business beyond electricity delivery, this legislation will provide greater scope to engage in

non-utility activities and to participate in the many services related to the energy sector.

0910

In other jurisdictions, utilities that started out strictly in the delivery of electricity have successfully expanded their interests to other services, such as renewable energy procurements, to the benefit of both their ratepayers and shareholders.

As we have seen in jurisdictions the world over, diversifying the lines of business in which a utility can participate can bring about significant value and pay sizeable cash dividends to municipal owners, for example, and that has been happening across this province already. In Ontario, many municipalities would stand to benefit from these expanded changes.

Fourth, in the busy age of social media and technological change, customers are more immediately able to offer feedback in real time. At present, the ways in which the Ontario Energy Board relates to consumer groups—residential, commercial and industrial—are locked in a rigid process designed for a different era. To support a more dynamic conversation with consumers and customer advocates, our proposed enhancements would allow the OEB to establish more interactive structures to enhance customer advocacy and representation.

I'm pleased to report that the OEB has already launched a dedicated consultation to help inform how additional consumer advocacy measures could be incorporated into a strengthened Ontario Energy Board. This would permit the ratepayers and citizens to better be able to go before the Ontario Energy Board and make a case for no increase in rates.

Fifth, the legislation before you today would give cabinet the power to designate key transmission corridors to expedite their construction. There has been fear that because of the broadening ownership of Hydro One, we would lose control over how the system itself across the province would operate. This particular amendment retains tremendous power in the province to make those planning and strategic infrastructure decisions.

Examples of such cases could be in the grid connection of Ontario's remote First Nation communities, a transmission link to the Ring of Fire; or enhanced intertie capacity with neighbouring jurisdictions to support clean energy imports. The broadening of ownership will not impact on these policy decisions that the province will continue to make in any way, shape or form.

That creates a process where the provincial government is firmly setting broad electricity and energy policy through its long-term energy plan by designating core transmission projects to ensure their construction and operation.

Electricity planning will firmly remain with the IESO—which now includes, after the merger, the Ontario Power Authority—a provincial agency, and rate-setting will remain in an enhanced Ontario Energy Board.

Sixth, and finally, we are proposing legislative amendments to strengthen consumer protection in the retail energy market. In recent years, the OEB has received

numerous complaints from customers of retailers. Mr. Speaker, you will recall the many questions that have been raised from the other side of this chamber concerning that very issue. We're taking very, very strong steps with this amendment to rectify that situation.

We know that ratepayers have voiced their concerns that some retailers have used very aggressive tactics to get homeowners, often seniors, to sign up for contracts on the spot, contracts that may not be in their long-term interests. The OEB takes these complaints very seriously, and so does our government. The proposed legislative changes to enhance consumer protection would prohibit the sale of energy retail contracts at the consumer's home while still allowing retailers and marketers to engage in appropriate marketing and advertising activities, yes, at the door, but again, not to be able to sign contracts at the door.

In addition to banning door-to-door contracts, we are also proposing to extend the cooling-off period, during which consumers can cancel a contract without penalty, from 10 days to 20 days.

These are important changes that will ensure protections for consumers are stronger and the system is more fair.

Taken together—all of these items I've reviewed—these proposed changes would strengthen the Ontario Energy Board as well as ensure that provincial public policy goals are met through enhanced and expanded legislative tools. These changes would protect ratepayers, they would strengthen the electricity system, and they would promote innovation and transformation that benefits all consumers.

But the bottom line, Mr. Speaker, is this—I'm going to read this very slowly—when the opposition tells the public that broadening the ownership of Hydro One will cause rates to go higher, that is pure and simple partisan spin. There is no basis to that statement in any way, shape or form. Rate-setting since 1960 has been done by the Ontario Energy Board. No utility—gas or electric—has had the ability to set, or as the opposition says, “sky-rocket,” their own rates in any way, and that includes Hydro One in its new, broadened form.

The legislation is extremely strong. It protects the public, protects ratepayers and enables, as I said at the beginning of my remarks, billions of dollars to be invested in infrastructure without raising taxes, without borrowing money and without cutting any important programs.

I'll now cede the floor to my parliamentary assistant.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Mississauga–Streetsville.

Mr. Bob Delaney: Thank you very much, Speaker, and I thank the minister for introducing a very, very important bill, Bill 112, the Strengthening Consumer Protection and Electricity System Oversight Act.

The act would, if passed, enhance the Ontario Energy Board, a board whose function, very nicely described by the minister, includes, among other things, controlling rates set by providers of both electricity and natural gas. The Ontario Energy Board is the only entity that can raise prices or change prices—and it often lowers

prices—on electricity and natural gas. As we know, our government has always stood up for electricity consumers, and we continue to be committed to putting the concerns of electricity consumers first.

Now, this is autumn, and just as happens in the spring-time, as soon as the weather begins to get cold or begins to get warm, who are the first people who seem to appear at your door? It's the hawkers who are saying, “I've got a good deal”—hydro contracts, water heaters, you name it. What I'm going to address in some of my remarks are some of the concerns that I and many homeowners have with people who are saying, “I've got the greatest deal in the world, and all you've got to do is show me your utility bill and let me sign you up for this package.” The first thing you think of as a homeowner is, “This sounds like it's too good to be true.” As we've learned, if it sounds like it's too good to be true, it probably is too good to be true.

As part of this commitment, last year the Ministry of Energy asked the Ontario Energy Board to review the Energy Consumer Protection Act, 2010, and to report back with any recommendations about opportunities to strengthen consumer protection. The Minister of Energy underlined the government's commitment to doing all it can to protect energy consumers in light of an evolving retail energy sector, and I think this is a key point. All over the world, providing energy and the things around energy, be they the equipment or whatever, is no longer as centralized as it was when many of us grew up.

When we grew up, there was one major hydro utility. You got everything from it, and all you did at the end of the month was pay a bill. With telecommunications, broadening the services a telecom provider can offer, or narrowing them as the case may be, has actually benefited consumers because the price of telecommunications in constant dollar terms has just fallen through the floor since many of us who are baby boomers were born and raised. It used to be that the cost of making a long-distance call, relative to what you were making, was very expensive. Now, of course, it's very, very cheap. Let's talk with that perspective about some of the things that are happening in the energy sector.

As part of that review, the Ontario Energy Board consulted broadly with stakeholders from the energy sector, with consumer advocates and, of course, with consumers themselves. To reach everyday consumers, the Ontario Energy Board hosted focus groups, which are groups of about eight to as many as about 16 people, in which you have a facilitator and you sit down together, usually for the span of about an hour and a half or two hours, and the facilitator walks you through.

It would be called qualitative research, rather than quantitative, in which they ask you a question, record it and develop statistical measures. So a focus group is a qualitative exercise in which you can explore in some depth just what's on the minds of the people who you're talking with.

0920

To reach everyday consumers, the Ontario Energy Board did host these focus groups. It solicited input from

online workbooks and it surveyed current and former energy contract holders as well as non-contract holders. This research provided insight into consumers' opinions and experiences with retail energy contracts and with electricity retailers and gas marketers. The Ontario Energy Board also took into account complaints they received through their consumer complaints department and their own enforcement activities.

On June 1 of this year, 2015, the Ontario Energy Board released its report, which was called *Consumers Come First: A Report of the Ontario Energy Board on the Effectiveness of Part II of the Energy Consumer Protection Act, 2010*—a title that tells you that they didn't intend for this to be a bestseller. The report was very useful in helping to shape our government's proposed consumer protection tools.

Some of the important findings from the report include the need for better energy literacy from energy consumers and that consumers were unhappy with their experiences with aggressive door-to-door sales practices. While the Energy Consumer Protection Act provides some protection for energy consumers, one of the conclusions was that we could actually do more, and part of the research was saying, "Okay, over and above the fact that we need to do more, what does that 'more' entail?" This is the sort of thing that you can explore with a focus group.

The proposed legislation before the Legislature today would enhance the Ontario Energy Board's capabilities in several of these core areas, strengthening consumer protection in the retail energy market and facilitating the government's ability, if need be, to prioritize critical transmission infrastructure. This is an essential part of our recent efforts to evaluate and to modernize the role of the government of Ontario in the electricity sector.

I want to speak a little bit about a number of priority areas where this proposed legislation would help to strengthen protections for consumers and improve electricity oversight. The first area is that the public rightly expects the highest standards from electricity utilities, regardless of their size and regardless of their service territory. This legislation would increase the maximum level of financial penalties that the Ontario Energy Board can set against regulated companies for non-compliance with board policies.

One could have said in the past that this number, this penalty, which hadn't changed in many, many years, could be looked upon as a cost of doing business. From the standpoint of consumers, that's not what we wanted. If there was going to be a financial penalty involved for a retailer that wasn't adhering to policies and procedures, we wanted it to not only get their attention, but to take their breath away, and in fact, that's what it does.

The Ontario Energy Board would gain the ability, if necessary, to appoint a supervisor in situations where a distributor or a transmitter is unable to meet its financial obligations or reliability standards. This important measure would ensure that the public's and ratepayers' interests would be protected and would ensure continuity of service for affected communities. I also have to say that

this is not intended to alleviate a problem that one can see before us right now, but it is intended to say that at a time down the road, should a problem arise, what we don't want people to say is, "Well, didn't you think this through years ago, the last time you revised the act?" The act is being revised so that if we ever need the tools, the tools are there to solve a problem.

As well, the proposed legislation would help streamline and clarify the ability of local distribution companies—such as, in Mississauga, our very own Enersource, a very well-run company—to expand their business beyond electricity delivery. The proposed legislation here would provide local distribution companies with the ability to seek approval from the Ontario Energy Board to engage in non-utility activities and to participate in the many innovations in the electricity sector while ensuring that ratepayers are not adversely affected.

What this means, for example—and I'm going to give you a personal one from the vantage point of being a weekend software coder. I was speaking with some of my colleagues in one of the support programs that I was involved in in the 1990s and in the last decade. In an online group somebody was saying, "Well, you know, it seems that all of the really good applications have been done. Does anybody have an idea for a proposed new app?" What I said was, "Why don't you work with the various utility companies in North America and come up with something that allows the connection to an exposed application program interface from a utility that would give consumers the ability to know how they are managing their energy usage?" So that lit up the discussion group, and everybody thought that that was a great idea.

One of the next issues they raised was: How do you go about it? This means, from the vantage point of the local distribution company, if they wish to work with the software provider—and this is not a core activity of the local distribution company, but it does mean that the legislation makes it very clear that the business practices are not restrictive, it allows them to open their minds, to be creative and to make the experience with their customers that much better.

As well the legislation before the House would give cabinet enhanced powers to designate key transmission projects and help expedite their construction to support important public policy goals like the connection of off-grid, remote communities. In specific terms, if there would be, for example, an ore deposit or the development of a natural resource area, in which the province said that, clearly, we are going to build an entire town here. One of the problems was, if you are going to build an entire town, how do you get electricity into the town? If there is an obvious transmission corridor, it's difficult enough as it is because, particularly in the north, you're dealing with a whole host of other parties that you have to work with, including First Nations. What this would do is give cabinet the enhanced powers to say that this is a key transmission project and this transmission project is going to be essential to the development of such-and-such project, so we need to get it going.

As well, it strengthens consumer protection in the retail energy market, something that I mentioned earlier. Many members of this House have had experiences similar to mine where you have taken a call at the constituency office and someone has said, “Well, they came to my door, they were such nice people and they asked for my utility bill. Now I find that I have got a contract with these people. How do I get out of it?” I said, “Well, if they had asked for your bank book, would you have shown them your bank book? Would you have given them the PIN to your credit card?” “Well, no, of course I wouldn’t.” “Well, why did you give them your utility bill?” What we also have to do, in addition to strengthening some of the measures available in protecting consumers, is—as the focus groups pointed out—enhance Ontario’s ability to provide some consumer education.

I’ve had some of the energy hawkers come to my house and say, “We’re here because the government is forcing us to do this.” So I let them continue for a little while. I remember on one occasion I had just gotten home from work. I had my legislative pass, I pulled it out and said, “See this? I am the government. What exactly am I forcing you to do? Or maybe we should call the police and just wait for them.” The guy just took off into the night.

We know that ratepayers have voiced their concerns that retailers have used this kind of very aggressive tactic. This proposed legislation would include some changes to enhance consumer protection that would prohibit the sale of energy retail contracts at the consumer’s home—prohibit it. There are no weasel words in there. It would prohibit it. It also expands the cooling-off period for new contracts.

As we move toward an increasingly, shall we use the word “transformative” time in the electricity sector, our government knows that these changes are going to provide a strong regulator with enhanced powers to protect consumers.

These are some of the changes that would strengthen our electricity system, would promote innovation, and some of the transformations that are going to strengthen all consumers.

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

Mr. Ted Arnott: I’m very pleased to have this opportunity this morning to respond to the speech by the Minister of Energy and the member from Mississauga, who just presented leadoff speeches for the government on Bill 112, Strengthening Consumer Protection and Electricity System Oversight Act.

0930

We certainly know that there are very high hydro rates in Ontario today, probably the highest in North America. The minister, in his statement, indicated that the Ontario Energy Board sets the rates. That’s not really the whole story, Mr. Speaker. It oversimplifies things, I think. In fact, the local distribution companies, in some cases, as well as Hydro One, actually make the request for the rate increases. The minister mentioned that there have been

some that have been turned down by the Ontario Energy Board, but I believe it’s true that the vast majority of the rate increase requests are, in fact, granted by the Ontario Energy Board and have been in the past.

Certainly, it’s a very expensive and time-consuming process. I hear from the local distribution companies in my riding, and they don’t just put together an application on the back of a napkin; they have to detail it and it’s very expensive for them. I think in many cases their requests are in fact granted by the government.

It’s also a statement from the minister this morning, and it was said yesterday by the Premier, that the rates will not rise as a result of the Hydro One sale. Certainly, there’s no one on this side of the House who believes that, Mr. Speaker. We know that time will tell, but I’m certainly prepared to submit to you today my belief that hydro rates will continue to rise in the province of Ontario, and it will be shown over time that, in fact, those rate increases, to some degree, are because of the privatization of Hydro One and the sale of shares in Hydro One.

I’m looking forward to the speech this morning by our critic, the member for Renfrew–Nipissing–Pembroke, who does an outstanding job as our energy critic. Our caucus will certainly vigorously debate this bill and we look forward to that debate and look forward to hearing from the people of Ontario at the committee stage.

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

Mr. Peter Tabuns: I appreciate the opportunity to comment on the speeches by the minister and his parliamentary assistant.

This bill before us is going to substantially change the ability of the Ontario Energy Board to review transmission projects in this province. It is a very large loophole in the regulatory regime that should be in place in Ontario.

I note that in the past the Ontario Energy Board was bypassed when the Liberals brought forward the smart meter program. That program was not assessed from the beginning; there was no business case that was presented to the Ontario Energy Board. In fact, the Ontario Energy Board was directed to facilitate the implementation of the smart meter program rather than to review its business case or review its impact on the system. This bill continues this tradition of bypassing the regulator so the government can make whatever decision it wants on electricity policy in this province.

The OEB is required to review and approve private sales of transmission companies to make sure they’re in the public interest. Just yesterday, the Liberal caucus voted against a resolution by our party to send the sale of Hydro One to the OEB for review. That sale has not had public consultation and has not had the release of documents to allow anyone in this province to assess, really, what the implications are for Ontarians and their electricity system.

Speaker, to further undermine the regulatory regime in Ontario to benefit the new private owners of Hydro One

is a dereliction of duty on the part of this government. It says to the public, "The OEB will protect you," and in the next breath they make sure that it can't do its job.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Glengarry–Prescott–Russell.

Mr. Grant Crack: It's a pleasure for me to stand today and speak to Bill 112. I just want to follow up on some comments made by Minister Chiarelli when he did his opening remarks with regard to the Ontario Energy Board.

I think everyone in the House can recall when gas prices rose significantly about two years ago throughout the winter. Our office was inundated with phone calls. People were concerned: "What's happening? What is the government going to do?" My response was that rates are controlled by the Ontario Energy Board. They're a very competent agency of the government. They regulate. They take a look at a lot of the different components of both energy and electricity systems and they set fair rates.

As the minister also alluded to, in the last six months, Union Gas rates have gone down on average just over \$100 per year—that was Enbridge gas. Union Gas is about \$180 per year.

They do their job, and I'm confident that they can do the same thing with regard to Hydro One. They've been doing a great job over the years in controlling the rates and minimizing the increases that are being requested by Hydro One. To me, this shows that the OEB is an effective regulator in the province of Ontario. We can look forward, as we continue to broaden the ownership, that they will take a look at all aspects of the electricity system—transmission and distribution—and set the rates that are fair for Ontario as we move forward.

Another component of this bill that I like is the fact that as we continue to strengthen consumer protection, we're going to prohibit electricity retailers and gas marketers from going door to door. I know a number of people who have been in a situation where they've agreed to enter into a contract and have regretted it later.

This is a great piece of legislation. I congratulate the minister for putting this forward.

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

Mr. Monte McNaughton: I'm honoured to rise for a couple of minutes to talk about Bill 112, the Strengthening Consumer Protection and Electricity System Oversight Act.

I listened to the Minister of Energy and his parliamentary assistant, the member from Mississauga–Streetsville, as well as comments from the honourable member from Wellington–Halton Hills this morning. I'm looking forward to hearing what our energy critic is going to talk about when he speaks on the lead on behalf of our caucus.

I just wanted to raise a couple of points and get on the record two big issues that I'm hearing about in my riding of Lambton–Kent–Middlesex. One is the overwhelming and strong opposition to the Hydro One fire sale. I think

that everybody in the province of Ontario knows that this is going to result in expensive energy costs and higher electricity bills.

Most members will have heard the news now of what happened with Windsor's Valiant, a company down in Windsor that, yesterday morning, unfortunately announced that they're going to expand in Michigan and will be creating 223 jobs in Michigan.

The problem is the fact that we have to get our economic fundamentals right in the province, and that begins with getting electricity costs under control. I just don't trust where this government is going. I don't think Bill 112 is going to do anything to create investment in Ontario and to lower electricity costs, or at least get them under control.

The last thing I'd like to mention, and it wasn't discussed this morning by the minister, is the further development of wind turbines. In my riding, another three or four projects are set to be built, driving up electricity prices even more.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the member from Mississauga–Streetsville for a two-minute response.

Mr. Bob Delaney: I acknowledge the comments from the members for Wellington–Halton Hills, Toronto–Danforth, Glengarry–Prescott–Russell and Lambton–Kent–Middlesex.

Some of the members seemed to talk about everything except what's in the bill, so there are a couple of things that I think we need to enhance.

One of the strong points of this bill is to make retailer prices more transparent and clear for consumers, something that I touched on in my remarks and I'd just like to underline. Currently, only the government has the ability to prescribe specific pricing requirements that retailers and marketers must follow. Our proposed enhancements in this bill would ensure that the government and the Ontario Energy Board are authorized to prescribe specific requirements that retailers and marketers must follow when determining the prices that they offer. Once again, it just says that all of this nonsense that we hear about, the fact that hydro prices are just going to spiral out of control, is completely baseless. The entity that sets prices is the Ontario Energy Board. In my remarks yesterday, I went through a number of instances in which the OEB had taken applied-for energy rate increases and simply rolled them back. If the energy rate increases are not justified, they get rolled back. In fact, among the things I quoted yesterday were decisions by the Ontario Energy Board that resulted in rate decreases.

0940

One of the things about the Ontario Energy Board, whose powers are being increased substantially in this act, is that the Ontario Energy Board is an agency with teeth. It can get the job done. It has, for more than 50 years, and it will continue to do so.

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

Mr. John Yakabuski: It's my pleasure to join the debate on Bill 112. I want to start by pointing out to the

member from Mississauga–Streetsville that the minister barely talked about the bill in his leadoff, so let's not get into that silliness here this morning.

I wondered why the minister didn't talk about the bill very much. To coin the phrase that I hear from the other side all the time: Did you have the opportunity to read it? Perhaps he hasn't read the bill, because he was so fixated on the Hydro One sale. This makes me ask the question: Is the minister so taken by the opposition to the Hydro One sale that he is consumed by that? Is he so worried about how that is going over in the province of Ontario that he used his leadoff time to talk about the Hydro One sale?

Everyone knows what's happening out there with the Hydro One sale and how the people are opposed to it and the polling that has told the government they're not doing it right. Ever since they announced the Hydro One sale, there has been poll after poll after poll, and every time, the number of people opposing the sale actually goes up, which, as I said yesterday, tells you one of two things, or maybe both: Either the government is doing a very poor job of selling it, or maybe it's just the wrong thing to do, or perhaps it's both. I think it's both.

Then the minister talked about how the opposition is—what did he say? I'll paraphrase it. He said, "I'm going to say this slowly, so they understand"—

Interjection: Unmitigated partisan spin.

Mr. John Yakabuski: Unmitigated partisan spin, is how he described it. Well, I can tell you, Speaker, if the opposition is guilty of spin, then relatively speaking, the minister is the conductor of the carousel. He's at the midway, and he's running the merry-go-round. I'm here to tell you, if you want to talk about spin, there is the spin master, right over there in the Minister of Energy's seat, because everything that you're getting out of them is spin.

I got a kick out of it when the prospectus was released last week and he said that yes, the new CEO of Hydro One is going to be paid \$815,000 as a base salary, but he's eligible to be making up to \$4 million. But the minister said those are going to be tough—I'm paraphrasing, of course—yardsticks to make, and he's going to have to really do a great job in order to earn those bonuses. As I said yesterday, it's sort of like Saād Rafi had to do a great job to earn those bonuses at the Pan American Games. Right. This guy is going to make \$4 million. You can take that to the bank, because he's certainly going to be taking it to the bank, let me assure you of that.

Anyway, then the minister wants to talk about, and the PA wanted to talk about the OEB and how this is this great protective agency, that nothing slips by it, and their number one mandate and the only reason they exist is to protect the consumer. In the act, that's exactly what the OEB is expected to do, and in theory, they do that. My friend from Wellington–Halton Hills gave a little dose of reality when he was speaking. He talked about the reality of when an application comes before the OEB.

By the way, the minister was talking about how the OEB has lowered gas prices. Well, the gas distributors

actually made an application to lower gas prices because the market has changed. They make applications to raise prices when the market forces them to do so, and they make applications to lower them when the market allows them to do so. This is not about Union or Enbridge trying to profit while the market brings the price of gas down. You remember a couple of winters ago, when the price just went crazy because of a supply issue and the ability to move it through the pipelines? They had to look for price increases, so there were price increases approved by the Ontario Energy Board.

They're also now looking at reducing those prices on a consistent basis to reflect the changes in their costs, which brings us to the actual way the Ontario Energy Board works. The minister says, "The Ontario Energy Board works in a vacuum, where it just decides that rates go up or rates go down." That's just poppycock, and he knows that. The energy board doesn't raise the rates or lower the rates. It works on the information that is presented to it. But that information so much relies on what is happening in the marketplace, and the biggest impact in the marketplace—

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): The Minister of Education, come to order.

Mr. John Yakabuski: The biggest impact in the marketplace when it comes to electricity generation in the province of Ontario is government policy. That's the biggest determinant in the marketplace in electricity in the province of Ontario: government policy.

Is the minister going to tell me that the Ontario Energy Board on its own has tripled electricity rates since the Liberals came to power? Not at all. The Ontario Energy Board is not interested in dipping into your pocket and tripling energy rates. I don't think the member for Timmins–James Bay would believe that, or the member from Toronto–Danforth: that the Ontario Energy Board is going to be the entity that says, "Hey, we have to get some more money for those energy companies, so over the 12 years that the Liberals are in power, we're going to triple electricity prices." No, no, no. That's not how it works. What happens is, it's what the government is doing and the policies that they're implementing, such as the now infamous Green Energy Act and the windmills proliferating all across this province.

Hon. Bob Chiarelli: It has nothing to do with broadening ownership.

Mr. John Yakabuski: Oh, now he wants to talk about broadening—he has forgotten about the Green Energy Act already. He has forgotten about the tripling of electricity prices.

Interjection.

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

Mr. John Yakabuski: The only thing he wants to talk about is Hydro One.

The Deputy Speaker (Mr. Bas Balkissoon): I would just remind the member from Renfrew–Nipissing–Pem-

broke: I've been very lenient; it's now seven minutes and I would like you tie it back to the bill.

Mr. John Yakabuski: And we're talking about the Ontario Energy Board, which this bill is exactly about.

The Deputy Speaker (Mr. Bas Balkissoon): And that's what I'm asking you to do.

Mr. John Yakabuski: And that's exactly what I'm doing: talking about determining electricity rates. I'm responding also to the minister's speech. If I can't respond to the minister's speech, the head of the electricity system in Ontario, then what am I here for?

Mr. Bob Delaney: We've asked that for 12 years.

Mr. John Yakabuski: Bad question.

The Ontario Energy Board relies on the information that it is presented to them. So now, for all of these years—you remember when what they called the—*the Liberals* changed the name. I don't know if they had to go through the ministry of—who looks after birth certificates, the registrar general. I don't know if they had to apply for a name change. I know that if someone wants to change their name, they have to apply for it. But the government, just all of a sudden, changed the name from what used to be called the provincial benefit—a nice name: provincial benefit. It must mean a good thing. They decided that that just wasn't flying very well so they called it the global adjustment. They changed it to the global adjustment because, boy, if you want to talk about getting dinged. That global adjustment—wait until November, and I say this to the minister: With all of the electricity—

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): I would say to all members on the government side: When your members were speaking, this side of the House was quiet and listened, so I would ask you to do the same.

Carry on, and keep it to the bill as much as you can.

Mr. John Yakabuski: I most certainly will, Speaker, and I appreciate your admonishment of the government side. I do my best, when they're speaking, to hold my comments till later.

Back to the setting of those prices: This bill, Bill 112, is all about consumer protection. I want to tell the minister, straight out, that there's a lot in this bill that we like. We are going to be looking for amendments, because this government gets caught up in its philosophy, and it just wants to be—well, you know what they used to call former Premier Dalton McGuinty? The nanny state Premier. They haven't forgotten that. In some ways, they've actually expanded on that.

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So sometimes they take things a little too far. I'm told that people in the ministry have also looked at this bill and said, "Maybe we need to reflect on it a little bit more." Maybe the minister would like to talk about that. He didn't talk about it in his speech today because he never really talked about the bill, but maybe they are looking at some amendments that could make this bill a little bit better and a little bit more realistic. I will talk about that as well.

But for right now, we're trying to respond a little bit to his definition of what the Ontario Energy Board actually does. It was a fair bit of spin. I've got a great deal of respect for the minister, but sometimes he can't help himself, because what the Liberals do is they tell you everything that they want you to know and they conveniently miss some of the things that they don't want you to know.

Mr. Bob Delaney: Careful; you're right on the border of 23(i).

Mr. John Yakabuski: Oh, and I would never question his motives for that. No, no, no, Mr. 23(i) over there. I would never question his motives. As I said, he just can't help himself. He can't help himself. Maybe he just forgets to tell the other side of the story.

Do you remember that guy who used to do the radio shows on CBS? It was called *The Rest of the Story*. That's what we need whenever a Liberal minister has a speech in the House. Whenever a Liberal minister speaks in this chamber, there should be that—I can't think of his name now. But they should then have the addition of that guy—he's probably too old now—come on and then, as he would finish his little talk, he would say, "And now you know the rest of the story." So I'm taking that role on a little bit myself today, Speaker, and I appreciate the indulgence on the part of the government, that I am going to try to tell the rest of the story when it comes to the OEB.

Over this 12-year period, there have been multiple applications for increases. To the member for Mississauga—Streetsville who gets up and sanctimoniously says, "They roll back requests." Well, it's kind of a negotiation process, where you know that if you go in and say you need 3%—you've had your meeting with your shareholders and your analysis and your engineers and your accountants and everybody else, and you say, "Folks, this is what we've invested in, new this or new that or whatever, and if we're going to survive, we need 3%." Then the negotiator side of it, they're going to say, "Don't go to the OEB and ask for 3%," because you know there's a lot of pressure on them to make it look like they are doing their job and they are going to roll that back. So don't go to the OEB and say, "We need 3%." You're going to have to go to the OEB and say, "Look, we've cut this as tight as we can. We're down to the bone. We need 4.5%." And then, after long, tough discussions at the OEB and all of the accountants milling together and analyzing all of the data, they say, "No, we're going to roll that back. You're going to get 3%." And the minister gets up, probably, in the House to say, "The OEB once again protected consumers by rolling back that application of 4.5%, and they're protecting consumers." Fine and dandy; I guess we'll just have to accept that.

But to imply that the OEB on its own sets rates is just not the case. The OEB takes the information—if a person, an entity, a company, a utility, whatever, can show that their costs have increased, and they have the data to prove it, then the OEB has no option but to allow that

rate increase to happen. That's what has happened over the last 12 years here in the province of Ontario as a result of the Green Energy Act, as a result of giving away electricity. In June alone—in June alone—we gave away \$224 million worth of electricity to other jurisdictions. In June alone, we gave away—the net value was \$224 million.

Mr. Bob Delaney: What did they give us? Tell us how much they gave us.

Mr. John Yakabuski: I say, to 23(b)(i) over there: They gave away \$224 million in June alone.

The Deputy Speaker (Mr. Bas Balkissoon): You should continue to speak through the Chair and not worry about the side comments.

Mr. John Yakabuski: Sorry; okay. In June alone. When those kinds of numbers get all bunched together—and this is what is happening. If you think that that's not going to have an impact on November 1—I'd like to ask the minister. Because of the wonderful management of the Wynne government on the electricity file and the electricity we've been giving away and the contracts we continue to sign, I think we can probably expect, maybe, a rollback in electricity rates on November 1. Is that what's going to happen? He's not nodding. He's not acknowledging me.

Hon. Bob Chiarelli: You're telling me Hydro One doesn't set their own rates.

Mr. John Yakabuski: No, but they have their costs that they have to recover, and they have been driven by your government.

I don't blame the minister; he wasn't the minister in 2009, when they came up with that insanity, the Green Energy Act. They never, ever thought about what the impacts would be.

We had a study done at that time by a very reputable firm—worldwide—called London Economics International. They told us point blank that this was going to cost \$40 billion. I'll say that slow: \$40 billion. You know what? London Economics was wrong. They underestimated, as we know now from the Auditor General, who has analyzed the data. The Auditor General of this province right here has analyzed the data and has shown that, between 2006 and 2015—and we're here; in fact, 2015 is three quarters over—the Green Energy Act and the global adjustment will have cost Ontario's electricity consumers not \$40 billion but \$50 billion—\$50 billion.

Those are the facts, and no one over there is disputing it. So how can you have a \$50-billion expense and not increase electricity bills? That's what the OEB has had to work with. The Ontario Energy Board can't ignore that \$50-billion figure. So every time something happens, when the government relocates a gas plant—or, while we're at it, folks, why not relocate two, at \$1.1 billion? That goes on your electricity bill. Yes, it's spread out over a 20-year period, but it still goes on your electricity bill—\$1.1 billion. Thank you very much to the Liberal government.

Mr. Bob Delaney: Point of order.

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

Mr. Bob Delaney: According to standing order 23(b)(i), and despite having lost two elections over this issue, the member continues to refer to a decision already taken by the Standing Committee on Justice Policy, of which he was a member, that was tabled in this Legislature back in February of this year that concluded in 2014 and that has no bearing on the discussion of this bill.

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The Deputy Speaker (Mr. Bas Balkissoon): I take your point of order, but I would remind the member that I listen to both sides.

I would ask the member for Renfrew–Nipissing–Pembroke to continue, but please try to tie it in to this piece of legislation that is in front of us.

Mr. John Yakabuski: Thank you very much, Speaker. We're tying it in very closely, as I'm sure you have observed.

Whatever he's come up with there, I have no idea what he is talking about. I was never a member of that committee. I might have been subbed in on it. But first of all, at no time did it ever imply that we can no longer debate the issue in this House: "Oh, I'm sorry. You can't talk about it anymore."

The Deputy Speaker (Mr. Bas Balkissoon): The member for Renfrew–Nipissing–Pembroke, I'd ask you to speak to the bill in front of us.

Mr. John Yakabuski: Yes. I most certainly want to, because there's much to talk about.

But as I said, Speaker, I wanted to make sure that we talked about the role of the OEB in this debate, prior to losing that conversation, because the minister invited us to by bringing up the subject himself. Out of respect, I want to make sure that the minister has the benefit of our response as well. We would not want to have the minister make a statement and not respond to it. That would be, in my opinion, disrespectful of the minister, and I would not do that. I want to make sure that he has the benefit of my response as his critic.

If there's more that the minister wants from me on this, I'm sure we can speak about it offline and go into it more deeply. But you know me, Minister. I'm always there to help.

So let's talk—I may come back to this if I feel there's something new that I needed to add, but—

The Deputy Speaker (Mr. Bas Balkissoon): I hope you do it soon.

Mr. John Yakabuski: Well, I have a lot of time. Oh, you want to hear it right away? Well, there are times that the best thing one can do, Speaker, is keep them wanting.

So let's talk a little bit about Bill 112. I didn't hear a lot from the minister about Bill 112, so I'm not directly responding, but I am trying to offer some constructive criticism, which is what I think, generally speaking, I do in this chamber, try to offer constructive criticism.

Hon. Jeff Leal: Well.

Mr. John Yakabuski: I appreciate the Minister of Agriculture coming over for a closer look.

Bill 112: There are a couple of things. The motive behind this, and I'm watching for 23(i) or (b), whatever—

he can have the whole alphabet if he wants to jump up. But the motive behind this is a good one. He probably won't object at this point. The motive behind it is a good one, because what we're talking about here is consumer protection. If the government can't protect the consumers, then who can? In the same vein, I say there is an old saying, "caveat emptor," let the buyer beware: We have to ensure that the consumers protect themselves as well.

The genesis of all of this stuff when it comes to electricity contracts goes back several years. I believe David Ramsay actually had a private member's bill dealing with this when he was a member here, and then I believe it was Gerry Phillips who was the energy minister when we brought in some of the first protective, restrictive legislation when it came to door-to-door energy retailers. I'm sure everybody here would remember that Marketplace exposé where they caught on camera clearly unscrupulous door-to-door energy salespersons misleading the public about how they would benefit by signing a retail energy contract.

So the motive was good and the results, I think, were good because much of that problem has dissipated here across the province of Ontario. The consumers have been educated, but also the regulations have made it—and let me be clear, too: The industry itself was very supportive of the changes, because they saw what happened when an unscrupulous salesperson would decide, on their own, to mislead the potential client.

I can't tell you how many of these contracts over my time here as the MPP for Renfrew–Nipissing–Pembroke—and particularly probably because I've been the energy critic for a good number of years as well—I've been able to extract people from. I have so many I could talk about, but I'd like to just talk about one for the time being: my mother-in-law.

My mother-in-law was born in Lithuania. She was displaced during the Second World War. They moved to Germany. They were ethnic Germans living in Lithuania; during the war, they fled back to Germany. In 1954, she came to Canada with my wife, who was then her year-old daughter.

My mother-in-law never spoke English. She didn't have an education. She is now 82—

Hon. Jeff Leal: A delightful lady.

Mr. John Yakabuski: She is a delightful lady, and one of the hardest-working people you'll ever meet in your life.

Interjection: Proud of her son-in-law.

Mr. John Yakabuski: I hope so.

She was visited by a door-to-door representative from an energy retailer several years back, and signed onto one of these energy contracts. Then her bills went up significantly.

Now Elma—her name is Elma Schmidt, or Smith; they've anglicized everything—never told me that she had signed this contract. She was probably embarrassed because she felt that she should have known better. But after she was involved in it for several months, I think my wife's sister Rose found out about it and she talked to me.

To make a long story short, we got her out of the contract—and it was a bad one, but the most egregious part of it was how my mother-in-law, who is not educated, was not dealt with honestly in how she was approached about signing that contract. That was probably the most important part of it when it came down to getting her released from that contract.

But that was not uncommon. One of the challenges was that these took place at the door, and they would get you to sign it right away. What this bill does is it says, "You're not going to be able to sell an electricity contract at the door." No door-to-door sales on electricity contracts—I should say energy contracts; not just electricity, but energy contracts—and that's a good thing, and the industry itself accepts that it's a good thing. By not allowing the sale of these contracts at the door, we accomplish a lot. We remove the biggest problem, which was misleading information, getting people to sign immediately at the door. By not allowing the contract to be sold at the door, that will accomplish the greatest benefit and the greatest good for consumers across Ontario.

Having talked to people in the industry, they're good with that; they're okay with that. They recognize that that was a challenge for them as well as the consumer when there was too much possibility of high-pressure sales and the wrong people—in the case of the consumer, possibly the wrong people.

In reality, my mother-in-law was not a person who had any great degree of schooling and was not completely conversant in the English language, but it's amazing how many people with energy contracts I've dealt with have been to university for many years as well. So it's not just a lesser-educated person, but also those who are well educated who have signed these contracts as well. We remove that by taking away the door-to-door sales. That accomplishes a lot.

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But now, some of these same companies have also invested a lot of money in offering other products—it doesn't have to be door to door; they can be online, they can be voluntary; you have to go to their website or whatever—such things as high-tech thermostats that allow someone to reduce their energy usage and thereby, even in Liberal Ontario, where the price has gone up three times, allow you to reduce your energy costs because you have a more efficiently operating energy system within your home. That's something that someone would voluntarily want to purchase. It could be some software, it could be a high-tech thermostat or whatever. But under this bill, even though it's something I seek out on my own or I want to purchase, I would not be allowed to purchase that for 20 days. The cooling-off period of 20 days, I think as a blanket measure, is excessive. That needs to be looked at and dealt with by amendment by the government. I understand that people in the ministry have also felt that perhaps that's something that needs to be looked at.

I hope the government actually does some of these things on a realistic basis and not just try to portray them-

selves as the great protector, because most people in Ontario believe that they're not the great protector. They are, as the Platters would say, the great pretender. Don't pretend you're the protector by overstretching it. Actually do the things that are necessary to protect the consumer, but don't exaggerate how you feel about this. That's always the challenge for government to get it right. I hoped that they would have got this right before they tabled the bill, but there is still that opportunity when we go for amendments after second reading. We're looking forward to that as well.

The other thing that is a challenge—and as they say, let's put this into perspective: We removed door-to-door sales. But in the case of selling products, they also want to say you cannot pay an agent a commission for selling a product. My wife is a commissioned salesperson selling real estate. If she sells a house for X number of dollars—well, let's just make easy numbers. If she sold a house for \$200,000, she would get X amount of commission. If she sold that same house for \$190,000, she would get less commission. If she sold it for \$210,000, she would get more commission.

If someone selling energy-efficient conservation or whatever product is simply going to be sent out there to sell products, but you're just on a salary, then the low achiever is going to be paid at the same rate as the high achiever. Do you think people who work in the securities exchange, in the Toronto Stock Exchange, don't work on commission? Do you think the person selling you your car doesn't work on commission? This is how we incentivize the best performance. To simply say that because there has been a problem—and we acknowledge there's been a terrible problem in the sale of energy contracts. But to simply say because there has been a problem, we should eliminate the ability of one person to honestly work harder to get ahead, that's not the Canadian way. That's not how we work.

We have to really ask ourselves: Are we overreaching by trying to achieve a goal—that we're actually hurting the consumer because we may not have the best salespeople out there? If you're a top salesperson, you know your products. You work hard to understand—

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

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bas Balkissoon): Seeing the time on the clock, this House stands recessed until 10:30 a.m.

The House recessed from 1015 to 1030.

INTRODUCTION OF VISITORS

L'hon. Madeleine Meilleur: Il me fait plaisir aujourd'hui de vous présenter deux invités : le président de l'Assemblée de la francophonie de l'Ontario, Denis Vaillancourt, qui est ici avec nous, et le directeur général, Peter Hominuk. Ils sont venus nous rencontrer, la première ministre et moi, aujourd'hui pour discuter de beaux dossiers francophones. Merci d'être ici.

Mr. Victor Fedeli: I'd like to introduce, in the gallery, Atikokan's Mayor Dennis Brown, former Timmins mayor Jamie Lim, former chief Georjann Morrisseau and Christine Leduc from the OFIA, who are here for the anti-SLAPP legislation.

M^{me} France Gélinas: I am extremely proud to introduce Rick Bertrand, who is the president of United Steelworkers Local 6500 in my riding, and who is here in support of the Workplace Safety and Insurance Act that we will be debating this afternoon.

Hon. Helena Jaczek: Please help me welcome the parents of our page Kelly Hu: her mother, Feng Hu, and her father, Eddie Hu. Her brother Alex was a page here just two years ago.

Mr. Bill Walker: It's my pleasure to introduce John and Shirley Reaburn, owners of Carson's Camp in Sauble Beach, and Paul and Kathy Walker, partners in Walker-Bumstead Financial and my favourite cousins. Welcome to Queen's Park.

Ms. Cindy Forster: I'd like to introduce some people in the members' gallery. They are OPSEU health professional members from CarePartners in Norfolk and Niagara: Erin Warman, Julie Reid, Laurie Filson, Angela DiPietro, Karen Goldhawk, Perry Wong, Pat Maclaren, Nellie Wolff, Patricia Fowler, Beverly Haden and Marian Landry. Welcome to Queen's Park.

We also have page Alex Wang's mother and father here today: Meng Wang and Pike Wang. Welcome to Queen's Park.

Hon. Kevin Daniel Flynn: I'd like to give a warm Queen's Park welcome to Mr. Jeff Mole from the Community Enterprise Network, who has joined us in the members' gallery today.

Mr. Norm Miller: I'd like to welcome in the west members' gallery today, from the University of Toronto, Michael Da Silva and Nicolas Buhite, who are here visiting today. Welcome.

Hon. Deborah Matthews: I would like to invite all members to join me in wishing our Minister of Energy a very happy birthday.

Applause.

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

Mr. Ernie Hardeman: I'm pleased to rise to welcome a number of my constituents from the great riding of Oxford. As I explained yesterday, they are here today to raise awareness that the proposed landfill site in Oxford would put our drinking water at risk.

I don't believe they're in the gallery yet, but we want to welcome the mayor of Ingersoll, Ted Comiskey; and Bryan Smith; Mike and Emma Farlow; Bonnie and Neil Dennison; Bonnie Hartley; Sarah, Aleksandr and Suzanne Crellin; Christina Crawford; Wayne Walden; Glen Sauder; Leo Walsh; Reed Elliott; Deb Tait; Derek Verveer; and John and Yetty Joosee. I want to welcome them all here and thank them for all their hard work.

M^{me} Marie-France Lalonde: Il me fait un très grand plaisir de présenter aujourd'hui notre invitée spéciale au caucus de la francophonie : M^{me} Élisabeth Allard,

présidente de la Fédération des aînés et des retraités francophones de l'Ontario.

Hon. Michael Coteau: Joining us in the Legislature today are Susan Kitchen, Barrie Shepley, Mercedes Watson, Jeremy Cross, Stuart McLaren, Eric Belahov, Clarissa Oleksiuk and Brooke Rosenfeld, who are coaches representing many different sports here in Ontario. Let's give them a big round of applause.

Mr. Lou Rinaldi: There are a number of guests here from the great riding of Northumberland—Quinte West, showcasing what the riding has to offer. I hope everybody has an opportunity to attend rooms 228 and 230 for some refreshments between 11 a.m. and 1 p.m.

Mr. Ernie Hardeman: I introduced the whole group earlier—I see that the mayor of Ingersoll is in the gallery now. Ted Comiskey, welcome to Queen's Park.

The Speaker (Hon. Dave Levac): We have with us today in the Speaker's gallery a parliamentary delegation from the Health Services Committee of the Nairobi County Assembly of the Republic of Kenya. Please welcome our guests in a warm way.

Remarks in Swahili.

The Speaker (Hon. Dave Levac): That was another language, in case you didn't know: Swahili.

JOUR DES FRANCO-ONTARIENS
ET DES FRANCO-ONTARIENNES
FRANCO-ONTARIAN DAY

The Speaker (Hon. Dave Levac): The Attorney General on a point of order.

L'hon. Madeleine Meilleur: Monsieur le Président, je crois que vous constaterez que nous avons le consentement unanime pour marquer le Jour des Franco-Ontariens et des Franco-Ontariennes, ainsi que le 400^e anniversaire de la présence française en Ontario. Un représentant ou une représentante de chaque groupe parlementaire prendra la parole pendant une période maximale de cinq minutes.

The Speaker (Hon. Dave Levac): The Attorney General is seeking unanimous consent to pay tribute to marking Franco-Ontarian Day and the 400th anniversary of francophone presence in Ontario, with representatives from each caucus speaking for up to five minutes. Do we agree? Oui. Merci beaucoup.

Attorney General.

Hon. Madeleine Meilleur: Mr. Speaker, it is my pleasure to rise in this assembly for the sixth consecutive year to mark Franco-Ontarian Day, which we are celebrating tomorrow on September 25.

Dear colleagues, it is a symbolic day, of course, but above all, it is Ontario's official recognition of the fundamental contribution made by the province's francophones to its economic, social and cultural prosperity.

Demain revêt une signification toute particulière. Comme vous le savez, nous célébrons, en 2015, 400 ans de présence française en Ontario. C'était en 1615 que le grand explorateur Samuel de Champlain a voyagé dans

une région désormais appelée l'Ontario. L'arrivée de Champlain a permis aux premiers Européens de s'installer en Huronie. Champlain, grand diplomate, avait pour rêve de bâtir des amitiés fondées sur la confiance et le respect mutuel avec les communautés des Premières Nations.

Today, 400 years later, as a community we are proud of who we are. We take responsibility for our institutions and we know how to persevere. We have every reason to celebrate the advancement of Ontario's francophonie.

Monsieur le Président, je vous assure que nous célébrons en grand. Je pense à la grande série télévisée *Le Rêve de Champlain* de TFO, qui vient d'ailleurs de recevoir un prix Gémeaux, et je les félicite. Je pense au nouveau parc commémoratif à Penetang et à la grande reconstitution historique de l'arrivée de Champlain—un événement spectaculaire. Je pense aussi aux 62 projets locaux et régionaux que nous avons financés, à l'édition spéciale de la Franco-Fête de Toronto et à la vitrine incroyable qu'elle a conférée au 400^e dans le cadre des jeux Pan Am, ainsi qu'à l'édition spéciale du Festival franco-ontarien à Ottawa.

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À l'occasion du 400^e anniversaire, l'Ontario a aussi été l'hôte de la 20^e Conférence ministérielle sur la francophonie canadienne, a conclu un important partenariat avec le Musée royal de l'Ontario, et a aussi dévoilé une pièce de monnaie commémorative en collaboration avec la Monnaie royale canadienne. Et ce n'est pas encore terminé, monsieur le Président.

Today, more than 600,000 francophones call Ontario home. This year, all of them are celebrating. But as I always say, the 400th anniversary celebrations are not only for Franco-Ontarians; they are for the entire province, which is why I invite all members to join in for the last few months of celebration.

J'invite tous ceux qui sont disponibles ici et à Toronto à venir demain à 16 h 30, avec la première ministre, là où le drapeau franco-ontarien sera hissé en avant de l'Assemblée législative. Alors, je vous invite, monsieur le Président, et je vous souhaite à tous et à toutes un joyeux Jour des Franco-Ontariens et des Franco-Ontariennes. Merci.

Le Président (L'hon. Dave Levac): Merci. Further comments?

M^{me} Gila Martow: Merci, monsieur le Président. Cette année marque le 400^e anniversaire de la découverte de l'Ontario par l'explorateur français Samuel de Champlain. En 1615, Samuel de Champlain avait voyagé en Huronie sur la rive sud de la baie Georgienne du lac Huron. Champlain a voyagé en canot et a rencontré plusieurs nations. Une fois en Huronie, il a passé un mois à voyager dans les nombreux villages de la région. Les historiens aujourd'hui considèrent que Champlain était un homme d'État et un leader avec une vision. L'approche qu'il a faite dans ses relations avec les Premières Nations avait continué, et grâce à lui, nous avons plus de 600 000 francophones qui vivent dans la province de l'Ontario aujourd'hui.

Comme la députée provinciale de Thornhill et porte-parole des affaires francophones, j'ai organisé, à la dernière Exposition nationale canadienne, une journée commémorative pour célébrer cette étape importante. La Journée francophone à l'Exposition nationale canadienne a été organisée en collaboration avec les organisateurs du comité du 400^e et des membres de l'Exposition nationale canadienne.

En utilisant le #Champlain1615 et d'autres outils de médias sociaux, le comité du 400^e a créé un kiosque vidéo fantastique. Ce kiosque vidéo a pris part dans plusieurs festivals à travers la province de l'Ontario cet été. Des francophones, et bien sûr des francophiles, ont été invités à prendre part à un simulateur de canot qui les a emmenés dans un voyage tout comme Samuel de Champlain a fait en 1615.

Alain Beaudoin, le président de l'Association des francophones de la région de York, nous a rejoints pour la Journée francophone à la CNE. Ensemble, nous avons beaucoup apprécié la performance incroyable de l'artiste française, Mélanie Brulée.

J'espère que beaucoup d'entre vous se rappellent du nom Maxime Brinck-Croteau, athlète d'escrime des Jeux panaméricains de 2015. Maxime, un francophone de la ville de Markham, a promu son école d'escrime avec son collègue qui a porté un costume de Samuel de Champlain—si amusant!

Comme la porte-parole du PC aux affaires francophones, je tiens à reconnaître et féliciter l'Assemblée de la francophonie pour leur énorme travail dans la promotion de la culture française et de langue française, et pour veiller à ce que les questions francophones de la province ne soient pas ignorées. Pour le président de l'AFO, Denis Vaillancourt, qui est ici aujourd'hui, et au directeur exécutif, Peter Hominuk, aussi ici aujourd'hui, et tout le personnel, je vous remercie pour le travail que vous faites pour tous les francophones à travers la province.

Je tiens également à féliciter notre parti pour l'énorme travail accompli en 2013 pour avoir le projet de loi 106 adopté à l'unanimité ici dans cette législature. Comme vous le savez, le projet de loi 106 donne au commissaire aux services en français le droit de faire rapport à l'Assemblée législative, ce qui offre une meilleure transparence—quelque chose de très important pour les francophones à travers la province de l'Ontario.

J'ai hâte de célébrer la journée francophone ici à Queen's Park avec la cérémonie de lever du drapeau demain. Je souhaite à tous les Franco-Ontariens un merveilleux 400^e anniversaire cette année. Je tiens également à leur souhaiter un super 40^e anniversaire où nous célébrons la première cérémonie de lever du drapeau franco-ontarien qui a eu lieu à l'Université Laurentienne en 1975.

C'était quelque chose que j'ai beaucoup aimé : participer à tous les événements pour les communautés francophones ici à Toronto, dans la région de York, à Ottawa et autour de la province. J'ai aussi voyagé, avec des membres des autres partis, aux réunions cet été et même l'année passée.

Alors, à tout le monde, bonne fête, bon anniversaire, et joyeuses célébrations autour de la province.

The Speaker (Hon. Dave Levac): Merci beaucoup. Further statements?

M^{me} France Gélinas: C'est un moment très spécial pour moi. Ce n'est pas souvent que le français est reconnu ou promu à l'Assemblée. J'aimerais remercier tous les députés d'avoir accepté de faire une délégation comme celle de ce matin pour honorer 400 ans de présence française en Ontario, ainsi que le 40^e anniversaire de notre beau drapeau franco-ontarien.

Je commence en remerciant Denis Vaillancourt et Peter Hominuk d'être ici aujourd'hui. Ce sont le président ainsi que le directeur général de l'Assemblée de la francophonie de l'Ontario. Je suis contente que vous vous soyez déplacés pour cet événement que je qualifierais de quasi historique. Ce n'est pas souvent que ça arrive à l'Assemblée.

J'aimerais lever le ton un petit peu, mettre ça plus léger, pour vous parler plus spécifiquement du 40^e anniversaire du drapeau. Pourquoi? Parce que le drapeau a été fait par des gens de Sudbury. C'était Gaétan Gervais et un de ses étudiants, Michel Dupuis, qui ont créé le drapeau. Je vais vous raconter quelques petites anecdotes que CBON, la radio de Radio-Canada à Sudbury, ainsi que Prise de parole, la maison d'édition, et l'ACFO de Sudbury ont partagé par rapport à cette journée assez historique.

Notre drapeau, comme on le connaît, le drapeau franco-ontarien, est un produit de la révolution culturelle du Nouvel Ontario qui s'est passée dans les années 1970. On a vu naître, à Sudbury, Prise de parole et le Théâtre du Nouvel-Ontario. Certains d'entre nous vont se souvenir de quelques chansons de canaux. C'était dans ce mouvement-là que le drapeau est né.

Notre drapeau, le premier, a été bricolé, monsieur le Président. Il a été bricolé en utilisant des ciseaux et du carton. Ils ont essayé différents arrangements. La fleur de lys a été prise d'une photo dans un dictionnaire, puis la fleur de trille, ils l'ont prise d'une enveloppe d'une lettre qu'ils avaient reçue du gouvernement provincial. Ils ont mis ça ensemble, et ça a été notre premier drapeau.

Il y avait, par contre, un autre drapeau franco-ontarien. Celui-là avait été fait par le Conseil régional d'Ottawa-Carleton et a vraiment été hissé le 24 juin 1975; donc, plus de trois mois avant. Mais les gens de Sudbury avaient été au Bureau du droit d'auteur du Canada et leur ont dit que le nom « drapeau franco-ontarien » avait déjà été pris et ce drapeau franco-ontarien était vert et blanc. Eux, le rouge et le bleu, ça les intéressaient pas trop parce que ce sont des couleurs assez politiques; ils voulaient demeurer apolitiques. Mais, connaissant Gaétan comme je le connais, si c'était à refaire, il mettrait un peu d'orange quelque part, j'en suis certaine. Mais notre drapeau est vert et blanc : vert pour l'été et blanc pour l'hiver.

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Quand le drapeau a été hissé pour la première fois, ceux qui l'avaient fabriqué, Gaétan et son étudiant

Michel, sont demeurés anonymes. Ils ne voulaient pas que les gens sachent que c'était eux et que ça venait de Sudbury parce qu'ils voulaient que ce soit un symbole rassembleur. Ils voulaient que ça rassemble tous les Franco-Ontariens et Franco-Ontariennes. Je vous dirais que cela a été un succès assez phénoménal.

On a dû attendre, par contre, 25 longues années avant que l'Assemblée législative ici reconnaisse notre beau drapeau comme étant l'emblème de la communauté franco-ontarienne. C'est fait; c'est depuis le 21 juin 2001 que c'est reconnu, et on a maintenant la journée franco-ontarienne qui se déroule le 25 septembre à toutes les années.

C'est sûr que, cette année étant le 400^e anniversaire de l'arrivée de la francophonie en Ontario, les célébrations sont beaucoup plus animées, je vous dirais, que dans les années passées. C'est sûr que demain, il y aura des levers du drapeau franco-ontarien partout en Ontario. Vous pouvez aller sur le site du drapeau et vous allez voir. Je pense qu'il y a près de 100 différents endroits où on va lever le drapeau franco-ontarien. Je sais que tous mes collègues ont très hâte de participer demain. En même temps, c'est une autre façon de célébrer nos 400 ans d'histoire franco-ontarienne.

Madeleine a déjà—je m'excuse—

Une voix: La ministre.

M^{me} France Gélinas: C'est correct. Elle a déjà mentionné qu'on avait gagné des prix avec Le Rêve de Champlain à TFO et qu'on a eu des simulations de l'arrivée de Samuel de Champlain partout en Ontario. Si vous n'avez pas eu la chance, il en reste quelques-unes. Ne les manquez pas; c'est vraiment bon. En général, bonne journée franco-ontarienne à tout le monde demain. Merci.

The Speaker (Hon. Dave Levac): The member from Oxford on a point of order.

Mr. Ernie Hardeman: Mr. Speaker, earlier, during the introductions, I introduced a group of great constituents from Oxford who were not yet here in the gallery. They have since then arrived and I'd like to welcome them to Queen's Park. I did refrain from renaming them.

The Speaker (Hon. Dave Levac): I would have actually stopped you.

I thank all members for their thoughtful comments and appreciate the celebration here in the House.

It is now time for question period.

ORAL QUESTIONS

BY-ELECTION IN SUDBURY

Ms. Sylvia Jones: My question is to the Acting Premier. We learned this morning that Gerry Lougheed Jr. has been charged with bribery in connection with the Sudbury by-election. Both the Premier and the Minister of Community Safety stood by Mr. Lougheed despite the

damning evidence that all Ontarians heard when they listened to those tapes.

The law-abiding people of this province knew what they heard on those tapes was illegal. Now, through their good work, the OPP have confirmed that what your top Liberal fundraiser did in December was in fact illegal. Gerry Lougheed Jr. has stepped down as chair of the Greater Sudbury Police Services Board. Did he resign voluntarily? Or did you ask him for his resignation?

Hon. Deborah Matthews: Of course we are aware of the charges that have been laid against Mr. Lougheed. I am very pleased that the police have informed Pat Sorbara's counsel that she will not face any criminal charges.

We have been open with the Legislature. We have been open with the media. We've been open with the public about allegations related to the Sudbury by-election.

Interjections.

The Speaker (Hon. Dave Levac): I'm recognizing the sensitivity of this and I will deal with it accordingly. We will put the questions quietly and we will have the answers quietly. Thank you.

Hon. Deborah Matthews: Speaker, we have faith in the process. We have co-operated fully in the investigation. We will continue to do that. As this is now a matter before the courts, we will not have further comments.

The Speaker (Hon. Dave Levac): Supplementary.

Ms. Sylvia Jones: Acting Premier, you can't hide behind that line. The reality is that Pat Sorbara is an integral part of this active investigation. She was in those tapes. She was part of the conversation with Gerry Lougheed Jr., I believe: "I am [talking] to you, on behalf of the Premier." Pat Sorbara is part of this active investigation. Have you removed her from the Premier's office while these charges proceed through the courts? If not, why not?

Hon. Deborah Matthews: I want to reiterate that the police have informed Pat Sorbara's counsel that she will not face any criminal charges. We have confidence in the police to do their work. We have co-operated with the investigation. We will continue to co-operate with the investigation.

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

Ms. Sylvia Jones: To the Acting Premier: Mr. Lougheed was charged today. Part of that charge came about as an investigation that included Pat Sorbara, that included your new member from Sudbury. We need to have some assurances that what is happening in the Premier's office is separate and—

Interjections.

The Speaker (Hon. Dave Levac): Please finish.

Ms. Sylvia Jones: Shouting down my questions is not going to make this issue go away.

Speaker, through you to the Acting Premier, will you ask for Pat Sorbara's resignation while these proceed?

Hon. Deborah Matthews: Let me repeat—and I do know that the member opposite—

Interjections.

The Speaker (Hon. Dave Levac): I'm at the edge of going to warnings, and I'll do so.

Please.

Hon. Deborah Matthews: As I have said now three times—

Interjection.

The Speaker (Hon. Dave Levac): Member from Nepean–Carleton.

Hon. Deborah Matthews: —the police have informed Pat Sorbara's counsel that she will not be facing any criminal charges. The member opposite, I know, has questions prepared, but that is important news.

As we have said, we will always co-operate with the investigation. We have confidence in our police. We will co-operate fully, and as I say, this matter is now before the courts.

BY-ELECTION IN SUDBURY

Mr. Jeff Yurek: My question is for the Acting Premier. Today is the day that Ontarians across the province have been waiting for, and perhaps it's the day the Premier has been dreading. We have the unprecedented situation of criminal charges being laid against a key Liberal fundraiser for allegedly bribing Andrew Olivier on behalf of the Premier of Ontario. This case strikes right at the heart of the Premier's office.

Acting Premier, will the Premier step aside while these charges are before the courts?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. I'm coming to the Minister of Agriculture. It's a little late, but I'm telling you this is the second time.

Deputy Premier.

Hon. Deborah Matthews: I know your questions were written before question period; however, I am very pleased that the police have informed Pat Sorbara's counsel that there will be no criminal charges laid against her. This matter is before the courts. We have confidence in the independence of the police. We will co-operate fully. The Premier has always maintained that her staff did nothing wrong, and we have faith in the process.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Jeff Yurek: Back to the Acting Premier. We in the Ontario PC caucus have been demanding what the vast majority of the people of Ontario have been asking for ever since these tapes became public. Through the actions of Gerry Lougheed Jr. and Pat Sorbara, the Premier has soiled and diminished the integrity of the office she holds. Nothing short of stepping aside will satisfy the people of Ontario.

The Premier thinks she can defy Ontarians with Hydro One, but she cannot defy them when it comes to alleged criminal activity. Will the Premier step aside or does the Premier think she, too, is above the law?

Interjections.

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

Deputy Premier.

Hon. Deborah Matthews: We will not second-guess the work of the OPP. There has been an independent investigation. The police have informed Pat Sorbara's counsel that there will be no criminal charges laid against her. We will continue to co-operate fully with the investigation. The notion on the other side of the House that they know better than those who have investigated this is kind of—you're entitled to those opinions, but they're pretty wild opinions.

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

Mr. Jeff Yurek: Back to the Acting Premier: This Liberal government has been mired in scandal after scandal after scandal. These criminal charges are just the start, with four outstanding OPP investigations. The Premier has to stop grandstanding; the jig is up. The Premier needs to accept the consequences of her scandal-ridden government. The Premier must step aside or lose all confidence of the people of Ontario. Acting Premier, will she do it?

Interjections.

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

Deputy Premier?

Hon. Deborah Matthews: I can only imagine that these questions were written before today's question period, before you were informed that the police have informed Pat Sorbara's counsel that there will be no criminal charges laid against her. You might want to refresh the questions, but let me tell you again: We are not going to second-guess—

Interjection.

The Speaker (Hon. Dave Levac): The member from Nepean–Carleton is warned.

Hon. Deborah Matthews: We will not second-guess the work of the police.

BY-ELECTION IN SUDBURY

Mr. Gilles Bisson: My question is to the Deputy Premier. The Premier has defended Gerry Lougheed Jr. and refused opposition calls to force him to resign from the Sudbury police services board.

Now that he has been charged, it does immeasurable damage to the reputation of that board and to the Premier's credibility. Instead of defending Liberal insiders, the Premier needs to put the interests of Ontarians ahead of the Liberal Party.

Ontarians deserve an answer. Who ordered Gerry Lougheed to break the law?

Hon. Deborah Matthews: As I said before, the police are doing their investigation. We have co-operated fully with that investigation; we will not interfere with that. This matter is now before the courts, and we'll have no further comment on that.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Gilles Bisson: Deputy Premier, Gerry Lougheed Jr. is charged with one count of counselling an offence

not committed and one count of unlawfully influencing or negotiating appointments. We could very well see the same charges laid against the Premier's own deputy chief of staff; who knows?

The question becomes—I ask again: Who gave the order to Gerry Lougheed Jr. to ask him to break the law on behalf of the Liberal Party? Who gave that order?

Hon. Deborah Matthews: Maybe the member opposite missed it when I said that the police have informed Pat Sorbara's counsel that she will not face any charges. This speculation is unfortunate at best. This is a matter that is before the courts, and we will respect the independence of the courts and the police.

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

Mr. Gilles Bisson: To the Deputy Premier: We all heard the tapes. We heard what Gerry Lougheed said, we heard what Pat Sorbara said, and it was very clear: They were acting on behalf of the Premier, one Kathleen Wynne.

I ask you again: Both Lougheed and Sorbara said they were calling on behalf of the Premier, so again, who ordered them to break the law?

Hon. Deborah Matthews: It is nothing short of astounding that the member opposite thinks he knows better than the police who have investigated this. The police have informed Pat Sorbara's counsel that there will be no criminal charges laid. I respect the work of the police; I respect the work of the court system, so we will have no further comment on this. The member opposite does need to, I think, respect the work of the people who investigated this.

BY-ELECTION IN SUDBURY

Mr. Gilles Bisson: Through you, Speaker, back to the Deputy Premier: The Premier and yourself as Acting Premier both stood in this House and defended the actions of both Mr. Lougheed and Ms. Sorbara. The Premier has publicly said, with apparent knowledge, that the conversations Mr. Lougheed is now being charged with having were an attempt to keep Mr. Olivier involved, and that the decision as to who would run as the Liberal candidate was hers.

Mr. Lougheed is now charged with counselling an offence; he said he was there on behalf of the Premier. So I ask again: Who ordered him to break the law?

Hon. Deborah Matthews: Speaker, I think the member opposite actually needs to respect the independence of the police and respect the independence of the courts. Let the courts do their work. We will have no comment on this. It is a matter before the courts.

But as I said earlier, I am pleased that the police have informed Pat Sorbara's counsel that she will not face criminal charges. I know the member doesn't want to hear that, but that is what the police have told the counsel.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Gilles Bisson: Through you, Speaker, to the Deputy Premier: The Premier and yourself were like on

autopilot, saying that you were taking this oh, so very seriously. It turns out so did the Chief Electoral Officer and so did the OPP.

The question is, will the Acting Premier tell us what the Premier knew and when she knew it?

Interjection.

The Speaker (Hon. Dave Levac): Deputy House leader, second time.

Deputy Premier.

Hon. Deborah Matthews: Speaker, I am again repeating that the police have done their work. The courts are doing their work. That is independent from government and certainly independent from the political process. If the member opposite thinks that there should be political interference in matters like this, I could not disagree more strongly, Speaker.

Let's let the courts do their work. We will support any investigation. We will co-operate fully, as we have done and will continue to do.

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

Mr. Gilles Bisson: The Premier and the Acting Premier finally need to read that the writing is on the wall. The Premier and the Acting Premier both stood in this House and defended the actions of both Mr. Lougheed and Ms. Sorbara. But now charges have been laid and holes in the Premier's story are being blown wide open. Lougheed said that he was acting on behalf of the Premier. That's what was said on the tapes. It was clear to everybody who listened to those tapes.

My question to you is this: What did the Premier know, and did she order Mr. Lougheed to break the law?

Hon. Deborah Matthews: Well, Speaker, we are aware that charges have been laid against Mr. Lougheed. We are also aware that the police have informed Pat Sorbara's counsel there will be no charges laid against her.

We have been open with the Legislature. We have been open with the media. We have been open with the public. We have co-operated fully with the investigation. The Premier has maintained and continues to maintain that her staff have done nothing wrong.

We have faith in the process. We have faith in the independence of the courts and of the police. We have co-operated. We will continue to do so, Speaker. This is a matter now before the courts, where it belongs.

BY-ELECTION IN SUDBURY

Mr. Bill Walker: My question is to the Deputy Premier. Leadership is all about honesty, integrity and accountability. With this morning's news about the criminal charges being laid against one of the Premier's own in Sudbury, the leadership of this Premier and her government is yet again under a cloud of shame.

In the past, this government was prepared to say anything in order to hang on to power. They did this with the gas plant scandal, the eHealth scandal, the Ornge scandal and, most recently, they did it with the Sudbury by-election bribery scandal.

Through you, Mr. Speaker, I ask the Deputy Premier: The police have done their job; will you do yours and will your Premier resign?

Hon. Deborah Matthews: Well, Speaker, I'm happy that at least that member respects that the police have done their job.

The police have done their job. The police have done their job independent of political interference, and the police have informed Pat Sorbara's counsel that she will not face any criminal charges.

We respect the independence of the police. We respect the independence of the courts. That is a responsible position to take, Speaker. We have co-operated fully and will continue to do so.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Bill Walker: Back to the Deputy Premier: We're asking your government to show integrity, to stand by higher principles. Your government is under four investigations. This is unprecedented in the history of this Legislature. You've wasted billions on the gas plant scandals. You're not listening to people on the fire sale of Hydro One.

But you're not above the law. Will you do the honourable thing—will the Premier do the right thing and resign?

Hon. Deborah Matthews: I know the Premier and all of us fully understand that we are not above the law. We are respectful of the police. We are respectful of the courts. We have co-operated fully, Speaker, and the police have informed counsel—

Mr. Paul Miller: That's choice.

The Speaker (Hon. Dave Levac): And that's the second time for the member from Hamilton East–Stoney Creek.

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Interjection: He's not in his seat.

Interjections.

The Speaker (Hon. Dave Levac): Excuse me. It's irrelevant.

Please finish.

Hon. Deborah Matthews: Speaker, we have co-operated fully with the investigation. It has been conducted free from political interference, as well it should be. No charges are going to be laid against Pat Sorbara. The matter regarding Mr. Lougheed is before the courts, and that's where it will be dealt with.

BY-ELECTION IN SUDBURY

Mr. Gilles Bisson: Listen, Deputy Premier, this just doesn't cut it. The reality is this: The tapes clearly say that Ms. Sorbara, in his own words, was there on behalf of the Premier of Ontario—or, Mr. Lougheed. Correction: Mr. Lougheed.

Again through you, Speaker: Everybody has heard the tapes. It is crystal clear that Mr. Lougheed was very clear on why he was there. He was meeting with Mr. Olivier, in his own words, because he was there on behalf of the Premier of Ontario. So we're asking you one simple

question: Will you confirm today that, in fact, the Premier of Ontario did give him those orders and he was acting under her direction?

Interjection.

The Speaker (Hon. Dave Levac): The deputy House leader is warned.

Finish, please.

Hon. Deborah Matthews: Speaker, again Inspector Clouseau across the way here thinks he can do a better job.

Interjections.

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

Interjections.

The Speaker (Hon. Dave Levac): Start the clock.

Order, please.

I'm going to ask the Deputy Premier to withdraw.

Hon. Deborah Matthews: I withdraw, Speaker.

The Speaker (Hon. Dave Levac): I would remind everyone: It's an exact reason why we in this House have the tradition of identifying people either by their title or their riding. I would ask you all to respect that.

Carry on.

Hon. Deborah Matthews: The member opposite, I know, is interested in doing his own investigation, and that is certainly fine, but I trust the police to do their work. They have conducted their investigation. They have come to a finding. We are aware that Mr. Lougheed has been charged, and we are aware that Ms. Sorbara will not be charged.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Gilles Bisson: The facts are these: The tapes were very clear in saying that Mr. Lougheed was there on behalf of the Premier. The Ontario Provincial Police have conducted an investigation. Elections Ontario has conducted an investigation. Both have come to the same conclusion: that in fact Mr. Lougheed offered a bribe to Mr. Olivier and said he was doing so on behalf of the Premier of Ontario.

I ask you again: Can you confirm, yes or no, if that direction did or didn't come from the Premier of Ontario, one Kathleen Wynne?

Hon. Deborah Matthews: On this side of the House, we believe in letting the police do their work. We co-operated fully with the police. They have come to a conclusion. We're aware of that conclusion. We trust the police. We trust the court system to do their work in a completely independent way.

HOSPITAL FUNDING

Mrs. Marie-France Lalonde: Ma question est pour le ministre de la Santé et des Soins de longue durée.

The University of Ottawa Heart Institute is Canada's largest cardiovascular health centre, dedicated to understanding, treating and preventing heart disease. The heart institute delivers high-tech care with a personal touch that shapes the way cardiovascular medicine is practised. They provide care to more than 80,000 patients each year and provide training to more than 100 physicians

annually. They serve patients locally in my riding of Ottawa–Orléans, which is the home of the largest francophone community in Ottawa, as well as patients across the province and country. You might even say that the University of Ottawa Heart Institute is close to my heart and the heart of my constituents, because they provide services in both official languages.

Along with my colleagues in Ottawa, we were with the minister recently when he announced infrastructure funding to the Ottawa Hospital. Can the minister tell this House what our government is doing for the University of Ottawa Heart Institute?

Hon. Eric Hoskins: I appreciate the question from the member from Ottawa–Orléans.

It's important that our government support a range of advanced cardiac services provided by the University of Ottawa Heart Institute, procedures such as bypass surgery and angioplasties. In fact, in January of this year, our government announced that we would be investing \$162 million in the expansion of Ottawa's heart institute to help even more patients access that high-quality care that they provide.

Since 2003, our government has committed over \$172 million in capital projects alone to the Ottawa heart institute, which are all either complete or currently under way. We continue to support our Wait Time Strategy at the heart institute. In fact, since 2005, the wait times for angioplasty alone have been reduced by 52% by the heart institute.

We're extremely proud of the work the institute does. We'll keep working to support it.

The Speaker (Hon. Dave Levac): Supplementary.

Mrs. Marie-France Lalonde: Merci, monsieur le Ministre, pour votre réponse.

I was absolutely delighted this summer when I was able to stand beside you at the Ottawa Hospital to announce that our government is providing over \$10 million to the 17 hospitals in our Champlain LHIN, including over \$9 million to five hospitals in the Ottawa area.

The investment of over \$9 million to improve infrastructure in Ottawa-area hospitals is great news for residents of the Ottawa community and surely for Orléans. I was disappointed recently when I heard the Leader of the Opposition suggest that our government was cutting funding to the Ottawa heart institute, and similarly to the Ottawa Hospital.

Can the minister tell this House more about the investments made in the hospital system in Ontario and how those investments will affect the Ottawa region?

Hon. Eric Hoskins: Thank you again for the question from the member from Ottawa–Orléans.

As the Minister of Health I'm committed, as this government is, to a strong publicly funded health care system and hospital system that efficiently provides high-quality patient services for all Ontarians.

Hospital funding in fact has increased by 56% since 2003. That's \$5.7 billion, and it's a total of \$1.4 billion

just for hospitals located in Ottawa and in the Ottawa region alone.

At the Ottawa heart institute, we've increased funding by 68%, an increase of more than \$48 million. We're making additional investments to other hospitals in the area, like CHEO, the Children's Hospital of Eastern Ontario, where we invested nearly \$1 million this year in that hospital and others, specifically for chronic pain programs for children across this province.

BY-ELECTION IN SUDBURY

Mr. Victor Fedeli: My question is for the Acting Premier.

It's a shameful day in Ontario. The Premier's key Liberal operative in northern Ontario is charged with two criminal offences. We now have an influencing scandal in Ontario. Gerry Lougheed was clearly heard on audio recording stating he was representing the Premier. He asked a prospective Liberal nominee to step aside in favour of the Premier's hand-picked choice, and he proposed to use taxpayers' money to smooth the way with the offer of a job.

We've all heard the tapes. What Lougheed said is no different than what the Premier's chief of staff, Pat Sorbara, said. So shouldn't she step aside until we hear about charges from the Chief Electoral Officer?

Hon. Deborah Matthews: Well, Speaker, once again I have to express concern that the member opposite thinks he can do a better job investigating than the police can.

The police have done a thorough investigation. We have co-operated fully with that investigation and we will continue to co-operate fully. The police have come to a decision. We are aware that charges have been laid against Mr. Lougheed and we are also aware that charges will not be laid against Pat Sorbara.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Victor Fedeli: Back to the Acting Premier, Speaker: I heard that same stuff during the two years of the gas plant scandal, so don't go lecturing us. We've always known that Lougheed and Sorbara acted in bad faith when we heard the tapes. We knew that when the Chief Electoral Officer tabled his report and we know it to be true today.

The Premier's fingerprints are all over this criminal scandal, much as she may protest otherwise. The OPP believes Lougheed illegally influenced Andrew Olivier to step aside for her hand-picked candidate. Now her fall guy is paying the price for this illicit behaviour.

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Pat Sorbara is heard on tape delivering the exact same message as Gerry Lougheed, allegedly offering the same bribe. Shouldn't she step aside until we hear about the charges under the Election Act?

The Speaker (Hon. Dave Levac): I have been listening very carefully, and I understand the sensitivity of this topic. I'm going to counsel all members to use their language very carefully, to ensure that you're not making

accusations of a criminal nature to any member. It was getting close. I'm not saying it did. But I'm asking you to measure your words, please.

Deputy Premier.

Hon. Deborah Matthews: The member opposite is second-guessing the work of the police. I have a problem with that. I think the police have conducted a thorough investigation. We have co-operated with that investigation. They have come to a conclusion. The fact that the member opposite believes his investigation is superior to the police investigation is a remarkable assertion.

We respect the work of the police. We respect the independence of the police. We respect the courts, and we will let the courts do their work.

BY-ELECTION IN SUDBURY

Mr. Gilles Bisson: Again to the Deputy Premier: We ask people in society to always take responsibility for their actions. We ask our children to take responsibility for their actions.

In this case, we know the law has potentially been broken because criminal charges have been laid against Mr. Lougheed. We know that, in fact, what was said on those tapes by Mr. Lougheed and Ms. Sorbara—that they were acting on behalf of instructions from the Premier. They were there on behalf of the Premier to do the work that she wanted them to do.

So I ask again: Is the Premier, is the Deputy Premier, is anybody in this government prepared to take responsibility for the actions of those people who acted on your behalf? Is the Premier prepared to do that? Yes or no?

Hon. Deborah Matthews: The Premier, from the very beginning, has been very open and transparent, has co-operated fully with the police investigation.

We have confidence in the police. We have confidence in the court. They have come to a conclusion. We know what the results of that are, and we will let the matter be dealt with in the appropriate place, and that is in the courts.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Gilles Bisson: Speaker, through you to the Deputy Premier: Two investigations have concluded the same findings. The Elections Ontario investigation found that in fact there is a case to be made against those two individuals when it comes to a breach of the Election Act. It was very clear on the tapes, what was said. They were there on behalf of the Premier of Ontario. The Ontario Provincial Police, as a result of its investigation on the criminal charges side, has charged Mr. Lougheed.

So I ask you the question once again: Whose orders were they acting under? Were they doing this on behalf of the Premier? Yes or no?

Hon. Deborah Matthews: Speaker, once again, I have confidence in the police to do their investigation. They have done a very thorough investigation. They have conducted themselves in a non-partisan way. I believe that is the way justice is served here in Canada: to have independence between the police, the courts and government.

We have co-operated fully, and the matter is now before the courts.

CONSUMER PROTECTION

Mr. Lorenzo Berardinetti: My question is to the Minister of Government and Consumer Services. Our government continues to demonstrate strong support for consumers and has enhanced consumer protection and awareness in various sectors over the years.

Speaking with my constituents in Scarborough Southwest and speaking to other residents across Ontario, I keep hearing that Ontarians want access to the services they need without being subject to harmful practices. Our government addressed this concern across various sectors by passing the Stronger Protection for Ontario Consumers Act in 2013.

While Ontarians have benefited from the legislation's door-to-door protections for many months now, I understand that the Minister of Government and Consumer Services was joined by the Credit Counselling Service of Sault Ste. Marie this summer for an important announcement.

Mr. Speaker, my question is: Would the minister please describe the new protections that Ontarians can count on from our government?

Hon. David Orziotti: I want to thank the member from Scarborough Southwest for asking about important consumer issues and certainly for his advocacy in his riding for consumers.

We passed Bill 55, the Stronger Protection for Ontario Consumers Act, which protects against aggressive, high-pressure, door-to-door sales strategies, especially for water heater rentals. It provides reforms that help to improve debt settlement services, to make them more affordable and more accountable, and it provides measures that make the real estate market more open and transparent.

As of July 1, we implemented new rules that add accountability to debt settlement in the following areas: Debtors cannot be charged fees until they start making payments to their creditors; we've capped debt settlement fees at 15% for a series of payments or 10% for a lump sum; and contracts must be clear and cannot misrepresent the services they provide. Additionally, new rules give all consumers a 10-day cooling-off period.

Speaker, we're pleased that we're making progress to help protect vulnerable consumers.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Lorenzo Berardinetti: Through the Speaker, my supplementary question to the Minister of Government and Consumer Services is the following: With an increasing amount of Ontarians falling into debt, I'm pleased to note that the minister is focusing attention on implementing adequate protections. I understand that the Stronger Protection for Ontario Consumers Act also includes measures to increase accountability and competitiveness in Ontario's real estate sector that were implemented July 1. I've always felt that Ontario's real estate professionals are among the best, contributing

billions of dollars to our economy and providing jobs across the province.

Efforts to help the sector grow, while adding consumer protections, would be welcome in my riding of Scarborough Southwest and in every riding across this province.

My question is to the minister. I want the minister to please update the House on how our government improved the home buying and selling process for Ontarians this past summer.

Hon. David Oraziotti: Again to the member from Scarborough Southwest: A fair, accountable real estate environment has been an ongoing priority for our government. When the act was passed in December 2013, home sellers and buyers were immediately given more power to negotiate both fees and commissions when working with real estate professionals.

I'm pleased that the new rules that came into force this past summer provide greater protection and transparency for homebuyers in multiple offer situations. The rules ensure that realtors cannot mislead homebuyers about offers because they require real estate salespeople and brokers to only present offers in writing. They also require brokerages to retain copies of all written offers for the period of one year, and they also allow a person making an offer on the property to ask about the number of offers that have been made.

These reforms, Speaker, act on stakeholder feedback and will help the Real Estate Council of Ontario better regulate against phantom offers. This is one of the important changes we're making—

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

BY-ELECTION IN SUDBURY

Mr. Patrick Brown: Mr. Speaker, my question is for the Acting Premier. This morning I had the honour of attending the opening ceremony of the National Peace Officers' Memorial Run. During that ceremony I was reminded of the courage and integrity shown by the men and women of Ontario's police services in upholding the laws of our country.

That stands in stark contrast to the news today that the Premier's key fundraiser has been charged with bribery. Those charges are laid because the Premier allegedly—

Interjections.

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

Mr. Patrick Brown: Those charges are laid because the Premier allegedly sent Gerry Lougheed Jr. to offer Andrew Olivier a job in exchange for not running in the Sudbury by-election.

Mr. Speaker, the Premier has disgraced her office—
Interjections.

The Speaker (Hon. Dave Levac): Please finish.

1130

Mr. Patrick Brown: Speaker, the Premier has disgraced her office. The people of Ontario are demanding that she step aside during this court case.

To the Acting Premier: Will the Premier step aside?

Interjections.

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

Deputy Premier.

Hon. Deborah Matthews: I'm happy to hear the Leader of the Opposition speak about the respect that he has for the police officers. We share that. We are blessed in this province to have superb police officers. It is because of our respect for those police officers, Speaker, that we respect their work in this case, among others.

The independence of the police is a critically important part of our democracy. We respect the work. We've co-operated fully with them. We share the respect, and that's why we have let them do the work.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Patrick Brown: Back to the Acting Premier: During the course of the Ontario PC leadership campaign, I travelled to every small town, every large town in Ontario. I heard again and again that people are sick and tired of this scandal-plagued government.

They're sick and tired of a government that doesn't respect their hard-earned tax dollars. They're sick and tired of a Liberal Premier who thinks her government can get away with breaking the law. They want this Premier and this Liberal government to be held accountable. The criminal courts will now do that.

Mr. Speaker, back to the Acting Premier: Will the Premier show an ounce of integrity and step aside during this trial?

Interjections.

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

Hon. Deborah Matthews: Well, Speaker, I think if anybody wants to talk about the integrity of politicians in this place, the Premier is a woman of impeccable integrity.

The Premier has co-operated fully with the police investigation. She has been open. She has been transparent. She is committed to doing the right thing every single time, Speaker.

BY-ELECTION IN SUDBURY

Mr. Gilles Bisson: My question, through you, Speaker, is to the Deputy Premier. Deputy Premier, what does it take for your government to finally admit its role in this entire scandal?

Mr. Lougheed is on tape. He says clearly that he's acting on behalf of the Premier when he goes to meet with Mr. Olivier. Mrs. Sorbara on the phone does the same; she says she's doing this on behalf of the Premier. We have an Elections Ontario investigation that found that, in fact, the law had been breached, and we now have criminal charges, on behalf of the Ontario Provincial Police, against Mr. Lougheed.

So I'm going to ask you again: Will the Deputy Premier stand in this House today and finally admit that,

in fact, these people were acting on behalf of the Premier's instructions?

Hon. Deborah Matthews: Once again, I have to say that the police have done a thorough investigation, an independent investigation, a non-partisan investigation. They have reached conclusions, Speaker. They have informed Pat Sorbara's counsel that she will not be facing any criminal charges.

I understand the politics of the member opposite. I understand what he's trying to do. But when you think about our justice system, when you think about our police system—

Mr. Paul Miller: It has nothing to do with politics. You're guilty. Guilty is guilty.

The Speaker (Hon. Dave Levac): The member from Hamilton East–Stoney Creek is warned.

Finish, please. Wrap up.

Hon. Deborah Matthews: Speaker, I'm doing my best to ignore some of the heckles from across the floor, but I have to say the independence of the police is fundamental to our democracy.

We respect the independence of the police. We respect the excellence of their investigation capabilities. The matter is before the courts, where it will be dealt with independently.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Gilles Bisson: Again through you, Speaker, to the Deputy Premier: The Deputy Premier says this is all about politics. This is all about Liberal politics. It's exactly what's going on. The government and the Liberal Party tried to game the system in such a way that gave them an advantage in the Sudbury by-election.

The tapes are clear. The tapes say, "I am here on behalf"—

Interjections.

The Speaker (Hon. Dave Levac): Minister of Children and Youth Services—

Interjections.

The Speaker (Hon. Dave Levac): I'm trying to admonish you while you're talking, Minister. And the Minister of Economic Development will also come to order.

Please finish.

Mr. Gilles Bisson: The tapes are clear: They were acting on behalf of the Premier of Ontario. This is what they said on the tapes. It's what Mr. Olivier said, as well.

The Ontario Provincial Police have come to a conclusion. Elections Ontario have come to a conclusion. So I ask you again: Will the Deputy Premier finally admit that, in fact, it was the Premier of Ontario who directed these individuals to offer Mr. Olivier a bribe?

Hon. Deborah Matthews: What the member opposite is saying is that he knows better than the OPP; that is what he is saying. I respectfully disagree with him, Speaker. The OPP have done their investigation, which has been a very thorough investigation. We have cooperated fully with that investigation. And I will take the decisions of the OPP over the decisions of the member opposite any day of the week.

FRANCOPHONE IMMIGRATION

IMMIGRATION FRANCOPHONE

Mr. Grant Crack: My question is to the Minister of Citizenship, Immigration and International Trade. Minister, for 400 years, francophones have been building and shaping Ontario. Dans ma circonscription de Glengarry–Prescott–Russell, il y a plus de 60 % de francophones, et nous sommes chanceux d'avoir une communauté francophone vibrante et forte.

I know that much of our government values diversity of all sorts, whether it be race, religion, nationality or language. Je sais que les francophones de l'Ontario contribuent de façon essentielle à la grande diversité de la province.

I was pleased when your ministry brought forward Ontario's Immigration Strategy, which set a target of 5% francophone immigration. The constituents in my riding have been equally excited and pleased to see their government commit to increasing francophone populations. Speaker, could the minister tell us what our government is doing to meet this target?

Hon. Michael Chan: Merci beaucoup for the question. I want to thank the honourable member for asking it. Speaker, I cannot agree enough with the member. Ontario's francophone population is as proud, strong and vibrant as any, and we are committed to helping it reach that fantastic target of 5% immigration.

Just today, my ministry announced the creation of a group of experts, comprised of 11 francophone community members from a variety of sectors, regions and areas of expertise. It also includes a representative from Ontario's French Language Services Commissioner. This group met for the first time in June of this year, and I look forward to seeing what they will achieve going forward. We have the tools and resources here to help francophone newcomers succeed and continue to protect and celebrate francophone culture in Ontario.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Grant Crack: I'd like to thank the minister for his answer and the hard work that he does on this file. Je suis heureux d'apprendre qu'il y a un groupe d'experts en immigration francophone et je suis convaincu que mes commettants à Glengarry–Prescott–Russell le seront aussi.

It's true that, like many other diverse populations, our francophone community faces unique challenges when immigrating or integrating into Ontario. Nous savons que notre communauté francophone est essentielle au développement économique et social, entre autres, de l'Ontario. C'est pour ça que nous devons continuer à trouver des solutions innovantes pour augmenter l'immigration francophone en Ontario et les aider à relever les défis.

Mr. Speaker, through you to the minister, what exactly will this group of experts be discussing, and how will it benefit francophone immigration in my riding, the great Glengarry–Prescott–Russell?

Hon. Michael Chan: Thank you again for the question.

Speaker, we are very, very excited about this group of experts. The 11 leaders in their fields are volunteering their time and their expertise to benefit the province by helping us increase the number of francophone immigrants to Ontario and ensure the sustainability of Franco-Ontarian communities.

The group will examine how to promote, welcome, integrate and retain francophone immigrants in Ontario. In spring 2016, they will provide us with a report of their findings and recommendations. This information will be used to inform future decision-making and improve existing supports for francophone newcomers. Building stronger francophone communities is part of the government's economic plan for Ontario, and this group will help us do just that. Merci, Speaker.

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GOVERNMENT'S RECORD

Ms. Lisa M. Thompson: My question is for the Acting Premier. Yesterday we learned from the Auditor General of the sad state of access to front-line health care from the CCACs, which some have described as criminal. And sadly, today we have learned that the Liberals are willing to engage in criminal activity to get what they want. So, simply, I would like to ask the Acting Premier: Will the Liberal government and the Liberal party stop breaking the law to benefit their own interests?

Hon. Deborah Matthews: To the Minister of Health and Long-Term Care.

Hon. Eric Hoskins: I appreciate the question. The comment about the CCACs: Of course, the last part of the comment we don't agree with at all. Yesterday we received the report of the Auditor General on our CCACs. I welcome that report. In fact, I endorsed it on behalf of the government. I said that I agreed with all of the recommendations, and we accept all of the recommendations, and we plan on implementing all of her recommendations. It was an important road map, quite frankly, for us to use going forward. We're putting it alongside the actions that we've already taken this year that flowed from the expert panel appointed by the government, Gail Donner's group—

Interjection.

The Speaker (Hon. Dave Levac): Member from Bruce-Grey-Owen Sound.

Hon. Eric Hoskins: —to actually help us and provide us with good advice, leading to even better quality of care provided through our home and community care services. That's what we're doing. We're embarking on those changes, and I've welcomed her report.

The Speaker (Hon. Dave Levac): Supplementary.

Ms. Lisa M. Thompson: Back to the Acting Premier. Simply, they're deferring their answers because they can't muster a proper one up because they're so busted. You know what? This government is rife with criminal activity, and it doesn't matter what—

Interjections.

The Speaker (Hon. Dave Levac): Order.

I'm not going to accept that. The member will withdraw.

Ms. Lisa M. Thompson: Withdraw.

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

Ms. Lisa M. Thompson: The actions of the government in Sudbury—perhaps it's a stark reminder that the Liberals have no respect for the democratic process. They arrogantly believe that they're accountable to no one and therefore they act accordingly, as we're seeing right now.

I'd like to go back to the Acting Premier and ask: If we can't trust the government to act with integrity in a simple by-election, how can we trust this Liberal government to act responsibly, introducing policies that impact not just the riding but the whole province?

Hon. Eric Hoskins: I'm absolutely shocked that the member opposite would use such despicable language when referring to the hard work done by our front-line health care workers on behalf of people in this province, in helping people and providing home and community support to them. I'm proud of the work that our thousands upon thousands of front-line workers provide on a daily basis, helping more than 800,000 Ontarians over the year.

We received an important report from the Auditor General. I've embraced and endorsed and accepted that report. I plan on implementing all of the recommendations. We're going to be transformational, as we have been. We've already introduced significant changes in our home and community care system. We plan on doing that. But to use such language when she's referring to our hard-working front-line health care workers is, quite frankly, despicable.

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please—without comment.

New question.

LABOUR DISPUTE

Ms. Cindy Forster: My question is for the Acting Premier. Yesterday we learned in the Auditor General's report into the CCACs that in 2014, 62%—\$1.5 billion—of the funds that go to the CCAC went to private, for-profit home care service providers—in a public system—like CarePartners in Welland and Norfolk. CarePartners continues to receive their piece of the pie even as their front-line staff, nurses who do everything from wound care to dialysis, have been on strike seeking a collective agreement for the last six months.

Will the Acting Premier tell these front-line workers and nurses who are here today why they've been left out on the street, unable to provide care for thousands of patients in Niagara and Norfolk, while the government continues to shovel money into CarePartners so they can pay people to take their jobs away?

Hon. Deborah Matthews: To the Minister of Health and Long-Term Care.

Hon. Eric Hoskins: I appreciate the question, and I'm happy that there are members of the nursing profession here—

Interjection: And personal support workers.

Hon. Eric Hoskins: And personal support workers, as well. Thank you for indicating that.

Thank you for the work that you do day in and day out, on behalf of Ontarians. We appreciate it, and we respect it.

Mr. Speaker, I had the opportunity a couple of weeks ago of meeting with OPSEU, with Smokey Thomas, as well as with representatives of those same nurses and front-line workers that the member opposite is talking about. We had a significant conversation, and as a result of that I had a good understanding of the challenges they're facing in negotiations with CarePartners. As a result of that, in fact even prior to that, we have implored and asked both parties, but specifically CarePartners, to get back to the negotiating table and to work hard with OPSEU, the bargaining agent representing those front-line health care workers, to find a solution to this outstanding difficulty.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Cindy Forster: Last week, the OPSEU negotiating committee did go back to the bargaining table in an effort to end this strike. The CarePartners negotiator, a well-known, well-paid negotiator who actually is a negotiator for OPS negotiations with the Liberal government, tabled a new proposal that was never there before that demanded that any costs added by the ORPP to CarePartners with implementing that plan will have to be borne entirely by these front-line workers.

Will the Acting Premier, in front of these home care workers, these health care professionals who are here today, commit to direct CarePartners to withdraw the outrageous ORPP demand immediately, get serious about bargaining, negotiate a collective agreement in good faith, not bad faith, or see CarePartners money dry up?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you. Just a reminder: There are some people with

Minister?

Hon. Eric Hoskins: I know that the third party agrees with me that we shouldn't be bargaining or discussing the details of the bargaining in public, certainly not in the Legislature. I think we also agree that we believe that the partners, both CarePartners and the front-line workers who are aptly represented by OPSEU, need to, in a serious fashion, get back to the bargaining table and resolve this long-standing situation.

Our goal, as government, is to ensure that the care that is being provided to people is of the highest quality. I know that the Ministry of Labour has provided mediators that are available as well. As I mentioned, I met with OPSEU and the front-line workers just a couple of weeks ago. I am watching developments very, very closely. We aren't directly involved in negotiations. Labour stands ready to help. We want this resolved as much as you do.

CHILDREN'S HEALTH SERVICES

Mr. Han Dong: My question is for the Associate Minister of Health and Long-Term Care.

Speaker, I know parents in Ontario want their children to grow up happy, healthy and ready to succeed in life. They expect our government to work together with them to support their efforts to raise a healthy family.

But as of 2012, almost one in every three children in Ontario was at an unhealthy weight. This was often the topic when I took my kids to their summer camp at University Settlement in Trinity–Spadina. This problem is more severe in boys than girls, and in particular, our aboriginal children. As a parent of two young children, I'm deeply concerned. Childhood obesity is threatening our children's future and the future of this province.

Through you, Speaker, to the minister: Please update this House about what your ministry is doing to combat obesity amongst Ontario's youngest population.

Hon. Dipika Damerla: I want to begin by thanking the hard-working member from Trinity–Spadina for that question. I know, Mr. Speaker, that as a father of two young kids himself, this issue isn't important to him just because it's important in his community, but it's also important for him as a father.

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As a mother myself, I couldn't agree more that we need to invest in our children's health. That is why this summer we announced the Healthy Kids Community Challenge, which provides up to \$33.5 million to 45 communities across Ontario, including First Nations communities. The funds will be used to promote healthy eating, physical activity and healthy lifestyle choices for Ontario's children.

I was delighted to be able to visit a number of these communities that were selected for the healthy kids challenge, communities like Peterborough, Windsor, Essex county, Hamilton and Windsor. I look forward to responding with more in the supplementary—

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

Mr. Han Dong: I would like to thank the minister for her update and her hard work at the ministry, protecting the future of Ontario's children.

But I wish to draw upon a comment that the minister made in her previous response regarding the prevalence of childhood overweight and obesity in Ontario's aboriginal children.

We all know that children of our First Nations communities often face particular health challenges. It is absolutely vital that these communities are provided with an equality of culturally appropriate opportunities for their children to grow and thrive.

Through you to the minister: What is our government doing to ensure the health and the success of our First Nations children in this province?

Hon. Dipika Damerla: I again thank the member opposite for the supplementary question. Our government knows how important it is that every child in Ontario has

an equal opportunity to lead a healthy, productive life. Improving the health of First Nations, Inuit and Métis people and children in Ontario is a priority for the Ministry of Health and Long-Term Care. That's why our ministry announced \$3.5 million for six First Nations communities across Ontario to participate in the Healthy Kids Community Challenge.

In collaboration with our aboriginal partners, the ministry is making progress in addressing the unique health needs of aboriginal people. For example, last month I had the privilege of visiting the De dwa da dehs nye>s Aboriginal Health Centre located in Hamilton. The health centre will use \$525,000 in funds from the ministry to develop culturally appropriate care.

BY-ELECTION IN SUDBURY

Mr. Todd Smith: My question is for the Acting Premier this morning.

The government's suggestion this morning is that it's perfectly acceptable for the Premier's deputy chief of staff to be under investigation and still employed by the government. In fact, the government has set the ethical standard so low that as long as you don't get arrested, you can work in the Premier's office. I know of fast-food joints that hold their employees to higher standards than this government does.

Mr. Speaker, does the Deputy Premier think that it's acceptable for a member of the Premier's staff to continue their employment here simply because they won't appear before a judge?

Hon. Deborah Matthews: The police have informed Pat Sorbara's counsel that she will not be facing any charges, so I'm not quite sure where the member opposite is going. But what I can say is that we have co-operated fully, and we will continue to co-operate fully. I respect the work of the police, and I respect the work of the—

Interjections.

The Speaker (Hon. Dave Levac): You will withdraw the word.

Hon. Deborah Matthews: I withdraw—oh.

The Speaker (Hon. Dave Levac): No, the member from Leeds–Grenville.

Mr. Steve Clark: I withdraw.

Interjections.

The Speaker (Hon. Dave Levac): Who was it?

Interjections.

The Speaker (Hon. Dave Levac): Let's be clear: There was an unparliamentary word used. I assumed it was the member from Leeds–Grenville. The member has withdrawn, and I appreciate that. This is where all of this confusion comes from when we're not paying attention to each other.

Carry on.

Hon. Deborah Matthews: I'm done.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Todd Smith: Television actors have morals clauses in their contracts that cost them their job if they

“commit any act or do anything which might tend to bring the actor into public disrepute, contempt, scandal or ridicule, or which might tend to reflect unfavourably on the network.”

You know, Speaker, Pat Sorbara would be held to a higher standard of ethical conduct if she actually played herself on House of Cards than she's held to by the Premier in her office.

I ask again, does the Acting Premier believe that it's acceptable for a core member of this government to continue their employment, even though they were under police investigation? How much lower can the public expect this government's ethical standards to go?

Hon. Deborah Matthews: Speaker, what I can tell you is that the Premier has maintained that her staff did nothing wrong, and in fact the police have concurred with that. They have informed Pat Sorbara's counsel that there will be no charges laid.

As I've said before, we respect the work of the OPP. We respect the independence of the OPP. We respect the work of the courts. We respect the independence of the courts. It's clear that both parties opposite are questioning the independence or the excellence of the investigation. On our side, we respect the work of the independent police and the independent courts.

The Speaker (Hon. Dave Levac): There being no deferred votes, this House stands recessed until 1 p.m. this afternoon.

The House recessed from 1156 to 1300.

The Speaker (Hon. Dave Levac): Point of order, the member from Leeds–Grenville.

Mr. Steve Clark: Speaker, I rise to give you notice that I'll be filing a point of privilege in regard to comments made by the Deputy Premier regarding Pat Sorbara.

The Speaker (Hon. Dave Levac): I would point out to the member that that's a process that's not necessary; just the filing is what is the normal procedure. But having said that, thank you for the information.

INTRODUCTION OF VISITORS

Mr. Ernie Hardeman: Mr. Speaker, I'm pleased to rise to welcome Ambassador Wu, director general of the Taipei Economic and Cultural Office, and Michelle Lu, assistant director, who are in the members' gallery with us this afternoon. They're here to hear my statement later on in the statement portion of our meeting.

The Speaker (Hon. Dave Levac): I think the member from Oxford just set a record on introducing people today. I just thought I'd editorialize.

The member who is going to introduce people will be standing right by her seat so that I can acknowledge the member from Thornhill.

Mrs. Gila Martow: I also want to welcome Miriam Ku and Victor. Victor travelled with me to Taiwan this year, and was an amazing guide. Miriam and I attend many events in York region around the GTA together.

Thank you for being here, and for bringing your wonderful guests.

Welcome, Mr. Ambassador.

MEMBERS' STATEMENTS

MID-AUTUMN FESTIVAL

Mr. Ernie Hardeman: This Sunday, we celebrate the annual Mid-Autumn or Moon Festival. It's an important traditional festival celebrated by many people from Southeast Asia and Northeast Asia, especially among those of Chinese descent. I am honoured that Ambassador Wu and Michelle Lu from the Taipei Economic and Cultural Office are here today to mark this occasion with us.

Oxford is proud of the strong relationship we've had with Taiwan since George Leslie Mackay travelled there in the late 1800s and became one of the most well-known Canadians in Taiwan.

On behalf of the people of Oxford and the PC caucus, I'm pleased to offer best wishes to everyone celebrating the Mid-Autumn Festival. It's a time to get together with family, share moon cakes and give thanks.

At this time of thanksgiving, I also want to take a moment to recognize and thank the Taiwanese Canadian Community Service Association. Last weekend, I was pleased to attend their 18th-anniversary annual fundraising dinner and bring greetings on behalf of our leader. I want to commend them all for their good work and the many people that they help. Honouring their work to help the community is especially fitting at this time of year.

This weekend, people of ethnic Chinese background across Ontario and around the world will be celebrating the Mid-Autumn Festival with their communities and their families. We wish them all the best and a happy Mid-Autumn Festival.

Thank you for being here.

SADIA GASSIM

Ms. Catherine Fife: Sadia Gassim came to Canada as an immigrant from the war-torn Somalia of 1993. For many years, she focused on community building and social change in Waterloo region. Sadia died of pancreatic cancer on July 28, just a week before her 60th birthday, and her loss is felt deeply in our community. Her work was not done.

In 1994, she established World Wide Opportunities for Women, a non-profit organization that helped support newcomer women. Sadia worked with the African Women's Alliance of Waterloo Region. She was the key organizer of the annual Afro Festival in Waterloo Park, and was a proud board member on the Canadian Council of Muslim Women.

Sadia believed in education as essential for the liberation of women. Countless women, many survivors of abuse, attribute their pursuit of education to Sadia's

personal guidance and her support. Sadia attributed her commitment to social justice to her father, who had risen from poverty to become a medical doctor and community leader. He believed in the education of women and encouraged Sadia to attend university.

Sadia was an altruist. She was a strong Muslim feminist who believed in the power of women to make positive change. She was not afraid to address controversial issues such as female genital mutilation, violence against women, systemic racism and climate change.

Sadia was deeply loved and respected by her four boys, her many diverse friends and colleagues, and the local Somali community in the region. There are few more deserving of recognition in our Legislature than Sadia. We will miss her.

INTERNATIONAL WEEK OF THE DEAF

Mr. Joe Dickson: I'm honoured to rise in the House today to recognize International Week of the Deaf, which is taking place from September 21 to 27. It is an initiative of the World Federation of the Deaf. The occasion was first marked in Rome in 1958. Since then, it has provided a chance to raise awareness around the world every year.

Our province, Ontario, is proud to join other countries in observing this important occasion. This year's theme highlights the importance of sign language for children as a basic human right.

I am proud to say, as a Canadian, that Ontario is a leader in accessibility. We require staff to be trained on accessibility. We are the first province in Canada to have legislation that sets out a clear goal and a time frame for accessibility by 2025. Greater accessibility means greater opportunity for people with disabilities to participate in our workforce and our economy, and for entrepreneurs to create new businesses based on inclusive design, products and services.

In particular, I would like to recognize the great work of the Ontario Association of the Deaf. They are tireless advocates, and make a big difference in our communities.

I invite my honourable colleagues to join me in celebrating International Week of the Deaf.

WOMEN'S HOUSE

Ms. Lisa M. Thompson: I am pleased today to share with my fellow members how proud I am of Huron-Bruce resident Devony House. This tenacious young girl chose to give up her birthday gifts this year in favour of raising money for Women's House in Kincardine. Women's House provides services to women and children of Bruce and Grey counties who have experienced or are experiencing abuse, sexual violence and homelessness. They also provide educational resources on sexual assault and information on how to recognize it.

In addition to raising \$305 herself, Devony has expanded her mission and is now encouraging the broader community to get involved. At the shelter, Devony delivered the following message. "I want to issue a chal-

allenge to all of the businesses in Kincardine to match my donation,” she said, with a huge smile and a sense of pride.

This is not the first time that Devony has committed herself to helping Women’s House, with her first appearance at the house occurring on International Women’s Day this past March.

Devony is just one of many volunteers who make the work of Women’s House possible. With the help of people like her, the organization will host their annual Women’s House gala on October 17, which will raise money for their essential services.

I hope the Kincardine community takes up Devony’s challenge. It warms my heart to see Devony committing herself to working on behalf of this important cause, and I thank her for that.

LABOUR DISPUTE

Ms. Cindy Forster: I’m proud to be here today to stand with the health care members of OPSEU Local 294 who are here today in the members’ gallery; 140 members of this local who are community nurses who provide complex nursing care to people in homes in Norfolk and Niagara, from wound care to chemo and dialysis in patients’ homes across the region. Yet for six months they have been on a forced strike by their employer, CarePartners, and have been attempting to negotiate a collective agreement for over two years. Over 1,400 patients were serviced by these hard-working and dedicated nurses, and the ones suffering the most from this strike are the patients.

As a former nurse myself, I have joined them on the picket line, and I have written to the Minister of Health. But, to date, we’ve had no action from the minister’s office.

Today, the day after the AG’s report—the Auditor General put out her report on the CCACs—I’m calling for CarePartners to return to the table. Her report showed that there are serious issues within the system, with CEOs fattening their paycheques by as much as 27% while front-line workers are on the picket line.

It’s time for the government to start thinking about vulnerable patients who continue to suffer because of bad-faith bargaining and because of this strike. This is an honoured profession, and I don’t think they need to be on the picket line. They need to be where they do their work best, with their patients.

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EID AL-ADHA

Ms. Indira Naidoo-Harris: Mr. Speaker, I am pleased to rise today and extend best wishes to Muslims across Ontario and around the world who are celebrating Eid al-Adha. Eid al-Adha, or the feast of sacrifice, marks the end of the holy pilgrimage of Hajj to Mecca. Eid is about sacrifice, equality and family. It’s a time when Muslims come together to give thanks and show com-

passion to those less fortunate. It’s also a time to remember their traditions and roots.

This morning, I was honoured to attend the Muslim Association of Canada’s Eid celebration with the Premier and MPP Baker. It was great to see so many Muslim families out celebrating this special occasion with prayers, visits, and exchanges of greetings and gifts.

Mr. Speaker, Ontario’s diversity is one of our greatest strengths. We are fortunate to live in a vibrant, inclusive and welcoming society that celebrates our differences. Together, we will make Ontario one of the best places to live, work and raise a family.

I want to acknowledge the important contributions of the Muslim community to our province. Thank you for helping to shape our social, economic and cultural landscape.

I also wants to take a moment to remember the challenges that some of our Muslim friends and neighbours are facing when it comes to the refugee crisis abroad, and to remember the more than 700 people killed during Hajj this year so far. Our thoughts are with the families of those loved ones.

To everyone celebrating this special occasion I extend my very best wishes for a joyous and memorable Eid. Eid Mubarak.

PRIVATIZATION OF PUBLIC ASSETS

Mr. Victor Fedeli: Municipal councils in my riding have spoken loudly and clearly about this government’s planned sell-off of Hydro One. One after the other has forwarded me formal resolutions blasting the plan. The city of North Bay, the town of Mattawa, the municipality of East Ferris, and the townships of Bonfield, Chisholm, Mattawan and Papineau-Cameron have all stated their formal opposition.

Their resolutions note, as our caucus has noted, that a privatized Hydro One will no longer be subject to scrutiny by officers of the Legislature, including the Ombudsman and the Auditor General. They believe that this will result in higher hydro rates that families can’t afford.

They also note that, “The provincial government has no mandate from the voters to sell any part of Hydro One.” Indeed, Speaker, this government did not campaign on this during last year’s election.

The councils, in their resolutions, asked the provincial government to “halt the sale of any part of Hydro One and maintain Hydro One as a public asset for the benefit of all Ontarians.”

Speaker, I will take the Hansard copy tomorrow and release it to all of the councils who sent resolutions to me.

MID-AUTUMN FESTIVAL

Ms. Soo Wong: I rise today to celebrate the Mid-Autumn Festival. It is the second-largest Asian celebration after Chinese New Year, celebrated on the 15th

day of the eighth lunar month. This festival is a harvest festival dating back over 3,000 years.

On Mid-Autumn Festival night the moon is supposed to be the brightest and the fullest, which is why the festival is also known as the Day of Reunion and the Moon Festival. In the Chinese culture it is believed that a full moon is a symbol of peace, prosperity and family reunion. Eating moon cakes and other sweet treats is just one of the many traditions associated with this occasion.

While it is certainly one of the largest Chinese events in my community, it is also celebrated by many other Asian communities, including the Korean, Japanese, Vietnamese, Indonesian, Singaporean and Taiwanese, all of which are present in my diverse riding of Scarborough–Agincourt.

This year marks a special celebration for Scarborough–Agincourt residents, Mr. Speaker, as Premier Wynne and I will be visiting the community and local businesses on September 26, in recognition of our rich Asian Canadian heritage.

I encourage everyone to join in celebrating the Mid-Autumn Festival.

YOGI BERRA

Mr. Lorenzo Berardinetti: I rise today to pay tribute to a legend in baseball and sport: Yogi Berra. Yogi Berra passed away recently at the age of 90, Mr. Speaker.

Yogi Berra was a major-league baseball player for 19 years and he spent the majority of his career with the New York Yankees. He set records such as being a World Series winner for 10 of those years, and 18 years as an all-star. As a player, coach or manager, Berra appeared in 21 World Series and won 13 of them.

He admirably served his country in World War II, fighting with Allied forces in France during the D-Day landing, and he gave back to others through various philanthropic endeavours.

In addition, he is fondly remembered for his sayings, or, as they have come to be known, Yogi-isms, which have become part of our cultural dialogue. Sayings such as, “It ain’t over till it’s over,” and, “Baseball is 90% mental and the other half is physical”; another one was, “Always go to other people’s funerals; otherwise they won’t come to yours” are still prominently used today.

Yogi Berra’s insight, wisdom and perspective on sports and life will be truly missed.

Mr. Speaker, I would request that a copy of this, on behalf of the Legislature, be sent to the Berra family.

The Speaker (Hon. Dave Levac): That’s rather interesting. The short answer is that we’ve done it in the past for other families of deceased. I’ll investigate the possibility of forwarding the statement on to the Berra family.

Mr. Mike Colle: Just send it to Yankee Stadium.

The Speaker (Hon. Dave Levac): It’ll get to the family. Thank you very much.

I thank all members for their comments.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Ms. Cheri DiNovo: I beg leave to present a report from the Standing Committee on Estimates on the estimates selected and not selected by the standing committee for consideration.

The Clerk-at-the-Table (Mr. Trevor Day): Ms. DiNovo from the Standing Committee on Estimates presents the committee’s report as follows:

Pursuant to standing order 60 and the order of the House dated September 14, 2015, your committee has selected the estimates 2015-16 of the following ministries and offices for consideration: Ministry of Energy, including supplementaries, 15 hours; Ministry of Economic Development, Employment and Infrastructure and Ministry of Research and Innovation, seven hours, 30 minutes; Ministry of Health and Long-Term Care, seven hours, 30 minutes; Ministry of Aboriginal Affairs, 15 hours; Ministry of Finance, including supplementaries, 15 hours; Ministry of Education, 15 hours; Office of Francophone Affairs, 15 hours.

Pursuant to standing order 61(a), the estimates 2015-16 of the following ministries and offices not selected for consideration are deemed to be passed by the committee and are reported back to the House: Ministry of Agriculture, Food and Rural Affairs: ministry administration, \$23,202,300; Better Public Health And Environment, \$99,370,000—

Ms. Cheri DiNovo: Dispense.

The Speaker (Hon. Dave Levac): Dispense?

Ms. Cheri DiNovo: Dispense.

Mr. Monte McNaughton: About time.

The Speaker (Hon. Dave Levac): I can’t say it.

I thank the Chair for the report. Pursuant to standing order 61(b), the report of the committee is deemed to be received, and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

Report deemed received.

INTRODUCTION OF BILLS

BAYVIEW FARMS AND ENTERPRISES LIMITED ACT, 2015

Ms. Thompson moved first reading of the following bill:

Bill Pr28, An Act to revive Bayview Farms and Enterprises Limited.

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

First reading agreed to.

The Speaker (Hon. Dave Levac): Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

FRENCH LANGUAGE SERVICES
IN MPP CONSTITUENCY
OFFICES ACT, 2015

LOI DE 2015 SUR LES SERVICES
EN FRANÇAIS DANS LES BUREAUX
DE CIRCONSCRIPTION DES DÉPUTÉS

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

Bill 123, An Act to amend the French Language Services Act with respect to the provision of services in French / Projet de loi 123, Loi modifiant la Loi sur les services en français en ce qui concerne la prestation des services en français.

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

First reading agreed to.

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

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M^{me} France Gélinas: La Loi de 2015 sur les services en français dans les bureaux de circonscription des députés, note explicative :

Quelques articles, dont l'article 1 et 7, et le paragraphe 5(1) de la Loi sur les services en français sont modifiés en vue de rendre cette dernière applicable aux bureaux de circonscription des députés à l'Assemblée législative.

Sections 1 and 7 and subsection 5(1) of the French Language Services Act are amended in order to make the act applicable to constituency offices of members of the Legislative Assembly.

PETITIONS

TAXATION

Mr. Monte McNaughton: I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the estate administration tax, also known as the death tax, is levied on assets that have already been taxed; and

"Whereas the value of the estate of a deceased person does not account for debts or liens; and

"Whereas the federal government has set a precedent of creating tax incentives to encourage increased charitable giving to which this provincial tax is contrary; and

"Whereas new requirements for filing the death tax oblige the estate trustees to file a significant amount of documentation and supporting evidence within only 90 days; and

"Whereas the audit and verification authority established by the government is an expensive and unnecessary level of bureaucracy; and

"Whereas the related regulations implemented in January 2015 will negatively impact all estates in Ontario;

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

"To unanimously endorse and quickly pass Bill 120, An Act to amend the Estate Administration Tax Act, 1998, to roll back and cap the death tax and get rid of the punishing deadlines and penalties this government has introduced."

I will sign it and send this over to the desk with page Kelly.

ONTARIO DISABILITY SUPPORT PROGRAM

Ms. Cheri DiNovo: This is a petition to the Legislative Assembly of Ontario:

"Whereas the \$100 ODSP Work-Related Benefit provides a critically important source of funds to people with disabilities on ODSP who work, giving them the ability to pay for much-needed, ongoing work-related expenses such as transportation, clothing, food, personal care and hygiene items, and child care; and

"Whereas the Ministry of Community and Social Services plans to eliminate the Work-Related Benefit as part of a restructuring of OW and ODSP employment benefits, and has said that ongoing work-related expenses will not be covered by its new restructured Employment-Related Benefit; and

"Whereas eliminating the Work-Related Benefit will take approximately \$36 million annually out of the pockets of people with disabilities on ODSP ...; and

"Whereas a survey conducted by the ODSP Action Coalition between December 2014 and February 2015 shows that 18% of respondents who currently receive the Work-Related Benefit fear having to quit their jobs as a result of the loss of this important source of funds; 12.5% fear having to reduce the amount of money they spend on food, or rely on food banks; and 10% fear losing the ability to travel, due to the cost of transportation; and

"Whereas people receiving ODSP already struggle to get by, and incomes on ODSP provide them with little or no ability to cover these costs from regular benefits; and

"Whereas undermining employment among ODSP recipients would run directly counter to the ministry's" stated "goal of increasing employment and the provincial government's" so-called "poverty reduction goal of increasing income security;

"We, the undersigned, petition the Legislative Assembly of Ontario to stop the provincial government's plan to eliminate the ODSP Work-Related Benefit."

I couldn't agree more. I'm going to sign it and give it to Laura to be delivered to the desk.

TAXATION

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

"Whereas the Estate Administration Tax, also known as the death tax, is levied on assets that have already been taxed; and

"Whereas the value of the estate of a deceased person does not" exceed nor "account for debts or liens; and

“Whereas the federal government has set a precedent of creating tax incentives to encourage increased charitable giving to which this provincial tax is contrary; and,

“Whereas new requirements for filing the death tax oblige the estate trustees to file a significant amount of documentation and supporting evidence within only 90 days; and

“Whereas the audit and verification authority established by the government is an expensive and unnecessary level of bureaucracy; and

“Whereas the related regulations implemented in January 2015 will negatively” affect and “impact all estates in Ontario;

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

“To unanimously endorse and quickly pass Bill 120, An Act to amend the Estate Administration Tax Act, 1998, to roll back and cap the death tax and get rid of the punishing deadlines and penalties this government has introduced.”

I agree with this petition, will affix my signature and send it down with Grace.

SOLAR FARM

M^{me} France Gélinas: I have hundreds and hundreds of names that were collected by Cairin Nelson from my riding for a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas SkyPower is proposing to clear-cut 70-plus acres of fully forested land in order to erect a ground-mount solar farm ... called the MaxLight project on Kenneth Drive in Val Therese, Ontario” in my riding;

“Whereas the proposed site is classified as wetland, and contains a number of species-at-risk (whippoorwill, bobolink, Blanding’s turtle, bald eagle, peregrine falcon, Eastern white wolf, nighthawk), along with a vast array of other plant and animal life;

“Whereas the proposed site exists between established homes, and among homes which were purchased on the basis of existing land forms; abutting property owners, the” City of Greater Sudbury “GCS planning committee, and the landowners themselves oppose the clearing of a very viable forest in favour of ground-mount photovoltaic cells;

“Whereas industrial/commercial projects such as the MaxLight ... solar farm belong on already degraded and unpopulated lands, away from residential housing,” which is really common in Nickel Belt;

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

“Stop the MaxLight project” in Hanmer, in Greater Sudbury, “on Kenneth Drive in Val Therese.”

I’m happy to present this for Mrs. Cairin Nelson and I will give it to Siena to bring to the Clerk.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Ms. Lisa M. Thompson: “To the Legislative Assembly of Ontario:

“Whereas we, as parents, strive to ensure our disabled family members with complex needs can live their lives safely, securely and with dignity;

“Whereas Passport funding through the efforts of the Select Committee on Developmental Services has been a financial lift for some families to enable their disabled family members to have fuller lives in their communities, however it does not provide 24/7 care and living accommodations;

“Whereas the worry of the future for our disabled family members without us clouds all other aspects of our daily lives;

“Whereas we believe our disabled family members require group home living in our local communities to ensure our peace of mind now and their well-being when we are gone;

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

“That the Honourable Helena Jaczek, in her capacity as Minister of Community and Social Services, act immediately to create legislation to mandate group homes in our local communities for developmentally disabled adult children with complex needs.”

I’ll attach my signature to this petition and send it to the table with Wendy.

PRIVATIZATION OF PUBLIC ASSETS

Ms. Catherine Fife: “Privatizing Hydro One: Another wrong choice.

“To the Legislative Assembly of Ontario:

“Whereas once you privatize Hydro One, there’s no return; and

“Whereas we’ll lose billions in reliable annual revenues for schools and hospitals; and

“Whereas we’ll lose our biggest economic asset and control over our energy future; and

“Whereas we’ll pay higher and higher hydro bills just like” in other jurisdictions;

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

“To stop the sale of Hydro One and make sure Ontario families benefit from owning Hydro One now and for generations to come.”

It’s my pleasure to affix my signature and give this petition to page Kelly.

WIND TURBINES

Ms. Lisa M. Thompson: “To the Legislative Assembly of Ontario:

“In light of the many wide-ranging concerns being raised by Ontario citizens and 80-plus action groups across Ontario and the irrefutable international evidence

of a flawed technology, health concerns, environmental effects, bird and bat kills, property losses,” families fighting friends and communities, tearing them apart, “and unprecedented costs;

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“We, the undersigned, ask the Legislative Assembly of Ontario to declare an Ontario-wide moratorium on the development of wind farms.”

I agree with this petition. I’ll affix my signature and send it to the table with Alexander.

DENTAL CARE

Ms. Cheri DiNovo: A petition to the Legislative Assembly of Ontario:

“Whereas thousands and thousands of adults live with pain and infection because they cannot afford dental care;

“Whereas the promised \$45-million dental fund under the Poverty Reduction Strategy excluded impoverished adults;

“Whereas the programs were designed with rigid criteria so that most of the people in need do not qualify; and

“Whereas desperately needed dental care money went unspent and was diverted to other areas even though people are still suffering without access to dental care;

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

“That the Legislative Assembly do all in its power to stop the dental fund being diverted to support other programs; and

“That the Legislative Assembly fully utilize the commissioned funding to provide dental care to those in need.”

I couldn’t agree more. I’m going to give this to Krishaj to be delivered to the table.

CONCUSSION

Mr. John Fraser: “To the Legislative Assembly of Ontario:

“Whereas the rate of concussions among children and youth has increased significantly from 2003 to 2011, from 466 to 754 per 100,000 for boys, and from 208 to 440 per 100,000 for girls; and

“Whereas hard falls and the use of force, often found in full-contact sports such as hockey and rugby, have been found to be the cause of over half of all hospital visits for pediatric concussions; and

“Whereas the signs and the symptoms of concussions can be difficult to identify unless coaches, mentors, youth and parents have been educated to recognize them; and

“Whereas preventative measures, such as ... return-to-play for young athletes who have suspected concussions, as well as preventative education and awareness, have been found to significantly decrease the danger of serious or fatal injuries; and

“Whereas Bill 39, An Act to amend the Education Act with respect to concussions, was introduced in 2012 but never passed; and

“Whereas 49 recommendations to increase awareness, training and education around concussions were made by a jury after the coroner’s inquest into the concussion death of Rowan Stringer;

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

“That the Ontario government review and adopt Rowan’s Law to ensure the safety and health of children and youth ... across the province.”

I agree with this petition. I’m going to affix my signature and give it to page Gabriel.

ONTARIO DRUG BENEFIT PROGRAM

Ms. Lisa M. Thompson: My understanding is, this is International aHUS Awareness Day. It’s my pleasure to present the following petition:

“To the Legislative Assembly of Ontario:

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

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

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

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

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

I agree with this petition. I’ll affix my signature and send it to the table with Anna.

GASOLINE PRICES

M^{me} France Gélina: I have thousands of names that have been gathered on this petition par Madame Rachelle Brouillette, from Azilda in my riding. It reads as follows:

“Whereas northern Ontario motorists continue to be subject to wild fluctuations in the price of gasoline; and

“Whereas the province could eliminate opportunistic price gouging and deliver fair, stable and predictable fuel prices; and

“Whereas five provinces and many US states already have some sort of gas price regulation; and

“Whereas jurisdictions with gas price regulation have seen an end to wild price fluctuations, a shrinking of

price discrepancies between urban and rural communities and lower annualized gas prices;”

They petition the Legislative Assembly of Ontario to:

“Mandate the Ontario Energy Board to monitor the price of gasoline across Ontario in order to reduce price volatility and unfair regional price differences while encouraging competition.”

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

LUNG DISEASE

Ms. Daiene Vernile: This is to the Legislative Assembly of Ontario.

“Whereas lung disease affects more than 2.4 million people in the province of Ontario, more than 570,000 of whom are children. Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

“In the Ontario Lung Association report, *Your Lungs, Your Life*, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and this figure is estimated to rise to more than \$80 billion seven short years from now;

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

“To allow for deputations on MPP Kathryn McGarry’s private member’s bill, Bill 41, Lung Health Act, 2014, which establishes a Lung Health Advisory Council to make recommendations to the Minister of Health and Long-Term Care on lung health issues and requires the minister to develop and implement an Ontario Lung Health Action Plan with respect to research, prevention, diagnosis and treatment of lung disease; and

“Once debated at committee, to expedite Bill 41, Lung Health Act, 2014, through the committee stage and back to the Legislature for third and final reading; and to immediately call for a vote on Bill 41 and to seek royal assent immediately upon its passage.”

I very much agree with this important piece of legislation. I will sign it and hand it to page Grace.

The Deputy Speaker (Mr. Bas Balkissoon): The time for petitions has expired.

PRIVATE MEMBERS’ PUBLIC BUSINESS

ESTATE ADMINISTRATION TAX FAIRNESS ACT, 2015

LOI DE 2015 CONCERNANT L’ÉQUITÉ DE L’IMPÔT SUR L’ADMINISTRATION DES SUCCESSIONS

Mr. McNaughton moved second reading of the following bill:

Bill 120, An Act to amend the Estate Administration Tax Act, 1998 / Projet de loi 120, Loi modifiant la Loi de 1998 de l’impôt sur l’administration des successions.

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

The member for Lambton–Kent–Middlesex.

Mr. Monte McNaughton: I have introduced this bill, Bill 120, the Estate Administration Tax Fairness Act, because I believe we need to overhaul the estate administration tax in Ontario.

I looked at the changes that the government brought into force on January 1, listened to the dissatisfaction of stakeholders and the anger of constituents, and it became clear that this tax is taking us in the wrong direction.

We continue to complicate our tax system, making it more difficult to navigate for families and small businesses that don’t have the benefit of expensive legal counsel. It’s not fair and it’s not right. This is a tax on assets that the government has already collected a lifetime of taxes on. Grieving families trying to settle the affairs of their loved ones have new harsh deadlines and penalties hanging over their heads.

When this tax was reviewed and modified by the government, it’s clear that compassion and sensitivity were not top of mind. Instead, they doubled down on the death tax and made changes to prioritize the bottom line in getting their cut of the estate as quickly as possible. I think we need to take a long, hard look at this tax in particular and try to bring some compassion and common sense to it so we can give some relief to Ontario families.

The first thing my bill does is it proposes to cap the estate administration tax. Ontario wins the silver medal for the highest death tax in Canada, and I don’t think that’s a distinction that we want. In Alberta the cap is \$400. In Quebec you won’t pay much more than \$100. So a \$3,250 cap is certainly not out of line.

1340

We talk a lot in this House about supporting Ontario’s small businesses and farmers. We appreciate the contributions they make to our economy, and no one here ever hesitates to applaud them. But how about actually doing something to support them?

This tax is extremely punishing for family farms and family-owned businesses. When you have spent a lifetime incrementally building a business, acquiring assets that allow you to grow and hire more people, you accumulate the vehicles, buildings and other property that the government will be taxing when you die. These illiquid assets can give rise to a death tax amounting to many tens of thousands of dollars. Who usually suffers most from this tax? Families whose assets are tied up in the buildings and machinery that provide their livelihood. Farmers may have equipment and property worth millions, but they can still be cash-poor. So when the finance minister comes looking to collect tens of thousands of dollars’ worth of tax after the head of the family passes away, there is no available cash. I’m not saying that it’s the death tax alone that causes this, but it

aggravates the situation because that family is going to be simultaneously dealing with capital gains tax and income tax. Spouses and children are often left to sell the family business to cover these tax bills. I think we should be ashamed, as legislators in Ontario, that this sort of situation is not uncommon, and that we contribute to it. Families that are job creators, that have worked hard, contributed to Ontario's economy and built lives around the farm or family business, have to face losing a loved one and then dealing with losing their livelihood.

Let's not forget this is a tax on property for which the deceased has already paid taxes.

I believe a cap of \$3,250 is very reasonable and would go a long way to limiting the harm of this tax. It's also important to note that this tax is levied on total estate value.

This total does not account for the debts of the deceased. Again, I hope this government realizes an estate can have assets and still be cash-poor. This bill would ensure the amount of tax payable would be based on the net value of the estate and take into account encumbrances, the debts and liens, that are associated with one's estate.

I think that exempting estates valued at under \$50,000 from paying this tax is another much-needed change we can make to show compassion and offer some relief.

This government wants to pretend that this is about a tax cut for the rich, but the fact of the matter is that this tax currently can be levied on anyone who has property worth over \$1,000. If all you have to your name is a beat-up 1997 Honda Civic, the government could still go after your estate to get its cut. So for the government to claim that this is about a tax cut for the rich is absolutely ridiculous. They should be embarrassed by how out of touch they are with their own policies and how they affect the people of Ontario.

I'd also like to point out that this bill would exempt charitable donations from the death tax. If someone wants to leave all or a portion of their estate to a local charity, I think it's ludicrous for a government to be collecting tax from that. The charitable bequests of the dead are just not the place to go looking for quick cash. I think we should show some respect and encourage people to put money back into their local economies and give to worthy causes.

The bottom line here is that it's a bad tax at a bad time for families. When someone has passed away after a lifetime of paying taxes, this government takes that as another opportunity to collect taxes and the grieving family that's left has to deal with it.

I think we can all agree in this House that this is a vulgar, heartless tax. It's really quite tragic that the government has dug the province into the sort of financial hole that drives them to not only continue to collect over \$143 million annually from grieving families, but to implement measures to crack down on estate trustees who don't get information to the ministry quickly enough or who make a mistake in their filing. Who would take the job of being an estate trustee, with the threat of

thousands of dollars in fines or even jail time hanging over their heads? Instead of spending responsibly, or not wasting money like we have seen this government do with gas plants, MaRS and Pan Am bonuses, the government always comes back to wringing every cent possible out of Ontario taxpayers.

Now there are appropriate, legitimate means of avoiding this tax: strategies such as naming of beneficiaries, joint tenancy with right of survivorship, use of multiple wills, alter ego trusts and the use of living trusts. These strategies are all legal, but they open vulnerable people up to a lot of risk. A person of modest means who can't afford good legal advice may create some serious legal problems for themselves and loved ones. These financial manoeuvres can leave our senior citizens vulnerable to exploitation.

As I said before, this is a tax that punishes the people who can't afford good legal counsel. It punishes the people who don't go looking for loopholes and it punishes the grieving families who quite often only learn there is such a thing as the estate administration tax in the days after losing a loved one. So this tax actually falls inordinately on the shoulders of the middle- and lower-income classes.

The people of this province already pay taxes their entire lives. We pay taxes on all of our hard work, on all of our savings, our income and investments. We also pay taxes on the things we buy and cherish, whether it's the car in the garage or the painting on the wall. The people of Ontario recognize the importance of paying taxes to pay for the services we all value and to support our most vulnerable, but this morbid tax means we are being taxed to death, at death and after death. The death tax amounts to a tax on a lifetime of hard work and sacrifices. It punishes people who have worked hard their entire lives to build something from the ground up, whether it's a home, a small business or the family farm. A person's assets should be kept in the family for their children and spouses or for charitable causes that they hold dear. They should not be taxed and then re-taxed by a government that, quite frankly, squanders its revenues.

Ultimately, this is a tax that I think we should be doing away with altogether, but I recognize the realities of working in a majority government. I hope that the measures I have proposed here will be thoughtfully considered by all parties so we can work together to give Ontario families some relief from the financial and emotional burden that this tax is imposing.

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

Ms. Catherine Fife: I think that this actually is a very important debate to be having in the province of Ontario right now. We have to look at the context of why this debate has come to the floor at this time in the province of Ontario. In order to fully understand how these new tight deadlines came into effect, just this past January 2015, and how they were introduced with little warning and have only managed to create a more onerous and expensive estate administration process, we will be

focusing particularly on the 90-day window to file a detailed description of the deceased's assets. Sanctions for failure to comply with this tight timeline have only made an often difficult situation more challenging for the average Ontarian.

I do think it's important for us to acknowledge, if people in this House have not gone through this process, that it is a painful process, Mr. Speaker. The closing of an estate, the settling of the estate, dealing with the lawyers, the real estate agents, the bankers—that is an important part of the closure for grief. It's a step that you have to go through in order to move forward. The emotional labour associated with this process, having recently just gone through this experience with my husband's family, is an emotional, laborious process which is incredibly painful.

But in order to fully understand why we're here today, we have to set our sights back to 2011, actually. The background is that the estate administration tax has been charged on the total value of the deceased's estate. It was updated by the Liberals in the 2011 budget. It has taken this long for them to move forward with that. At the time, we did not support the 2011 budget put forward by the Liberals. The changes at the time include—and I think that this is important because many people do not even know that this is happening right now in the province of Ontario. That's why I thank the member from Lambton–Kent–Middlesex for bringing it forward.

The changes are as follows: The total value of the estate is the value of all assets owned by the deceased at the time of the death, including real estate in Ontario less encumbrances; bank accounts; investments, including stocks, bonds, trust units, options; vehicles and vessels, like cars or trucks or ATVs, and all property of the deceased which was held in another person's name; and all other property, wherever situated, including goods, intangible property, business interests, and insurance, if the proceeds pass through the estate—for example, there's no named beneficiary other than “estate.”

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If a court issued a certificate of appointment of estate trustee with a will limited to the assets referred to in the will, only those assets included in the will are to be included.

You can see: This is legalese. The average person in the province of Ontario faces an uphill battle. It's a steep learning curve.

We do share the concerns of the member from Lambton–Kent–Middlesex that 90 days is a timeline that is completely unworkable. All of us across this province—over the last summer—I'm sure that you've heard from people who are completely unaware of this process until they have to go through it.

It's also worth noting that the assets held before death but not at the time of death, such as insurance payable to a named beneficiary, assets where there is a joint ownership with the right of survivorship, and real estate outside of Ontario are not included in the value of the estate.

Prior to the changes, it was permissible to provide a total valuation of the deceased's estate. This is one of the issues that the member is trying to get to.

The current tax formula, for those who are watching, including my mom, is as follows: It's \$5 for each \$1,000, or part thereof, of the first \$50,000 of the value of the estate; and \$15 for each \$1,000, or part thereof, of the value of the estate exceeding \$50,000. What Bill 120 would do is cap the estate tax at \$325,000 and exempt estates worth \$50,000 or less—currently exempted estates are worth \$1,000 or less—and would exclude charitable gifts from the value of the estate.

The two key issues with the bill's cap provisions: The member has put forward amendments that, unfortunately, don't consider the possibility of tax shelters. Government estimates have an estate worth \$240,000 paying only \$3,100 in taxes—less than the cap proposed by the member from Lambton–Kent–Middlesex. This means, potentially, that wealthy individual estates, and not just elites but a sizable cohort of upper-middle earners, could well exceed the \$240,000 cited by the government but still only pay slightly more than the average Ontarian under the \$325,000 cap sought by the goal of this bill.

The other change that Bill 120 would bring in is a return to pre-2011 changes, when the overall value of estates were estimated rather than itemized. The itemization of these assets is an important part of the process, Mr. Speaker.

The point that we do support in this bill is removing the 90-day deadline requirement on reporting estate assets, a regulatory requirement in force since the beginning of this year, 2015. The government could do this through regulation. They created the 90-day period of time where families are supposed to deal with the grief of a parent or a guardian and go through the lawyer and go through the probate process. In many respects, these changes would potentially dissuade somebody from wanting to be an executor. I think it's worth noting that funeral directors from across the province have raised this concern with this House. They posted a public letter in the spring. Ninety days is a very short window, Mr. Speaker, to settle an estate. It's a very complex process.

As the finance critic, I'm always trying to follow the money in this place. I think that there was an original rationale that this process would help with the estate administration of this tax. So in some respects, I anticipate that the government was looking to generate some money to help with the administration of the tax, which I quite honestly would see this process—the oversight that would be needed to ensure that there was some credibility and some integrity throughout the process would be quite onerous. We could, quite honestly, see an Auditor General's report on this whole process. You look at the Auditor General's report this week on the CCACs. The government and the CCAC associations never did a financial assessment of value for money. They didn't know that those investments were actually benefiting patient care. This process is incredibly complex and incredibly layered.

It was suggested by the member from Lambton–Kent–Middlesex that this entire process—I was quite surprised. He estimates that it brings in \$143 million annually through estate tax at the administration process. This is a hard number to track down. I wasn't able actually to verify that that much money does come into the province.

The government rationale in introducing the changes back in the 2011 budget was that there was revenue lost through overall estimates on the worth of the estate. So the government essentially wasn't trustworthy, if you will, of the people who were going through this process. I think, having just gone through it, it is an incredibly detailed process, itemizing all those goods and services, and getting a full audit of the estate, and once that happens, the government does know what we have, which, I take it, is quite unsettling for some people.

The Liberal government will maintain that they aren't changing the rates, so it's just how the process is being conducted and how the tax is being collected. But I can tell you that, based on the people who have come forward from my constituency, this has not helped the process of settling estates. In fact, it has complicated it greatly.

Also, it begs the question: Why no communication? There are commercials out there right now on the new sex ed curriculum. There are commercials every hour, on the hour, on the ORPP. This is a significant change in policy—it really is. It certainly warrants a stronger communication strategy from the government so that the citizens of this province fully understand what they're going to be dealing with. One has to wonder why that hasn't happened.

The reason that we essentially cannot support this private member's bill is that it doesn't truly get at some of the concerns that we have as a party. It hasn't done enough to allay the concerns that the proposed changes to the estate tax administration would favour the estates of the wealthiest individuals in what would amount to a tax shelter.

It's unfortunate that we're sort of squeezed on this—because we've listened to our constituents and we've heard their concerns. There was an opportunity here to ensure that that piece of legislation captures those who actually have the resources, the powers and the lawyers to hide their money. We believe in tax fairness in the province of Ontario.

So it certainly doesn't address our concerns around the possibility of tax shelters. I think, going back and reading through the original bill, that was some of the motivation to change and to update and modernize the administration tax fairness. We do think that this entire process can be made certainly more family-friendly, if you will, for those people who are going through the process.

As I said, it's an important step in the grieving process. We're going to continue to push the government to be more flexible around the timelines. Certainly, the fees and possible jail time for those who do not comply is incredibly harsh and also hard to oversee and hard to hold to account. The openness and transparency have not been evident on this change, this regulatory change that

came forward in January 2015. Really, it's a missed opportunity to demonstrate that this government understands what families are going through when they have someone in their family pass away.

Thank you for your time.

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

Mr. Yvan Baker: It's a pleasure to rise and speak to this important issue. I have to say that, as I was listening to the member for Lambton–Kent–Middlesex, I was thinking about my own family circumstances. I remember my mother having to assist family members with their estates. That is a painful process. It's difficult.

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I never had this conversation with members of my family who have passed before they passed, but knowing them—certainly my grandparents—and knowing how strongly they felt that they had earned their savings over time because of their hard work, but also because of the opportunities that this country and their community provided them with, they would have understood that to pay for the services, to pay for the things that supported that prosperity, sometimes taxes like these are required, as painful as they may be for members of the family to administer.

What is interesting, too, as I was listening to the member, is that he suggested today, but also in past sessions of the Legislature, that this is a tax that has been imposed by this government. What's interesting is that I started to do some research, and it turns out that it was actually Premier Mike Harris who introduced the EAT, the estate administration tax, which I found interesting. It was not this government. In fact, no one pays a dollar more now than under Mike Harris. That, to me, was a revelation and I thought an important clarification because the dialogue from the member has been quite the opposite.

The other thing I wanted to clarify is that we've been talking about recent developments, and there hasn't been the introduction of a new tax on estates—there simply has not been; that's simply not factual—nor has the government changed the amount of estate administration tax payable or the way it's calculated, even. In the 2011 budget, what the government did do is it made a commitment to enhance compliance.

One tool for this is an EAT regulation. This new regulation helps to ensure that the Ministry of Finance has the information that it needs to perform audits and verify that correct amounts of the tax have been paid. Just to clarify, the regulation requires estate representatives, trustees, executors etc. to submit an estate information return to the Ministry of Finance with information to substantiate the total estate value provided to the courts.

What this is is a requirement that people who are involved in the administration of the estate disclose the information to assess what the taxes that are payable are in an accurate manner. That's not changing taxes or raising taxes; that just means that people are doing what's necessary to ensure that people are paying the amount of tax that is owed.

I file paperwork every year when I file my income taxes. It's a requirement, and I understand that it's a requirement because if I weren't to do that, we wouldn't be able to assess how much tax I need to pay every year.

The regulation is effective for applications for estate certificates made on or after January 1, 2015. The regulation does not change the court process. Estate representatives will continue to pay EAT and file EAT-related court forms to the courts.

Tackling tax avoidance is a key strategy as part of a robust and transparent administration process. I wanted to speak to that because there's been the suggestion that somehow we've changed the tax or raised the tax. That is not the case. It's simply the case that we're taking the steps to make sure that the taxes that are payable are collected accurately. I wanted to clarify that.

Addressing the issue of tax avoidance is important. It's important not just from a fiscal perspective, but from the perspective of fairness. We all live in our wonderful society and our wonderful communities. We all enjoy the benefits of the services that are provided through those taxes, whether that be health care, education, whatever it may be. We all need to follow the rules and we need to pay the taxes that we owe. This is just about making sure that that's what happens.

The bill that's been presented by the member for Lambton-Kent-Middlesex sets an arbitrary cap. The tax code is a complex thing; it's a complicated thing. Modifying it requires careful consideration and consultation. The limit proposed—I don't know how the member chose the limit, but it seems like an arbitrary cap. Things that he didn't raise in his presentation were things like what would be the impact on our economy, what would be the impact on—taxes interact. Has he considered that element of it? Has he considered the fiscal impact?

The member opposite has talked in the past about how there are services that are needed in his community that the government should provide. But to provide for services, we require taxes to be paid. This would be lowering taxes, and he hasn't addressed that point. These are all issues that need to be thought about as part of the process of determining what the appropriate level of tax should be.

Again, I want to clarify: We haven't raised the tax or changed the tax; we're just enforcing the EAT that was put in place by Premier Mike Harris—Conservative Premier Mike Harris.

Thank you, Speaker, for giving me the opportunity to speak to this issue.

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

Mr. Tim Hudak: Let me say off the top of the time I have that I want to congratulate the member from Lambton-Kent-Middlesex for bringing this bill forward. We all get just one kick at the cat, if you will, when it comes to private members' bills, and members will use that in different ways as to what their priorities are.

Mr. McNaughton, the member for Lambton-Kent-Middlesex, took the too rare approach of actually bring-

ing forward a bill that is substantive. It is thoughtful, it is well-drafted, it is timely and it impacts the lives of everyday Ontarians. Every family, sadly, will have to cope with this type of circumstance. I always think it is important to congratulate a member, whatever side of the House they sit on, when they take the time to do the research on a substantive, impactful and timely bill, and that's certainly what this is.

When it comes to tax policy, one always has to consider: When you're raising revenue, what kind of signals do you send to people paying the taxes into the economy as a whole? For example, most of us approve of the fact that there are high taxes on tobacco, because you want to discourage tobacco use. Sales taxes are often referred to as income taxes because they will encourage more investment and less consumption as a way of raising revenue. Income taxes in Ontario and Canada tend to be progressive in nature: The higher the income, the higher the rate of tax you pay.

Mr. McNaughton brings up a very important point: Why do we have a death tax to begin with? All of the assets that are taxed have in fact already come after taxes were paid on income or on a purchase. You are effectively taxing, a second time, assets that an individual or family had owned. So it makes a good philosophical question.

He has approached this in a balanced manner. He recognizes that the members of the other two parties may not support that, so he brought forward something that is in the realm of possibility: lowering that tax. I thought his approach was a very thoughtful one, where he said that estates of, I think, \$50,000 value or lower—families of quite modest means—should be tax-exempt.

Charitable donations as well should be tax-exempt. I think that is laudable, and hopefully we will see members of the other two parties agree with at least that, and then a staged taxation process after that. He could have gone, "Get rid of the tax," but he recognized that other members would not have voted for that. I hope they will support this; I think it's wise.

I think we need to look back on this and make sure that those following this debate understand the true history. The members of the government party are being a bit superficial or reckless, or maybe they're just having fun, saying that this was a brand new tax brought in by Premier Harris. Well, that is not accurate. There was a long-standing probate for execution of an estate that effectively worked as a tax, as opposed to an administrative fee, but it is called a probate.

There is a court hearing. The previous Bob Rae government had increased that probate fee. I think they tripled it as a tax grab. The Harris government responded to a court hearing to make it clear and transparent as a tax. We didn't bring this in; it had existed for some time. You can make the point that we should have eliminated it at that point in time, in which case you must vote for Mr. McNaughton's bill if you feel that is the best thing to do, and I hope you will. But we lowered taxes in other ways, including the most dramatic reduction in personal income

tax anywhere in this country and the lowering of business taxes to encourage investments. So we chose other tax routes.

Here we are today, and what the current government has done is two things: They have brought in a punishing and, quite frankly, cruel 90-day time frame. Thank God I've not had to go through this with an immediate family member; members here probably have. You can understand that the grieving period you go through is a shock, and there is an administrative burden on the spouse, the daughter, the son—whoever is the executor. To force them with threats of significant fines or jail time to complete that process in 90 days I think is cruel. Whether the government thought through it at the time is not of consequence; I'm not going to try to create an issue there, other than to say fix it. I think all of us would reasonably agree that 90 days for a grieving family, to force them to do this, is cruel and should be fixed.

1410

They did also effectively increase the tax; they increased the death tax. I know they'll debate that, but here's how they did it. Previously, the tax had been administered by the net value. You would take the gross value of the assets, you would remove any debts that were owing to get a net value, and a tax was based on that value. They changed that, and now it's on the gross, so effectively, you're taxing at a higher rate.

Not only did you put on a cruel time frame, you increased the death tax. All Mr. McNaughton, the member from Lambton–Kent–Middlesex, is asking you to do is fix that, the 90-day time frame, and to allow for charitable donations, to allow for a low-income exemption and a capped level of taxation. I think that's fair, I think that's balanced; I think that's reasonable and will deflect what I think is an extraordinary lack of compassion in the current system.

It's not just me, Speaker. I received, as my colleagues in all parties have, I'm sure, correspondence from constituents concerned about this. A woman named Dorothy—I'll keep her last name confidential—from Grimsby: When she first heard about this change, she thought that she was mistaken, that she had been given wrong information. She was surprised, and she contacted me to say, how could our elected officials bring forth such a draconian measure? She is a senior citizen. She was planning her own family's affairs when this came into her orbit. She asked me to act, as a member, and I'm pleased to be one of those speaking on behalf of supporting the bill here today. Another of my constituents, Robin, also from west Niagara, was shocked at the 90-day time frame and asked that that be removed.

I commend my colleague. I think that it's a very fair, reasonable, balanced approach. I do hope that we'll have all the members of the assembly pass this bill into law.

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

Mr. Peter Z. Milczyn: I'm pleased to rise in the Legislature this afternoon to speak to the private member's bill from the member from Lambton–Kent–Middlesex.

I've also heard from some of my constituents in Etobicoke–Lakeshore about this. They have heard about this; they've had questions. I've been able to reassure them that the amount of tax has not changed, the way in which we collect the tax hasn't really changed, but what we're going to do is ensure more tax fairness, to ensure that those who should pay a tax which has been legislated for a number of years will pay it and not more easily find ways to avoid paying tax—which has been a law of this province for a number of years now.

I can share with the Legislature that, unfortunately, I have had to deal with estates in my family three times in my life. One time was in Nova Scotia. I can't be certain about this, but it seemed to me that the amount of probate fees was actually higher than in Ontario. It was quite a number of years ago, Mr. Speaker; I might not be exactly correct on this, but it was not a small amount—and it was a relatively straightforward estate. It was not unlike much of what we're dealing with here.

Also, in the cases of my own parents when they passed away, in the first case, when my dad passed away—my mom was still alive—there were no real issues because everything passes on to the spouse. In those circumstances, you don't really need to go through probate; you don't need to go through complex mechanisms, and that's still the case. I think for most Ontarians, actually—unfortunately when they have a loved one pass away—there will not be complicated procedures dealing with estates and so on; they'll be pretty straightforward. There are a number of times when you don't have to go through this process, especially when there is a spouse. So, Mr. Speaker, let's not search for a solution to a problem that doesn't exist.

I do want to speak to the member's private member's bill. As was stated earlier, the government did introduce these changes in 2011 to a tax that had already been on the books for a number of years. The changes are about the regulations, to make sure that there is more tax fairness, to make sure that those who should pay a tax that has been on the books pay it, that they pay it fairly, that they don't pay more than they should. That is the case. So we're not changing the amount, we're not changing the way in which it is calculated, and it's not a new tax on estates.

I know that when you go through a death in the family, it is stressful, whether it's something that could have been foreseen or something that is sudden. But I can also tell you, Mr. Speaker, that those of us who have gone through that know full well that within the first 90 days you will have to deal with giving notice of cancelling leases, perhaps; you have to notify the federal government about stopping Canada Pension Plan payments or Old Age Security payments; you have to deal with the bank. There are a number of things that you have to deal with well in advance of the first 90 days anyway. So I actually do not think this is onerous and, as I said, in most cases the assets are relatively simple, what's going on with an estate is relatively simple and this is not an onerous case.

I have heard today in the Legislature that you have to settle an estate in 90 days. Now, I don't know what those members who use those words were thinking about, but to me, settling an estate is about paying all of the taxes that might be payable, including capital gains taxes and others, having complex wills dealt with, having a number of beneficiaries. Those things don't happen in 90 days; those things can last years in some cases. This is simply about administratively submitting a valuation of the estate within 90 days. It's not about settling estates. It's not about creating onerous demands on people at a time when they are grieving.

So, Mr. Speaker, I do not support the member's private member's bill. I give him full credit for working hard on this, but he is seeking a solution to a problem that doesn't exist, or if it does, then he should have opposed the tax that the provincial Conservative government implemented a number of years ago.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate. The member for Nipissing.

Mr. Victor Fedeli: Thank you very much, Speaker, for the opportunity to rise to speak in support of this private member's bill.

As I've said many, many times in this Legislature, we like to record a lot of these things, not just for posterity, but for the benefit of all Ontarians. What I am about to talk about can be found in the latest issue of Fedeli Focus on Finance, which you can find online at fedeli.com. I'd like to continue to share that as I do on every opportunity that I can, especially when Mr. Miller is in the chair.

On January 1 of this year, changes to Ontario's estate administration tax quietly came into force. In the months that have since passed, Ontarians slowly became aware of the impacts of these changes. Unfortunately, they occur at one of the most difficult periods in people's lives, and that is after the passing of a loved one.

I want to give absolute acknowledgment and credit to the member from Lambton-Kent-Middlesex in bringing this private member's bill. We only get one member's bill at a session, Speaker, and he put a lot of thought and a lot of time into developing this, thinking it through, for a bill that would be most important to not only his constituents but to the constituents throughout Ontario. So I commend and congratulate the member for bringing this important issue as his one and only private member's bill—good use of the bill.

1420

Again, Speaker, the government has acted before fully considering the implications of a policy change. Originally, the estate administration tax was not a tax. Rather, it was a probate needed to be acquired by the executor of an estate.

This fee was directly tied to property. It was tripled, incidentally, by the NDP government in 1992 to get more revenue. You remember those days, not unlike today, where we had horrible deficits? They tripled that rate back then. The rate became \$5 for every \$1,000 worth of property, up to \$50,000 total property, and \$15 for every \$1,000 worth of property past that threshold.

Because of the tripling of costs, people began to find ways to avoid paying the tax. In 1995, the word "probate" was changed to "certificate of appointment of an estate trustee." That was it. In 1998, a Supreme Court of Canada case ruled that the probate fee actually constituted a tax and it was directly tied to the amount of property and not the probate service being provided. Thus, the government of the day changed the probate fee name to a direct tax on a deceased's property. However, the then Mike Harris government of the day kept the rates the same as the probate fee to make the change neutral. It was a name change. I know that this is a correction of many of the things you've heard earlier in this Legislature, Speaker, but we stand by the Hansard records of the day.

In 2011, then-Finance Minister Dwight Duncan targeted people who were avoiding the tax and committed to new regulations to ensure that the values that people were declaring in their certificate applications were accurate and that everyone was paying their tax. These were approved in the 2011 budget, but were incidentally opposed by the PCs, the official opposition of that day.

In 2014, Finance Minister Charles Sousa did go to further change the regulations around the estate administration tax to shorten the amount of time to file information and pay the fees within 90 days. Minister Sousa also made it so that more information was required and the executor had 30 days to respond. If the executor did not reply, a fine could be issued. Those penalties are capped at twice the owed tax or two years in prison. These are fundamentally the changes that were made.

Specifically, there are worries that the short 90-day reporting deadline will make people more hesitant to accept the important role of acting as an executor, and the stress and potential penalties for failing to meet the new requirements will make a difficult time even worse for grieving family members.

Speaker, this was done by regulation. This never came to this Legislature. There was no debate. Therefore, again I congratulate the member for bringing this to the people of Ontario and hope that this government is not going to continue to tax those even after their death.

The Deputy Speaker (Mr. Bas Balkissoon): I thank everyone for their comments.

I now return to the member for Lambton-Kent-Middlesex. You have two minutes for a response.

Mr. Monte McNaughton: Thank you very much, Speaker. It was great to highlight this issue for the people of Ontario.

I'd like to thank my colleagues from Niagara West-Glanbrook, Nipissing, Kitchener-Waterloo, Etobicoke-Lakeshore and Etobicoke Centre for adding to the debate.

I was quite clear, Mr. Speaker, that I think this is the worst tax we have in Ontario. Families and people have paid a lifetime of taxes on these assets. There shouldn't be a death tax in Ontario. It's the worst way to raise \$143 million in this province.

I did bring forward this bill in the way I did because I think it's a reasonable approach. I actually think that all

members are hearing from their constituents. They know that there need to be some things fixed. I think, as legislators, we should be standing on the side of families and bringing forward ideas and supporting initiatives that bring tax relief for people in Ontario, especially when it comes to the estate administration tax.

A few key components of my bill, again, for all members to consider are that any estate \$50,000 or less would be tax-exempt from the estate administration tax, portions of estates going to charity to help our communities would also be tax-exempt and there would be a cap—the most that estates would pay is \$3,250.

I urge all members to pass my bill, Bill 120, Estate Administration Tax Fairness Act, 2015. Let's get it to committee. We can talk about it, discuss it more and bring even further improvements.

At this time, I'd like to introduce to the Legislature a friend of mine, Barry Corbin, who has been a strong voice in reforming the estate administration tax in Ontario.

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

GENDER-NEUTRAL LANGUAGE

LANGAGE NON SEXISTE

Mr. Glenn Thibeault: I move that, in the opinion of this House, the government of Ontario should replace gendered terminology with gender-neutral and inclusive language on all government forms as they are updated, amended, created, or replaced, in order to reflect the diverse nature of our province, including, but not limited to replacing the terms “mother” or “father” with terms such as “parent” or “guardian” to better recognize the rights of LGBTQ parents, and others.

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Thibeault has moved private members' notice of motion 56. Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Glenn Thibeault: I'm very pleased to rise today to present the following motion:

That, in the opinion of this House, the government of Ontario should replace gendered terminology with gender-neutral and inclusive language on all government forms as they are updated, amended, created, or replaced, in order to reflect the diverse nature of our province, including, but not limited to replacing the terms “mother” or “father” with terms such as “parent” or “guardian” to better recognize the rights of LGBTQ parents, and others.

The language that is used on government forms is not something that most people think about on a day-to-day basis. It was first brought to my attention by a constituent of mine when she was trying to enrol her child in school. As a single mother, she had noticed that when she was filling out the school's enrolment forms, they had a space for mother and a space for father. But she wasn't the last person to speak to me about this issue. Especially here

today, thinking about it, I know that I am very fortunate that I have an incredible wife and two amazing daughters, so for me and for a lot of other parents like me, filling out this form would be an innocuous occurrence. You would write your name on one line and your spouse's or partner's name on another, and that would be it. But for my constituent, it was a reminder that she was a single parent and that being a single parent makes her feel different. It's a reminder to single parents, to divorced parents, or queer or transgender parents that they and the way they are raising their child is not what is considered to be normal. But it is, and that is why I don't think that was okay.

C'était le premier ministre Pierre Elliott Trudeau qui a dit, en décembre 1967, à la Chambre des communes, que l'État n'a rien à faire dans la chambre à coucher de la nation. That's a principle that I hold strongly, that it's not the government's place to define a particular relationship or a particular identity as normal. Instead, the government should use language that is inclusive and that recognizes Ontario's diversity.

My staff and I reviewed the government of Ontario central forms repository, met with stakeholders and spoke to government ministries about this motion. We found that there are already a number of forms that are consistent with the spirit of this motion and use gender-neutral language. For instance, OSAP registration forms request information on parent 1 and parent 2, and several others use the phrase “parent or guardian,” so it certainly is possible for government forms to use gender-neutral language.

1430

But there remain a number of examples of government forms to which this motion would apply. I've already mentioned school registration forms as an example, Mr. Speaker. For instance, the form to apply for a child's name change asks for details about who the child's father is and who the child's mother is. When someone consents to give their child up for adoption and fills out the acknowledgement-of-adoption placement forms, they have to identify whether or not the mother and father have consented to allow their child to be adopted. In these cases, the government could ask for the parents' information or be more specific and ask for the biological parents' information instead, if need be. It would provide the government with the same information that the form currently has but using terminology that is more relevant to the diversity that exists in today's society.

Under the status quo, people can cross out terms like “mother” and “father” and write in what they would prefer to be used, but it requires them to self-identify to the government as being different from the norm. To be clear, this motion isn't about saying that using terms that indicate a gender, such as “mother” or “father,” are bad or offensive in some way. It's just that in today's society, they aren't always as relevant a reflection of the realities of Ontario's families and that more appropriate terminology ought to be used. Mr. Speaker, I need to make this clear: This isn't about banning the words “mother” and

“father,” as was mentioned by some members of the press gallery earlier this afternoon. This is about making Ontario more inclusive.

The government of Ontario currently uses more than 10,000 forms. The Ministry of Government and Consumer Services is the current caretaker of all government forms. We realize that for the government to undergo a full inventory of all forms, to take stock of forms which use gendered language and to see which would need updating, would place a significant burden on that specific ministry. Therefore, in the motion I have placed before the Legislature, I have asked for the government to do this on a go-forward basis, as forms get updated, amended, created or replaced, so as to avoid placing an undue burden on ministry resources.

As well, I think it is important to recognize that the common wisdom on what the best practices are in terms of inclusivity in language is changing rapidly. So in the motion that I have put before the House today, I have left what it means to use inclusive language to be open-ended, so that in the future, the government can use language that reflects the best practices that exist when a given form gets created or changed.

So while this motion may be beneficial to many people in varying family situations, such as single-parent families and divorced parents, I want to use my remaining time to speak to what this means in particular for families with LGBTQ parents. Ontario has made great strides towards achieving legal equality in society between all people. Canada's first gay rights march took place in Ontario, in Ottawa, in 1971. It was a Ontario Human Rights Commission decision in 1993, *Waterman v. National Life*, that was first to recognize that employers could not discriminate based on sexual orientation. It was Ontario that was the first province to allow same-sex couples to adopt in 1995. On May 10, 2002, it was an Ontario judge who ordered that Marc Hall could bring a same-sex date to his prom. On July 12, 2002, it was the Ontario Superior Court that ruled that banning same-sex marriage violated the equality provisions of the Charter of Rights and Freedoms. It was on July 19, 2012, that Toby's Act received royal assent, banning discrimination based on gender identity and expression. But there is still far more progress to be made in terms of achieving real social equality for LGBTQ people in Ontario.

In recent years, there have been positive steps made. As of 2005, two same-sex parents can be listed on a child's birth certificate. As of 2012, with the passage of the Accepting Schools Act, school boards couldn't prevent the creation of gay-straight alliances. As of earlier this year, with the passage of Bill 77, gay and trans conversion therapy for minors has been banned, and I want to applaud the work of the member from Parkdale–High Park on that. I was very happy to vote in favour of that bill and so was this government.

In speaking with my constituents at Fierté Sudbury Pride parades in past years—it was unfortunate that I couldn't attend this year with the passing of my father—

and then from meetings with organizations like TG InnerSelves in my great riding of Sudbury, there is far more progress that we need to make.

I realize that changing the language on government forms may seem like a small step, but it's a small step in the right direction. It means this government is doing more than just saying it's legal to be LGBTQ, or legal to be a single parent, or that people ought not to treat someone differently because their identity is different or their situation may be different. It means that the government is actively recognizing that no matter the makeup of your identity or your family, you and your family are just as much a part of the rich mosaic that is Ontario.

Speaker, I am very proud to have put forward this motion as I feel this represents another step forward towards to the one Ontario where everyone is treated with respect, regardless of their identity, that I want to see for this province, for my constituents in Sudbury, for the people of Ontario and, most importantly, for my daughters so all our families can grow in an Ontario that respects all.

As I know, I need to start to conclude as my time is running out. I first want to acknowledge Susan Gapka, who is here in the gallery.

Applause.

Mr. Glenn Thibeault: Yes, a well-deserved round of applause.

Susan and I have worked together for, I would say, five or six years in both of my elected capacities: on the hill in Ottawa and here at Queen's Park. Truly, if there is an advocate for making sure that politicians learn and grow, Susan has been able to help us do that. I'm very honoured today that Susan was able to make it here to hear my speech because I was able to learn a lot from Susan. If she continues to do the great work that she's doing with all of us here and with all the great work that she's doing across the country, I think we'll see more and more of these motions directing governments to do what's right.

With that, I also want to acknowledge that it's been 22 years now since I lost my oldest brother to AIDS. I know right now that he's looking down on me, smiling, because I've learned some very good lessons from him that I've been able to take forward to ensure that we're creating an Ontario that he would be proud of, that we can all be proud of, and that we continue to strive to make sure that everyone is included, everyone is respected and everyone is a part of this great province that we all live in.

With that, I look forward to the ongoing debate that we will have here on my motion today. I do hope that everyone will look at supporting this because I do think this will bring us forward in the right way.

Thank you very much for the time. I was honoured to speak today.

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

Mr. Robert Bailey: I rise today to speak on behalf of the Ontario PC caucus to the private member's motion of the member for Sudbury, which reads as follows: "That, in the opinion of this House, the government of Ontario should replace gendered terminology with gender-neutral and inclusive language on all government forms as they are updated, amended, created, or replaced, in order to reflect the diverse nature of our province, including, but not limited to replacing the terms 'mother' or 'father' with terms such as 'parent' or 'guardian' to better recognize the rights of LGBTQ parents, and others."

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I'll spare the members opposite the suspense and say, right now, right from the get-go, that we, the PC caucus, will be supporting this motion.

Mr. Speaker, when you are first elected as a member of the Legislature, as I was in 2007, your first private member's ballot date is a very special one. During the course of your election campaign, there is usually a local issue that constituents are really concerned with. There's usually an issue they want you to take to Queen's Park and get fixed, if you are elected to represent them.

During my first election campaign in 2007, the issue in my riding was the planned expansion of the Bluewater Health campus in Sarnia. The Liberal government of the day had mismanaged the plans to renovate that hospital to such an extent that there were real concerns in the community that the hospital would never be completed. During the course of that campaign, I defeated a sitting Liberal cabinet minister, mostly in part because I committed to my constituents that I would see the expansion of Bluewater Health completed. That was a defining issue in our community during that election.

During the by-election in Sudbury last year, I know that the member elected faced many challenges, and he joins us here today.

While the motion is not without merit, I don't recall the use of gender-neutral language on government forms as being one of the number one concerns for the residents of Sudbury. Nevertheless, I'm happy to speak to this motion.

Straight off, though, I would have to say that the wording of the member's motion, in my opinion, is quite contradictory. The member talks about using inclusive language, and we in the Ontario PC caucus fully support that. Our new leader, Patrick Brown, has repeatedly committed to a more inclusive Ontario Progressive Conservative Party, where there is no monopoly on a good idea. But while calling for more inclusive language, the member is calling for the words "mother" and "father" to be excluded from government forms. If the member was really serious about being inclusive, he would be asking that words such as "parent" and "guardian" be added—I might add a stress on "added"—to government forms, not that the words "mother" and "father" be excluded from them.

I know everyone here would agree that the words "mother" and "father" mean many things to many people and shouldn't be excluded from government forms or our

day-to-day vocabulary. I'm sure that every member here has dealt with constituents who are the primary caregivers for their grandchildren, nieces, nephews or the biological children of other individuals. I'm also sure that those same members have been told by those constituents that these children often refer to them as "mom" or "dad," even though they may not be any biological connection.

Mr. Speaker, I ask, why is the member asking that we exclude those terms from our daily lexicon? Just this week, I noted that during the Premier's speech at the opening ceremonies of the International Plowing Match at Finch, Ontario, the Premier corrected another speaker on the platform who talked about our forefathers. The Premier said we must remember our foremothers as well.

The reality is that the spirit of the honourable member's motion already exists in the Ontario public service. The third and most current edition of the Ontario Public Service Correspondence Style Guide, published in 2006, almost 10 years ago, instructs government employees to avoid biased language. The guide states that gender-neutral terms should be used in all government correspondence.

So while I support the member's motion in principle, I would hope that he would embrace the true spirit of inclusiveness in this House. He should amend his motion to allow for the terms "parent" and "guardian" to be added to the terms "mother" and "father," and not instead of the words "mother" and "father."

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

Ms. Cheri DiNovo: Of course, we in the NDP are going to support this motion. As the member from Sudbury was speaking, I was feeling very, very old because I was the only woman in Canada to sign on to We Demand in 1971. I was part of that demonstration on Parliament Hill.

It has been my privilege, really, since then, to be the original mover of Toby's Act, in which I of course acknowledge Susan Gapka's presence. I also have to acknowledge that it took five different tablings five different times before we finally got that passed through the House.

I want to address this motion on three major levels, but first to say that Toby's Act has phenomenal ramifications. When you add gendered identity and gender expression to a human rights code, they're not just pretty words; they actually have legal ramifications. It was my honour to sit at an evening with lawyers from across Toronto, with the law society, all of whom were practising law based on Toby's Act—things like changing dress codes, the way washrooms are labelled, transition policies and health codes for large companies, and, of course, lawsuits. But one of the ways in which Toby's Act has ramifications is exactly on this, on identification. In fact, I would argue that we don't even really need this motion, because Toby's Act means that this government must—not maybe; not if this motion passes—but must

address this issue of identification, and must make identification gender neutral. So that's the point first.

Second of all, I want to address the issue of this motion going maybe not as far as it should. The member—and I know with great intention—mentions updated, amended or replaced identification. I would warrant that we can't wait. Particularly for the trans community, that needs to be immediate. For a trans community, this can be the difference between life and death. Trans folk, as you know, as the member from Sudbury would know, are the victims of violence more than just about any other minority. Trans folk live in poverty more than any other minority—about a 50% poverty rate. Trans folk attempt suicide more than any other minority. By the way, it's trans or transgender, not transgendered. So just say it.

This beleaguered community needs this assistance right away, not sometime in the future. I'll point out a couple of instances where that's important, but I'll leave the SAMS issue to another member who wants to speak on this bill. That's a question where there is already gendered use in those—and that was a huge computer program that this government invested millions in. But also jury duty, for example.

More to the point, why—again, Toby's Act, I think, should preclude this by law, if it was challenged—does it take a physician's note for a trans person to get a birth certificate or to get a piece of ID? I don't need a physician's note to say I'm a woman. People who have a same-sex preference don't need a note. I don't need a note to say I'm a bisexual woman. So why should a trans person need a note from a doctor to say that they're a woman or they're a man? This is absurd, and this is going on. I would argue that this is already in contravention of Toby's Act and should immediately be addressed, not sometime in the future, and that's critical. Again, these are issues that are pertinent now.

The other concern I have, of course, is the very nature of this. This is a motion; it's not a bill. Motions are, by their very nature, non-binding, even if we pass them. And it is a private member's motion as well. Again, I know that the member from Sudbury has the best of intentions on this. I support his intentions. But what I would like to see, and I think what we would like to see in the New Democratic Party, is that this be a government initiative immediately—that we not wait for a motion; that we not wait for a committee. We feel that this is what the government should be doing under Toby's Act already. I don't know how often I have to say that. But in a sense, the motion pushes it off into some future time, and that future is now in Ontario.

I want to commend everyone here for voting for Toby's Act, because I think the ramifications of that are such that we really have set this province in the right direction. We are one of the largest jurisdictions, if not the largest jurisdiction, in the world with this kind of protective language—not just gender identity but gender expression. By the way, while I'm on it, let's talk about Bill C-279 federally—which, by the way, some members

who will go without being named, like the leader of the Liberal Party, were absent when the vote happened. I think that has to be noted because it's important that the presence be there. That bill, C-279, that was put forward when this member from Sudbury sat in that federal government—when that bill was put forward, it was literally rewritten by the Senate, and stalled. That's unfortunate. That's another reason, Mr. Speaker, why we should abolish the Senate. But another topic—another debate for another day.

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I want to acknowledge Susan Gapka being here, and her phenomenal advocacy, and not only Susan's advocacy, and she would be with me on this, but the Trans Health Lobby and TG InnerSelves, one of the best trans lobby groups in the province, from Sudbury, who were absolutely, unequivocally active around Bill 77 to ban conversion therapy. In fact, my meeting with them in Sudbury really coalesced my views around the fact that that bill needed to come forward.

Again, I commend the member for his motion today. I want to say that it shouldn't be necessary because the government should be doing this already. So I'll say that again: The government should be doing this already because it's covered by Toby's Act, and, if you don't do it right away, guess what? I suspect there will be challenges under Toby's Act with the Ontario Human Rights Code and with the commission, if you don't. So I'm putting that out there. Let's get busy.

I also want to give a shout-out for a parent equality bill which is coming up next week. I'm going to be introducing it. Even if you change the language on birth certificates, it's still a requirement on a birth certificate in Ontario to have a male and female on there. Imagine what that means to two women who are married, one who gives birth and the other who's a parent. They couldn't put those names on the birth certificate, even if this motion passed. So we need parent equality. That's a separate matter. That will come next week.

We need to pass this, yes, but more importantly, the government needs to act now, particularly for trans folk in the province of Ontario. Let's get busy, let's get going, because otherwise you're going to be facing some challenges.

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

Hon. Tracy MacCharles: I just want to start off by acknowledging the member from Sudbury for bringing forward this important motion, and I want to acknowledge the member from Parkdale–High Park for her passion and her support of the intention of the bill. She's always passionate in debates and always brings some very important points forward, whether we are looking at a bill, a motion or whatever in this House, so I acknowledge her and thank her for that.

What we have before us, of course, is this PMB to replace “gender terminology with gender-neutral and inclusive language on all government forms as they are updated, amended, created or replaced, in order to reflect

the diverse nature of our province, including, but not limited to the terms ‘mother’ or ‘father’ with terms such as ‘parent/guardian’ to better recognize the rights of LGBTQ parents, and others.” As the minister responsible for women’s issues, Speaker, and Minister of Children and Youth Services, I think this will be very welcomed by our stakeholders in both the women’s sector as well as in the children and youth sector. My ministries aren’t huge, huge ministries, but the indirect association of our transfer payment agencies and so forth, our stakeholders, who do great work in advancing equality for women, and men, is very significant. I think this would be most welcomed by them.

I understand, Speaker, that it will be the Ministry of Government and Consumer Services that would actually carry this forward, because they are the custodians of government forms. I like the idea that this motion speaks to forms being “updated, amended, created or replaced” as things go forward. That, I think, is an efficient and effective way to do things, just like we do with OHIP cards and so forth. I think this can be implemented over time and in a manageable way, but the intention of it can be clearly and strongly communicated up front, because, at the end of the day, we are a diverse province. There’s a range of languages, religions, beliefs, identities and sexual orientations. There’s just great diversity in our province, and our Premier, Kathleen Wynne, has worked very hard to ensure that these diverse voices are heard here at Queen’s Park, and beyond this Legislature too.

In terms of LGBTQ Ontarians, it is important to know that despite advancements, these groups continue to face discrimination and difficulties that are unique to the LGBTQ community. We should work to ensure that government forms, which of course are a requirement for accessing many government services, are truly accessible for all Ontarians and not limited just to one group.

At the end of the day, when we talk about the accessibility of government, I’ve always had the view that government needs to be accessible for everybody, not just one group, and that it’s the right thing to do. Government programs are taxpayer-funded programs, for the most part, and they need to be accessible for all.

I think this is a very progressive motion that we have in front of us. As Ontario continues to develop and grow, it’s important that we nurture our commitment to diversity and that we pursue policy and process changes like this that really align our commitments from the values point of view with how we operate the business of government.

I think this makes sense—I’m sensing support for this motion—and again, I want to thank the member from Sudbury for bringing this very important motion forward and for sharing some of his personal stories as well. I know it’s very hard to do that here in the Ontario Legislature, but I thank her for sharing her stories, and I’m very pleased to support this motion going forward.

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

Ms. Jennifer K. French: I’m pleased to be able to stand and to add my voice and thoughts to this debate

today. I’m here representing friends and families from across my community, and we’re talking about inclusivity and acceptance. We’re here discussing a motion to do away with gendered language on forms. It’s a fairly broad motion that covers a number of forms, which is great, because we have a broad spectrum of needs and considerations when it comes to our community.

As you know, Mr. Speaker, I come to this Legislature by way of the classroom. I taught elementary students, one of my favourite ages being intermediate years. Regardless of age, I’ll tell you what makes the biggest difference, in my opinion, and that is family support. Students—all children—need love and support, and I’ll tell you that families come in all shapes and sizes. Family might mean a mom and a dad; it might mean a grandma; it might mean only one parent or two moms or two dads; it might be step-parents, aunts, uncles or a sibling old enough to be responsible; it can be a legal guardian. Children deserve to be cared for and to feel safe and supported in their homes, and I wish a home full of love and support for every child. It isn’t the gender of the care; it’s the nature of it.

Across our communities, we have friends and neighbours who meet with challenges every day in our society. When we see a barrier to inclusion, we need to address it. Everyone has the right to live authentically and participate in their community.

My colleague the member from Parkdale–High Park championed the voices and rights of our trans community and brought forward Bill 77, the Affirming Sexual Orientation and Gender Identity Act, 2015, which received all-party support and royal assent just recently. Her bill bans conversion therapy in the province, which includes protections against conversion therapies being used on trans and non-gendered individuals. We are immensely thankful for her advocacy and work.

Mr. Speaker, you might have heard about the millions spent implementing the new social services software system or SAMS, the Social Assistance Management System. Profiles are established for clients within our social services community, and data is entered, files are kept and hopefully a person’s journey through the system goes smoothly—hopefully. However, at the beginning of the profile a client must identify as either male or female. This is a mandatory prompt when setting up the profile. The gender must also match their ID.

1500

Mr. Speaker, the old system had a tick box for gender as well, but now it reads male or female on every single page of SAMS.

This kills me: Every page that is attached to a client now, with the new and improved system, has a pink or blue avatar. Now, it isn’t just male or female. It’s blue for boy or pink for girl. I’m just going to let that sink in for a moment. Our new and improved, super-expensive, top-of-the-line, advanced and awesome SAMS system forces someone to be a pink lady or a blue man.

Also, if someone is transitioning, their worker has to make notes about it until that avatar switches colours and makes it official.

Also, regardless of whether a client identifies as male or female, the worker has to input gender based on what is printed, again, on their ID.

Also, if a client is transitioning, caseworkers can't identify them with their new name until they change over their information at the bank, which would require ID.

Again, barriers: new and improved, updated and expensive SAMS barriers. How many more systems have barriers like this?

Mr. Speaker, this needs to happen today. We should be giving choice and options, and I don't mean pink or blue; I mean the option to be authentic.

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

Hon. Kevin Daniel Flynn: It is a pleasure to join this debate today. Let me give my personal thanks to the member from Sudbury for bringing this issue to the floor this afternoon.

Private members' time is always a time I really, really enjoy because sometimes it's a time when a member of the government can push his or her own government a little bit. I think that's what's happening here today. I've heard members, certainly from two parties, suggest that this is something we should be doing, and perhaps it should even have been done by now.

I think there's a saying, "Don't let perfection get in the way of progress." We've got to give the member credit. He is the one who brought it to the floor today. He's the one who is stimulating the debate. He's the one who is asking for the support of the House so that he can take it forward to the government or it can move through the process and we can perhaps prompt some action in this regard.

I was thinking of my own life. I was thinking that's how we sort of view the changes in society. I was born in a different country, Speaker. I moved here as an 11-year-old and had to adapt to the Canadian way of doing things. Things that were acceptable and routine in Britain weren't acceptable and routine in Canada. There was a different way of doing things.

Think of all the changes we've lived through. Our generation has probably lived through more changes than any other generation in the history of civilization, I'd suggest. There are technological changes, cultural changes and changes just in the way we view things as a human species. Sometimes I think the legislation or the rules or the rule books we choose to live by don't keep pace with the changes that have already taken place in society. Often they sort of lag behind. I think what the member has done here by introducing this bill is that he's exposed that a little bit.

He said there have been acceptable changes that have taken place in our society, but the rules that people live by, the forms they fill out, the way that they apply for things to just help them in their daily lives—those forms haven't kept pace with those changes. Sometimes it reinforces to someone that perhaps they aren't as accepted as they thought they were, or perhaps it reinforces that a government, a department or a service is not as interested

in them as it should be. I don't think that is the case. But if you read the form you might be drawn to that conclusion, that somehow you're different and you don't get the same treatment as somebody else. That is what I believe the member is trying to rectify today.

I think the bill we have before us from the member from Sudbury is worthy of the support of every member of this House. It certainly speaks to the values of the people of Ontario and the tolerance we have for each other. The multicultural nature of this province really is all about us all bringing the best to bear. I think the member from Sudbury has brought his best today and I think it's incumbent on all members of the House to support that effort.

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

M^{me} Marie-France Lalonde: Premièrement, je veux féliciter mon collègue le député de Sudbury pour son initiative de présenter cette motion aujourd'hui devant cette Chambre.

It is with great pleasure that I rise to speak on my colleague's motion seeking gender neutrality and inclusivity on Ontario's government forms. As a former social worker who had to sometimes deal with those parts and aspects, I'm very proud that the member from Sudbury is raising the issue, and I can hear a lot of positive comments about this great initiative.

L'Ontario est une province inclusive. Il est important de revoir la terminologie du genre et sa neutralité dans les formulaires gouvernementaux afin de répondre aux individualités de chacun.

Ontarians should always feel welcome and included in our society. It is important that as a society evolves and continues to embrace people's individuality, we update our government's forms to reflect who they want to be regarded as. For instance, there are many people who choose to adopt, and instead of registering the child to a mother and father, the parents of that child should be able to be regarded, under our government's records, as either parents, guardians or whichever neutral and inclusive term they ultimately choose. People should not be constrained to gender-normative adjectives; and unfortunately, members of the LGBTQ community are undermined by our gendered forms.

Plusieurs individus se sont battus pendant plusieurs années—de longues années—pour voir leurs droits individuels respectés.

Members should understand this legislation has a far-reaching and important impact for many segments of our society. I know families that are headed by a single parent, and for that parent and child, it can be extremely stigmatizing to identify as someone from either a single-mother or -father household. For these and all individuals, especially the children, we must update our government forms.

Government identification should mirror people's individual identification, and no one should feel ashamed of themselves and/or their family because of an ID we currently have them accept on government forms. I also

want to highlight that the member's motion does not request the government to overhaul government forms immediately. The motion requests that as part of the regular cycle of updating government documents, the changing of gender terms be part of that process for all forms.

I believe that the member from Sudbury's motion is part of this greater battle for social justice in Ontario.

Ce que le membre nous demande, c'est d'amener cette inclusivité, qui va vraiment faire partie du prochain siècle qui s'en vient—on est en 2015; il est temps que, comme gouvernement, on accepte l'égalité et l'inclusivité de toutes les personnes ici en Ontario, et je dirais même à travers le Canada.

Therefore, I urge every member in this House to support this motion. Ontario should continue to be a leader. We can show Ontarians that everyone is accepted by updating our forms in order to reflect the progressive nature of our society.

Je demande à chacun et chacune des membres ici d'appuyer la motion de mon collègue de Sudbury.

I urge every member to vote in favour of this wonderful motion.

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

There being no further debate, I now turn to the member from Sudbury. Two minutes for your response.

Mr. Glenn Thibeault: Before I begin, I know we have many new guests that have arrived here in the House, so welcome, but I'd like to single out Mr. Rick Bertrand, the president of Local 6500 from my great riding of Sudbury. Welcome to Queen's Park.

I'd also like to thank the members for Sarnia–Lambton, Parkdale–High Park, the Minister of Children and Youth Services and the minister responsible for women's issues, the member for Oshawa, the Minister of Labour and the member for Ottawa–Orléans for their contribution to this discussion this afternoon.

While I'll try to address some of the issues that each member has brought forward, I'd first like to address the member from Sarnia–Lambton, who I understand will be supporting this but had some concerns and wanted to continue to keep certain language on the form. I guess he really didn't understand the gist of what we're trying to do, which is to make sure that it's inclusive. You could add every single terminology, but the form wouldn't fit. That just doesn't make any sense. The way we're moving forward on this is actually inclusive for everyone.

1510

I do want to acknowledge all of that hard work that the member from Parkdale–High Park has done on these issues—since 1971, I believe you mentioned. You did talk a lot about Toby's Law and the pace that we're going in terms of this.

I think the Minister of Labour, in his address, talked about one of the reasons why I thought it was important to bring this forward, to continue to try and push. With 10,000 forms, minimum, that have to be managed by the Ministry of Government and Consumer Services, it is

really important that we continue to make sure that, as we move forward, we continue to see progress being made on this, because it truly is important to get done.

I also want to thank the Minister of Children and Youth Services and responsible for women's issues for her passionate support for this bill, and, of course, my colleague from Ottawa–Orléans. It's important to me to make sure that people come together and support this. And to my one constituent who started all of this: Julie, I thank you for bringing this forward and flagging it for me.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you very much. We'll take the vote on this motion at the end of private members' public business.

PROTECTING VICTIMS
OF OCCUPATIONAL DISEASE
ACT, 2015

LOI DE 2015 SUR LA PROTECTION
DES VICTIMES DE MALADIES
PROFESSIONNELLES

Ms. French moved second reading of the following bill:

Bill 98, An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to loss of earnings and survivor benefits / Projet de loi 98, Loi modifiant la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail en ce qui concerne les prestations de survivant.

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

Ms. Jennifer K. French: It is always my privilege to rise in the Legislature and add my voice to the debate, but today is a very special and important opportunity. Today, I am here to present and debate my first private member's bill, Bill 98, the Protecting Victims of Occupational Disease Act, 2015.

It is appalling that hundreds of Ontarians fall victim to occupational disease every year, and it is even more appalling that we allow them and their families to be hung out to dry. We hope to bring an end to this today.

It is also my privilege to recognize guests and supporters who are here today in the Legislature. This bill came together as the result of the partnerships of people working together for years to make a necessary change for workers and their families.

Today, I am pleased to welcome Rick Bertrand, who I believe has travelled the farthest today. Mr. Bertrand is the president of United Steelworkers Local 6500 in Sudbury. He is here on behalf of the miners and their widows who were first involved in this issue. In addition to Mr. Bertrand, I would like to thank J.P. Mrochek, USW Local 6500's employee compensation representative, who has worked tirelessly to represent workers and widows in their community on issues pertaining to the WSIB and health and safety. J.P. and Local 6500 have

been a driving force behind this legislation. Thank you and welcome to Queen's Park. And welcome to Gerry Leblanc, who is here as the health and safety department leader at the USW national office.

I am also pleased to welcome and sincerely thank Sid Ryan, the president of the Ontario Federation of Labour, for joining us at Queen's Park today. I want to recognize the work and support from the OFL team over these past years on this issue. Thank you for your commitment and your continued support.

Thank you to president Carmen Santoro of the Ontario Professional Fire Fighters Association for his support and involvement, and I welcome Andrew Lee, co-chair of the OPFFA occupational disease committee, to the Legislature.

Also in the members' gallery joining us today is Trish Fontyn, here from the Office of the Worker Adviser. Welcome, and thank you for your commitment to workers' rights.

I also see and want to recognize, from my riding of Oshawa, Joel Smith, joining us from Unifor Local 222.

Lastly, I want to recognize Ms. Oram and Ms. Rocca, who are watching this afternoon from Sudbury. I look forward to sharing their stories with you today.

The story of this bill started long before I came across the issue, Mr. Speaker. Last winter, I had the opportunity to meet with J.P. Mrochek, the employee compensation representative for USW Local 6500. J.P. was representing miners and their widows four years ago when a technicality—a legislative loophole, if you will—was first discovered and used by employers' lawyers to target the survivor benefits paid to widows of miners who had died of occupational diseases. Widows who had lost their husbands to long-drawn-out illnesses contracted while working in the mines were being targeted.

At that time in 2010, J.P. and Local 6500 started to appeal to the then Minister of Labour and connect with others who would help workers and their surviving spouses. I would like to recognize the work that started back then and thank my colleague, France Gélinas, the member from Nickel Belt, who has been championing this issue since the start of 2011.

Since early 2011, this government has had four Ministers of Labour who have all heard from USW 6500, the member from Nickel Belt and the Ontario Federation of Labour on this issue. Recently, as the target has shifted predominantly to the surviving spouses of firefighters, this government has also been hearing from the OPFFA as well—four Ministers of Labour, Mr. Speaker.

In fairness, this government has acknowledged that this is an area to be addressed, and today we have the opportunity to make that change. So here we are: I'm proposing the changes that are long overdue in Bill 98. It's time to pass this bill and make the changes we've been talking about for four years.

Since 2011, there have been at least 14 Workplace Safety and Insurance Appeals Tribunal decisions that have resulted in the WSIB reducing pensions or periodic payments to the surviving spouses of workers who have

died of occupational diseases. The issue started with miners in Sudbury, but it applies to all workers in this province who are susceptible to occupational diseases. If the worker—say a steamfitter, a miner or a firefighter—was diagnosed after they had retired, then their widow's survivor benefits would be in question. The catch was that in retirement they were no longer earning wages; pensions, incidentally, are not considered earnings.

There's the basic loophole: Widow's pensions were being calculated one way, but the lawyers argued they should be calculated another. The lawyers won the argument. They argued the letter of law, but today we are here arguing the spirit of the legislation. Mr. Speaker, these victims have already lost their spouses to an occupational disease, and it is unconscionable that we have allowed even more to be taken from them. We have the opportunity to change that today.

Gisele Oram is at home in Sudbury today. Hi, Gisele. She was kind enough to share what the survivor's benefit means to her. Mrs. Oram lost her husband, Harold, to mesothelioma, an occupational disease he contracted while working in the mine.

She said, "For me it means life, more or less. Before I finally got the money, I was depressed. People were scared for me that I was going to die, I was so depressed. The government paid for some of the medication. But the government doesn't pay for glasses. Or dentures. It all comes out of pocket and then have you to pay rent after all that. When my husband died, the bill people kept calling me.

"I know that money comes in and I can pay my bills, and ... before that I would be broke after the first week. It means I can breathe.

"Another thing too: I've been sleeping in my La-Z-Boy for four years....

"When the money came in, the first thing I went out and bought was a bed. I was tired of living in a chair."

Mr. Speaker, I was also pleased to speak with Anne Rocca. Mrs. Rocca lost her husband to an occupational disease as a result of working in the mine. She worries that someone will come after her and her pension. She cannot imagine what she would do if that were to happen:

"If I didn't have it, I'd lose my house. That's the bottom line. I'm grateful for the benefits I get, and I don't know why they want to take them away. It means a roof over our head, for one thing. My husband and I sacrificed to get this house. If they take that away, then I don't know what's going to happen....

"I don't know what I'd do without the money coming in. I wish my husband was here instead. But that's not going to happen."

Mr. Speaker, people who have lost this much already need to be protected before they lose the support they're entitled to, and that's what this bill is about.

1520

I'm going to do my best to explain a fairly complicated part of our compensation system. I'm going to explain the old rules versus the new rules for compen-

sating workers who have been diagnosed with an occupational disease in their retirement.

Imagine two co-workers. One gets sick and is diagnosed with an occupational disease while working. WSIB compensates him fairly and pays a loss-of-earnings benefit. Loss of earnings: This is based on his loss of potential earnings.

Imagine his co-worker doesn't get sick. He instead retires. However, his disease has a longer latency and he didn't get diagnosed, didn't get sick until he had stopped working. Then what happens?

By the old rules which determined payments from 1998 to 2009, that worker would have also received the loss-of-earnings payment. Fair is fair: His workplace made him sick so he received compensation. However, after 2009, this practice of paying loss of earnings ended. By the new rules, fair isn't fair anymore.

Now, if a worker is diagnosed after they retire, they can no longer receive the loss-of-earnings benefit because lawyers of employers argue that if they are retired, they aren't earning and, therefore, they aren't losing earnings. This loophole saves the employers having to compensate for a dangerous, toxic and slowly fatal workplace because of a wording technicality. Employers will hope a worker retires before diagnosis so they aren't eligible for a loss-of-earnings payment. This, incidentally, incentivizes a slower process for care and diagnosis, and this is not in the spirit of the act.

My bill calls to continue the practice of fair compensation under the old rules. If the government or the lawyers want to argue that it isn't fair to calculate based on loss of earnings, then what is fair? Is it fair to compensate based on the loss of time with loved ones, loss of time with grandkids, loss of retirement, loss of health, loss of quality of life or just loss of life? I hope you won't argue the spirit of the act, and I hope the government sees the unfairness of calling the diagnosis date the date of injury when the dates of actual injury and injurious exposure resulting in the diagnosis happened on the job.

We can haggle here over definitions or, as I believe this ministry recognizes and understands, we can have the chance to make something right for real people. We have the chance to make it right for people who have died or will because their workplace made them sick; to make it right for people who have lost their loved ones and now face losing the bulk of the financial compensation that keeps them in their homes with bills paid and food on the table. Let's pass this bill today and move it to committee, where it can make this right. We can hammer it out in committee and make this story about what is fair and what is decent.

Mrs. Oram in Sudbury shared this with me. She said, "They had a ceremony for the people who died at the mine. For the first time they had a ceremony for the people who died of disease. I'm really glad I was there. A lot of people die of disease from working in the mines. I remember waking up with headaches. A lot of people got sick and died because of the mine even though they didn't work there. But they couldn't prove it. It was in the air. We didn't know any better."

Mr. Speaker, we know better now. We are adding recognized presumptive diseases and cancers as we are recognizing the risks and many toxins in workplaces. Our firefighters are constantly exposed to dangers and carcinogens. We have come a long way since the early days. Hopefully, we will see a decrease in the diagnoses of occupational diseases. Hopefully, we can have safer workplaces where fatalities and diseases can't happen. As we work towards that, however, we must protect the victims of occupational disease and defend their surviving families and spouses today.

This is a bill that needs to be passed and an issue that cannot be ignored. There is important and technical work to be done in committee to ensure the best fix to this problem happens and happens soon.

I am eager to get this bill into the committee process and out the other side. I hope all members of this House will vote today to pass Bill 98 to protect the victims of occupational disease.

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

Mr. Han Dong: I'm pleased to debate on this very important bill presented by the honourable member from Oshawa, Bill 98, An Act to amend the Workplace Safety and Insurance Act, 1997, with respect to loss of earnings and survivor benefits.

I think it's extremely important, and this House would agree, that there's fairness for the survivors of those workers who died from occupational disease. We all know there are certain lines of work that are more dangerous than others and more vulnerable to occupational disease, such as firefighters. This member probably will agree that in essence the government has been working to address this issue.

On May 28, 2015, our government introduced Bill 109, also known as the Employment and Labour Statute Law Amendment Act, 2015. If passed, the Employment and Labour Statute Law Amendment Act, 2015, will make amendments to the Workplace Safety and Insurance Act, 1997, also known as the WSIA, that would allow Workplace Safety and Insurance Board—WSIB—survivor benefits to be calculated based on the average earnings, at the time of diagnosis, of the deceased worker's occupation rather than the current legislated minimum.

This will potentially increase the amount of support that families receive. This change is especially relevant for occupations, as I mentioned, such as firefighters and steelworkers, where occupational diseases prevail and in which the occupational disease is typically diagnosed when the worker is retired or no longer engaged in the occupation or trade out of which the disease arose.

Our proposed amendments would apply to payments for survivor benefits that are payable as of January 1, 1998. I think that is very important to note.

There is precedent for this type of calculation by WSIB for reasons of fairness and equity. Under the former Workers' Compensation Act, which was in effect until the end of 1997, the WSIB was able to use com-

parator earnings when calculating the quantum of benefits for occupational disease. Under the proposed amendments, the WSIB would be required to adjudicate pending claims in accordance with the proposed amendments, and the survivors would be able to request that the WSIB reconsider past decisions of the board and also the Workplace Safety and Insurance Appeals Tribunal. The WSIAT would be required to refer pending appeals to the WSIB for adjudication, in accordance with the proposed amendments.

These proposed amendments are quite similar to those contained in this bill, Bill 98, as it relates to survivor benefits, so we can support it in principle. This being said, the bill also proposes loss-of-earnings benefits for retired workers that are not being contemplated at this time but may be worthy of discussion as the government's legislation moves forward through standing committee consideration.

I think it's good that the member opposite should propose this bill to this House and bring more debate to the importance of being fair to the survivors of occupational disease. I'm very pleased to debate this bill.

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

Mr. Ted Arnott: I'm very pleased to have this opportunity this afternoon to speak to Bill 98, An Act to amend the Workplace Safety and Insurance Act, 1997, with respect to loss of earnings and survivor benefits.

As you know, Mr. Speaker, under this piece of legislation, "Section 43 of the Workplace Safety and Insurance Act, 1997, provides for payments for loss of earnings to a worker where the loss of earnings results from an injury, which includes occupational disease. The bill addresses the situation of a worker who is no longer working at the time of contracting an occupational disease by providing for loss of earnings to be determined in this case if the worker had still been working at the time of the diagnosis."

1530

That is the first paragraph in the explanatory note. I won't read the second one, but I know members will have access to the bill and can read that for themselves.

I want to acknowledge the member for Oshawa, who has brought forward this piece of legislation. She arrived in this Legislature in 2014. She's now been here for just over a year and a half, I guess, and she's made her presence known here and has been very actively participating in the debates in this Legislature. Of course, as a member for Oshawa, she's the successor to a number of fine members who came before her. I think of my friend and former colleague Jerry Ouellette, who was an outstanding member for Oshawa, and who served here from the 36th to the 40th Parliament. He was first elected, I believe, in 1995, if my memory is correct. I also served with his predecessor, Allan Pilkey, who was the NDP member from 1990 to 1995. Before that, Michael Breugh was here for a long time—from 1975 to 1990, I believe. He sat with the NDP caucus and was one of the leading lights in the NDP caucus in those days.

Obviously the member from Oshawa has big shoes to fill, but she is endeavoring to do that and has become a very capable and effective member.

Certainly, for our part as the official opposition caucus, the PC caucus, we want to see fairness and compassion for injured workers as well. Certainly I think that's how this bill has come forward; that's the primary motivation.

I think it's important to put on the record some comments about the WSIB in a general sense. The WSIB, of course, as we know, is an independent trust agency that administers compensation and no-fault insurance for Ontario's workplaces. It's one of North America's largest insurance organizations, providing workplace injury insurance for more than five million workers and 290,000 employers across the province. It's a very, very important part of the provincial government's responsibilities. Of course, it's been set up as an arm's-length agency.

The WSIB was first established as the worker's compensation board—I think it was actually the Workmen's Compensation Board in those days, in 1914, before we had the gender-neutral terminology that we have today—through the passage of the Workmen's Compensation Act. In 1998, the Workplace Safety and Insurance Act formed the Workplace Safety and Insurance Board. I remember the passage of that legislation back in this House prior to the turn of the century.

We know that in the current situation, the Auditor General reported in 2009 that the WSIB's costs had far exceeded its revenues. In fact, by 2012, the WSIB was facing an unfunded liability of \$14.1 billion and, of course, the employers of the province are on the hook for that over the long term.

The board has been working to turn this situation around and the WSIB is now on a much stronger and stable financial footing. The unfunded liability has been dropped down to \$8.9 billion, a reduction of about \$2.4 billion. I certainly want to extend credit for that to the staff and the board of directors, as well as the chair of the WSIB, our former colleague Elizabeth Witmer. The management team has done an outstanding job to get the organization back into a stronger financial position.

I'm sure the member with the bill is anxious to hear what our caucus is going to be saying about this bill. We want to listen to the debate. I had some fundamental questions about the bill when I was doing the research in advance of my presentation this afternoon. I asked myself the question, what exactly is the bill attempting to achieve and what is the fundamental problem that the bill is intending to address? I think the member for Oshawa, in her presentation this afternoon, was trying to answer those questions. I look forward to reviewing the Hansard when I get the chance as well to get a better understanding.

I think we have to be concerned about the continued unfunded liability of the WSIB, because, again, the employers are on the hook for that. I think it's important for us to have a sound understanding of what this bill would cost if in fact it were adopted. I would suggest that

there needs to be an honest and comprehensive financial analysis of what this bill would cost if it were passed into law, so that we understand that. That's obviously very important. We can't just be expanding the benefits through the WSIB without knowing what it's going to cost employers.

The WSIB has done a good job in terms of maintaining—actually, restricting the increase in—premium costs in recent years. In fact, for three years in a row, they've been able to keep premium rates at the level that they've been, and there haven't been increases. That's something that's very commendable, but we have to be paying attention to those things.

I wanted to put on the record some comments that I received from someone who has studied this bill and is an expert, but I haven't got his permission to use his name so I'm going to keep it in confidence for now. He does say this:

“Bill 98 is a significant change. For many years the WSIB paid benefits to the worker once a determination of a work-related injury had been made. If the worker had left the workplace—retired, for example—the WSIB would apply the act and policy to continue benefits to age 65, and if the worker was 63 or older at the time of the determination, then two years of benefits. The Workplace Safety and Insurance Appeals Tribunal disagreed. It took the position that if a worker left the workplace—retired—and was not therefore earning any income from an employer, then the worker would not be eligible for loss-of-earnings benefit entitlement, even if, post-retirement, the worker was diagnosed with an occupational disease.”

This speaks to the fundamental mandate of the WSIB, which is to provide benefits for economic loss if a person is hurt or has an occupational disease—in other words, a disease that relates back to their employment—that they would be compensated for loss of earnings. There's the other component, which is non-economic loss, and I think that has to be looked at in that context.

I think that we need to look at this bill carefully, and certainly my colleague for Bruce-Grey-Owen Sound wants to speak to it as well. We're continuing to listen to the debate, and I look forward to hearing from other members as well.

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

Ms. Cindy Forster: As the labour critic it's my honour to speak on Bill 98, brought forward by my colleague from Oshawa. I want to welcome our labour leaders and friends here today as well.

This bill is pretty simple: It's going to fix something that has been broken for about six years. All it seeks to do is to eliminate a technicality in the act that allows the benefits of workers' surviving spouses to be drastically reduced. If someone passes away after they have left the workforce, in fact their spouses will continue to receive the same pension that they did receive before their loved one passed away.

This loophole could have been fixed—and should have been fixed—by the Liberal government six years ago when it was brought to their attention that there was a problem with the legislation, but I'm happy that the member from Oshawa has now introduced it.

This government and the Minister of Labour have been promising action on supporting injured workers and their families, but they've been empty promises to date. If you talk to any chapter of the Ontario Network of Injured Workers, if you go out to any of their meetings across the province, if you get on a telephone call with injured workers in your constituencies, many of them, after having been injured in workplaces across this province, are existing on Ontario Works or ODSP while they fight their way through the myriad processes under the Workplace Safety and Insurance Board.

While the member talked about Elizabeth Witmer and the huge improvements that she has made to the financial position of WSIB, it hasn't made it any easier, I can tell you, for the workers in this province who are trying to either get benefits or get their benefits reinstated.

There have been many stories about spouses and their loved ones, about their benefits being cut in the mining industry, and with firefighters. Frankly, the government ignored this for years and years. Last year the member from Oshawa actually went to Sudbury and met with some of those families. These are vulnerable people. Their spouses were either injured or have passed away. They may have children and grandchildren to support. The government has done nothing to assist them. It was only after the member from Oshawa put forward this bill that the government added a portion of her bill to a separate piece of legislation, but this very important part about “How am I going to support my family?” was never addressed.

Why is this government simply reacting to the deaths and injuries of workers by not being proactive? Every worker should be able to expect that when they leave work at the end of their shift, or leave work at the end of their working career, they are going to actually arrive home uninjured and alive. They should expect that if they are no longer here, there are going to be benefits in place to support their family. We, as legislators, have a responsibility to those families, to the spouses and the kids.

1540

So I encourage that every member in this House would have a hard look at this bill and would unanimously support the member from Oshawa with this bill that will bring a lot of peace and a lot less stress to the families of their loved ones.

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

Hon. Kevin Daniel Flynn: It is a pleasure, once again, to rise in this House and speak to the bill that's being put forward by the member from Oshawa. Let me right from the start tell the member that I'll be supporting the bill, and certainly I've urged my colleagues to support the bill. When people have asked me for advice on this issue, I've said that this is an issue that is worthy of their support.

The reason for that is that members of all three parties in this House know that the treatment of those people who have been either injured or killed on the job is something that we as a society treat very importantly. It's the type of issue that I think crosses those partisan lines. It's wonderful to see an initiative come forward from the New Democratic Party that is very similar to an initiative that's being put forward as a piece of legislation from the government itself. It proves to me, tells me that we're not as different as we make out to be in this House, that often we have a lot more in common than the newspapers or the media would have you believe from time to time.

I also thank the people in the gallery who have come today, three people I've learned to respect over the years. First, Andrew Lee is somebody I've known for a very long time. His work with the firefighters' association—in particular, Andrew has long been a champion of those members of the firefighters' association who have become sick on the job, have been injured on the job or in fact have actually died as a result of exposures on the job.

Sid Ryan is here, president of the OFL. Sid, it's great to see you here. I know you've been in my office on a number of occasions and have never failed to champion the cause of injured workers. It's always been a pleasure to have you in my office. It's great to see you here.

Rick Bertrand is somebody I've gotten to know since I became the Minister of Labour and is definitely a strong champion for the Steelworkers up in Sudbury. When I go up there I always feel that we're able to have frank and forthright exchanges about how we can make things better for injured workers.

I think the type of people who have been attracted to this debate speaks volumes, so plaudits to the member from Oshawa for being able to stimulate this type of a debate.

If you look at Bill 98 and you look at Bill 109, you'll find that there are an awful lot of similarities. I'm urging all members of this House, as I said, to support this bill, because I think that as Bill 109 moves through the committee process, and amendments and different ideas come forward, opinions come from all three parties during the standing committee process, there may be, in fact, some room where amendments could be brought forward which would actually meet the intent of what the member from Oshawa is proposing in Bill 98.

She certainly has done her homework. She's listened to her constituents, those people who represent the working people in this province who rely on WSIB. At times when they're injured, when they're sick or when something more serious happens on the job, injured workers in this province turn to the WSIB. I know it's an organization that, from time to time, becomes a bit of a lightning rod. But the intent of the organization, why it was formed, what it was put in place for—I think, by and large, the organization tries to stay true to those ideals that led to its formation in, I think, 1919.

I don't think I'm going to speak to the specifics of the bill because they've been spoken to very well by other

people. I would say that the similarities between the legislation that is going to the committee and this bill warrant the support of all members of this House to allow the issue to remain on the floor as a very visible issue, so that people understand that there have been concerns expressed by at least one party in this House, that they want this issue kept alive. I think it serves notice that during the committee process there will be at least one party, and perhaps two and perhaps three, that will be urging improvements to the government bill as it goes through so that perhaps the two are more line in line.

We are trying to do some good things at the WSIB these days. I know that some people who have struggled with the WSIB in years past may have a hard time believing that. I think there's an element of goodwill with the WSIB that really speaks to the progress that they've been able to make over the years.

One of the previous speakers mentioned some of the organizations that represent injured workers. I've gone out of my way as the Minister of Labour to attend a lot of the functions that perhaps a Minister of Labour wouldn't typically go to: some of the dinners they have at the Steelworkers hall in Toronto here, some of the events they have. As much as a Minister of Labour can, I think I've been able to establish a place where we could have a dialogue on these important issues, some of which have been outstanding, some of which will take some great effort to address and some of which can be solved fairly easily, though. I'm thinking of some of the impacts that injured workers—and the input they've already had along the way. They've talked about such things as a 72-month lock-in. They gave me excellent advice on that when, at one point, I perhaps was going in a different direction on that issue. As a result, specifically, of what injured workers in the groups told me, I certainly am looking at that issue in a much different way.

The OFL—as I said, Sid Ryan is here today—is an organization that has provided some excellent input as well over the years, and certainly in the last year and a half since I've been the minister has made me rethink and change my course on a number of issues that affect my role with the WSIB.

We all know that it's an arm's-length agency. We all know that it is governed by an independent board. But certainly the link between government and the WSIB is something that people understand. We do have influence. This House, the Legislature, really has influence in the way that the WSIB conducts its business on behalf of the businesses and injured workers in this province.

Let me close with my thanks to the member from Oshawa for bringing this issue forward. My thanks to her for sitting down with me the other day and discussing what she was hoping to accomplish, and my thanks to her for listening to me, as Minister of Labour, explaining how I think that we can work together on this. I think we can get to the place that you would like to see us get to in the end.

I'm supporting the bill. I hope all members on this side of the House will support the bill, and I'm assuming everybody on that side of the House will as well.

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

Mr. Bill Walker: I just want to acknowledge my colleague from Wellington–Halton Hills speaking to any bill in this House. He’s one of the most well regarded, thoughtful and pragmatic people that I know in this House and have come to respect. I think what he’s tried to do, particularly with these types of bills, is look at it from both sides of the ledger, as I try to do as well.

I certainly want to acknowledge Ms. French, my colleague, for raising the awareness of this and trying to promote and ensure that it actually gets a solid look and gets addressed, because there are certainly some challenges.

I want to also use a bit of my time to just acknowledge that our new leader, Patrick Brown, on his first day’s second question, actually showed support—and I want to acknowledge that there are professional firefighters and members of labour in the room—to ensure that something like post-traumatic stress disorder, PTSD, which, in some ways, is similar to this, is getting the attention and the priority that it certainly deserves. A colleague from my great riding of Bruce–Grey–Owen Sound, Dan Urbshott, who’s in EMS, brought a similar type of concern to my attention, and I said, “We’ll certainly address this.” This is something that we need to be looking at and trying to approach.

I do, and it’s a very well-intended—I think where I’m at is, as I try to do with all legislation, I look at all sides of the issue. What is the good, what is the bad and back to the reality of how do we fund this? That’s one of the things, certainly in the discussions I’ve had with people—how do you pay for it? Most people are understanding that there’s a need and there are certainly specific cases that no one could argue with, but there is a concern about what is the potential for fraud and abuse of this.

It’s like many things that we all think of. Insurance was intended to be something that protected and helped people in their time of need, and there is a percentage of people out there who will try to find that loophole and drive a bus through it, and we just need to make sure that is—I think one of the things my colleague Mr. Arnott from Wellington–Halton Hills said is that it needs to be, certainly, a thoroughly costed proposal. What’s the reality of this going to be?

1550

I ask this point very specifically and purposely, because in my short four years here, I have very significant concerns about things that the Liberal government particularly has done. The Green Energy Act: What was the benefit? What was the cost? Was it intended, and did it actually match anywhere close to that? Ornge: Again, no costing and all of a sudden there’s a big bill that all taxpayers of Ontario are paying. eHealth was similar: not fully or accurately costed out, and we’re still, again, paying for that through our taxation system.

Most recently, in the last session in my critic role, SAMS was one of those. They purported to be rolling it

out, and it was going to be this wonderful thing that improved everything; there was no negative to it whatsoever. Yet it was way over budget, and then they had to find another \$20 million just to fix the glaring issues when they did the rollout. So I have very big concerns.

We’ve talked in here very significantly in the last number of days, and certainly it will continue to bear a lot of potential priority concern, about the fire sale of Hydro One. What’s the costing? What’s the real benefit to the taxpayer? Who is going to pay the freight? Who is going to benefit?

In the case of this bill, it certainly is the case that there are going to be people who are in need. There are certainly people that this will address, and the retroactive piece is there for those who need it—I like a lot of those points that are in there. But I think we have to make sure we are going through and ensuring that we’ve thought about the unintended consequences, because that again is something I have certainly viewed many times here. Many people bring great ideas to this House. Most of us can say, in principle, “Yeah, I get it—the general, high level.”

But let’s get into the details. Let’s get into really who is going to benefit and who it’s intended to benefit. Are they the ones who, at the end of the day, are truly going to get the benefit of this intent, or is it going to again get clouded in those who take it? We all know—I keep saying it; I certainly see it every day—that there are portions of people who go off and want to derive something else for their own personal benefit, who, in reality, have no right.

We also have to remember that there’s currently an unfunded liability at the WSIB. New leadership and new management have come in, and they’re certainly moving the meter, but there are a lot of people in my riding still trying to address the current WSIB. So I just want to make sure, when we’re doing this type of thing, that we take a thoughtful process, balance it and ensure that we’ve costed it out, so that those victims—particularly those people you’ve referenced, Ms. French—who are truly in need are actually going to get it and we don’t again send it off into something where there’s money wasted on things that weren’t intended and the victims are still sitting there saying, “What happened to me?”

I think we have to make sure that it’s thorough. It has to be well thought out, it has to be detailed and it has to be costed. Again, I praise the member for bringing it. At least we’re getting it on the radar so we’re looking into it and addressing it, which is what we’re sent here to do as legislators.

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

Ms. Teresa J. Armstrong: I want to personally congratulate the member from Oshawa for bringing this bill forward. I know she spent a lot of time working on the information and the research to bring this bill forward, but it is in a thoughtful way and actually has meaning to the victims who are affected by injuries at work.

I also want to thank her guests for coming out today to support the member from Oshawa and her bill. It’s very

important that we have the support of the community and the support of community leaders when we present these bills, because those issues are important to our constituents and many Ontarians overall, especially injured workers—all of us have them throughout our ridings.

It is my honour to rise today to speak to Bill 98, the Protecting Victims of Occupational Disease Act. This bill addresses a major loophole in the Workplace Safety and Insurance Act. This bill would provide for death benefits to be paid to survivors when a worker dies due to an injury, and amends sections to address situations where a deceased worker was no longer working at the time of the injury, including at the time of contracting the occupational disease. That's at the heart of this bill, and that's the issue that's being addressed.

To echo my colleague's comment from a recent remark in this House, she said that the loophole from the previous version of this bill adds insult to injury, and it truly does. I'm glad to see that it's going to be corrected today. It sounds like there's a lot of support for this bill.

It's a shocking thing to think that hundreds of families lose a loved one to occupational disease every year, and yet this loophole has allowed these families to become victims once again. Families and loved ones across this province deserve better. When the member for Oshawa put this bill forward in May, this government decided to incorporate a portion of her bill in a different piece of legislation. It wasn't everything she asked for but simply a small portion. This is after the members of the Ontario Federation of Labour who are here and United Steelworkers Local 6500 raised concerns and started asking the Premier to act on this. Then it took four Ministers of Labour to fly by this government, and it's only after my colleague here stood up and presented this bill that they took action and decided, as the labour minister has said, to support this bill, as I hope all the members do on that side of the House.

What I don't think this government understands is that so many workers across this province would benefit from passing this bill. While miners and firefighters are among the most frequent victims, the issue could affect surviving spouses of any of hundreds of workers who die every year from exposure to harmful chemicals at work. This government should be doing everything it can to protect injured workers and their families and ensure that hard-working people of this province get the respect they deserve.

As many members have done earlier today, I encourage everyone to support this bill, from all sides of the House, to get it to committee so that the real work and the definitions and all the concerns that have been brought up today can actually be worked on and we can pass this bill.

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

M^{me} France Gélinas: I will try to be brief because there's only a few minutes left on the clock.

I start by thanking Rick Bertrand from USW 6500. He represents the operation at Vale, the biggest mine

operation in Sudbury. We also have Gerry Leblanc from the national office, Andrew Lee from the Ontario Professional Fire Fighters Association and Sid Ryan from the OFA. Thank you for being here. That tells you how important this is.

But it is also important to Madame Audette, Madame Gauthier, Mrs. Oram and Mrs. Rocca, because their livelihood depends on the decisions that we are going to make this afternoon.

Let's make no bones about it: The system was there. It is extremely difficult for a miner to prove that they got sick while they were at work. The amount of paperwork, the amount of work that needs to be done to convince the WSIB that this miner is sick because of what he did underground at the mine, requires years of work, of documents, of looking back into everything that has had an effect. Very few of them win those cases, Speaker; make no bones about it. We have a high cancer rate in Sudbury, we have a high cancer rate within the mining community in Sudbury, but very few of them get covered by the WSIB.

For the few of them who make it to the finish line, who finally were able to prove that they got sick because they were guilty of getting up every day and going to work, we finally got compensation. And then a lawyer—I can't speak his words because I want to spit, and I don't do that very often, Speaker, but I can't believe it—had an employer notice of appeal. Listen to this: They want the tribunal—the WSIB tribunal—to take into account the fact that the worker was retired from the workforce. “The loss of earnings should be recalculated [to be] \$0 and the spousal benefits should be recalculated on the basis of the net earnings,” which is \$0.

Not only did this person die because of what happened to him at work; he was served by a lawyer who has the guts to say, “We agree. You've done all of this fight and you died because of what happened at work, but you know what? You're retired. Therefore, we will give you \$0, and your widow will get the same thing: She will get \$0”—all this because a lawyer looked at one word in an act that is that thick, one word, and said, “earnings.”

Apparently, if you are a lawyer, you cannot understand that retirement is earnings and what you've earned—no. Apparently, earnings do not include pensions. Where the blank did that come from? I don't know, but I can't stand for things like this: a lawyer who will be paid 400 bucks an hour to argue that Madame Audette, Madame Gauthier, Madame Oram and Mrs. Rocca get nothing, that they have lost their husbands, that they will now live the rest of their lives alone. Some of these women are in their eighties and nineties. How can they ever support themselves? They're not going to go back to work. Who takes a 93-year-old back to work? That makes no sense. They depend on those earnings, and then this came. Since this lawyer put that forward, it has changed everything.

1600

Will it change the world? Absolutely not. We're talking about 25 widows at the most who will be helped

if we clarify what we meant when we passed this bill originally, that we meant that earnings were earnings. That's all that we're doing. It's not going to cost millions of dollars. It's not going to change the world, but for Madame Audette, Madame Gauthier, Mrs. Oram, Mrs. Rocca and 21 other widows, it's going to mean a life with dignity.

The Deputy Speaker (Mr. Bas Balkissoon): I want to thank everyone for their comments.

I now return to the member from Oshawa. You have two minutes for your response.

Ms. Jennifer K. French: I appreciate all of the thoughtful comments and support around the room. I'm, of course, glad to speak to my private member's bill today, but I'm also going to take this opportunity to read a poem, written by David Lindeman, a miner who was from USW Local 6500 in Sudbury.

Don't Mourn My Death

Mourn for my life, it was unkind and unjust
I was killed by my workplace, after years of my trust.
I stood and watched as the poisons rolled in
Unaware of the evil that attacked from within.

It came and it hit me, my defences were down
There wasn't a warning, no movement, no sound,
My body was strong, my hands filled with power,
So I worked unprotected every minute, every hour.

I am a strong man who was brought to his knees
By the cold cruel hunger of a silent disease,
If I knew that to work was like going to war,
I would have dug in and fought a long time before.

All my life I've been ready and willing to fight,
Now I lay in the deepest and darkest of night
Kept awake by the sound of my own shallow breath,
And I wait and I long for a merciful death.

For one must listen, you must understand,
Keep death at a distance and fear close at hand.
Please heed this advice, it's all that I'm giving,
I'm too weak to rise up and fight for the living.

Mr. Speaker, I didn't think I would get up and read a poem in the Legislature, but this was one that was found in the archives and was written by a member from Local 6500 who passed away.

I'd like to thank everyone for joining us today and for their work on this issue and on occupational diseases generally. This has been a long journey for many people in this room and an emotional journey for the victims and their families affected by the issues addressed within this bill.

Today we are calling on the Legislature to right a wrong and support this bill and the spirit of fair compensation for workers injured on the job.

The Deputy Speaker (Mr. Bas Balkissoon): The time provided for private members' public business has expired.

ESTATE ADMINISTRATION TAX
FAIRNESS ACT, 2015

LOI DE 2015 CONCERNANT L'ÉQUITÉ
DE L'IMPÔT SUR L'ADMINISTRATION
DES SUCCESSIONS

The Deputy Speaker (Mr. Bas Balkissoon): We will deal first with ballot item number 64, standing in the name of Mr. McNaughton.

Mr. McNaughton has moved second reading of Bill 120, An Act to amend the Estate Administration Tax Act, 1998. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."
In my opinion, the nays have it.

We will take the vote at the end of business.

GENDER-NEUTRAL LANGUAGE
LANGAGE NON SEXISTE

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Thibeault has moved private member's notice of motion number 56.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

Motion agreed to.

PROTECTING VICTIMS OF
OCCUPATIONAL DISEASE ACT, 2015

LOI DE 2015 SUR LA PROTECTION
DES VICTIMES DE MALADIES
PROFESSIONNELLES

The Deputy Speaker (Mr. Bas Balkissoon): Ms. French has moved second reading of Bill 98, An Act to amend the Workplace Safety and Insurance Act, 1997, with respect to loss of earnings and survivor benefits.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

Second reading agreed to.

The Deputy Speaker (Mr. Bas Balkissoon): Pursuant to standing order 98(j), the bill is being referred to—the member for Oshawa?

Ms. Jennifer K. French: I refer it to finance and economic affairs.

The Deputy Speaker (Mr. Bas Balkissoon): The member has requested that the bill be referred to the finance and economic committee. Agreed? Agreed.

ESTATE ADMINISTRATION TAX
FAIRNESS ACT, 2015

LOI DE 2015 CONCERNANT L'ÉQUITÉ
DE L'IMPÔT SUR L'ADMINISTRATION
DES SUCCESSIONS

The Deputy Speaker (Mr. Bas Balkissoon): Call in the members. This will be a five-minute bell.

The division bells rang from 1605 to 1610.

The Deputy Speaker (Mr. Bas Balkissoon): Would all members please take their seats.

Mr. McNaughton has moved second reading of Bill 120, An Act to amend the Estate Administration Tax Act, 1998. All those in favour, please rise and remain standing until recognized by the Clerk.

Ayes

Arnott, Ted	MacLaren, Jack	Munro, Julia
Bailey, Robert	Martow, Gila	Thompson, Lisa M.
Fedeli, Victor	McNaughton, Monte	Walker, Bill

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise and remain standing until recognized by the Clerk.

Nays

Albanese, Laura	Dhillon, Vic	MacCharles, Tracy
Anderson, Granville	Dickson, Joe	Malhi, Harinder
Baker, Yvan	Dong, Han	Mangat, Amrit
Ballard, Chris	Duguid, Brad	McMahon, Eleanor
Berardinetti, Lorenzo	Fife, Catherine	Milczyn, Peter Z.
Bisson, Gilles	Flynn, Kevin Daniel	Naidoo-Harris, Indira
Bradley, James J.	Forster, Cindy	Potts, Arthur
Chan, Michael	French, Jennifer K.	Sattler, Peggy
Colle, Mike	Hoggarth, Ann	Singh, Jagmeet
Coteau, Michael	Hoskins, Eric	Tabuns, Peter
Crack, Grant	Hunter, Mitzie	Thibeault, Glenn
Damerla, Dipika	Kiwala, Sophie	Vanthof, John
Del Duca, Steven	Kwinter, Monte	Wong, Soo
Delaney, Bob	Leal, Jeff	

The Deputy Clerk (Mr. Todd Decker): The ayes are 9; the nays are 41.

The Deputy Speaker (Mr. Bas Balkissoon): I declare the motion lost.

Second reading negated.

ORDERS OF THE DAY

ENDING COAL
FOR CLEANER AIR ACT, 2015

LOI DE 2015
SUR L'ABANDON DU CHARBON
POUR UN AIR PLUS PROPRE

Mr. Murray moved second reading of the following bill:

Bill 9, An Act to amend the Environmental Protection Act to require the cessation of coal use to generate electricity at generation facilities / Projet de loi 9, Loi modifiant la Loi sur la protection de l'environnement

pour exiger la cessation de l'utilisation du charbon pour produire de l'électricité dans les installations de production.

The Deputy Speaker (Mr. Bas Balkissoon): Pursuant to the order of the House dated June 2, 2015, I'm now required to put the question.

Mr. Murray has moved second reading of Bill 9, An Act to amend the Environmental Protection Act to require the cessation of coal use to generate electricity at generation facilities.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed to the motion, please say "nay."

In my opinion, the ayes have it.

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

"Pursuant to standing order 28(h), I request that the vote for second reading of Bill 9 be deferred until Monday, September 28, 2015."

Second reading vote deferred.

PROTECTING CONDOMINIUM
OWNERS ACT, 2015

LOI DE 2015 SUR LA PROTECTION
DES PROPRIÉTAIRES
DE CONDOMINIUMS

Resuming the debate adjourned on September 23, 2015, on the motion for second reading of the following bill:

Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums / Projet de loi 106, Loi modifiant la Loi de 1998 sur les condominiums, édictant la Loi de 2015 sur les services de gestion de condominiums et modifiant d'autres lois en ce qui concerne les condominiums.

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

Mr. Robert Bailey: It's a pleasure to have the opportunity—

Applause.

Mr. Robert Bailey: Thank you. I've got a cheering section here.

Anyway, it's a pleasure to be here today to speak to Bill 106. The House leader of the government is going to try and get me a question—he says "next week." So he's working on that—frugally, anyway. So we'll try and get one. I deserve one, for sure.

This most recent legislation that I'm speaking to is from 1998. Today, almost 1.3 million Ontarians live in condos. More than 50% of the homes being built today in Ontario are condos, and there are currently 700,000 condos in Ontario as a whole, with another 51,000 units under construction. That's up from 270,000 units in 2001.

In 2012, the government began its Condominium Act review, which was a three-stage public engagement process aimed at modernizing this legislation. This was in

response to growing concerns from condo owners and managers. The key issues identified in this review included governance, dispute resolution, financial management, consumer protection and condominium management qualifications.

Some of the key points of that: We, as a caucus, realized that home ownership is one of the best investments a family can make. Families need to know that they will be protected once they've made this substantial financial commitment.

This bill provides many important new consumer and financial protection measures.

We are concerned about the increased red tape and bureaucracy contained in this bill. There will be two new administrative authorities created—surprise, surprise—from this government, which will require a large amount of capital for start-up.

This act would come into force the day the act is proclaimed.

To get to my own notes—those were overview: I rise today to speak to the Protecting Condominium Owners Act, 2015, that was introduced by the honourable member from Sault Ste. Marie. Over the last 20 years, condominiums have increased in their popularity and their number across this province. The epicentre of that growth is no doubt right here in the city of Toronto, surrounding us in the few blocks right around here.

In just the eight years that I have had the privilege of serving as MPP for Sarnia–Lambton at Queen's Park, the number of condo developments in this city has just mushroomed. In my own neighbourhood, I see every day, when I look out my window in the evening or in the morning, the workers hard at work building these condos. There's hardly a street or corner in this city that isn't being impacted by the development of condos.

Personally, when I'm in Toronto, I also rent a condo as my residence in a building not far from this Legislature. Dozens of new condo developments have been proposed, launched, started construction and finished in only a few-block radius around the building that I've called home in Toronto in the last few years.

I recall that a former colleague of mine, the new mayor of Toronto, Mr. John Tory, made part of his election campaign the promise to better coordinate the never-ending construction in the downtown core so that residents, businesses and traffic would not be constantly impacted by condo construction. We'll have to see where that discussion goes.

Hon. James J. Bradley: There was a good man: John Tory.

Mr. Robert Bailey: He certainly was. I agree with the House leader.

I will leave the discussion of how that is going to the councillors at city hall of Toronto.

The statistics show that today approximately 1.3 million Ontarians live in condos. There are currently 700,000 units in Ontario, with another 51,000 under construction. Condo development is also taking place in

communities outside of the GTA, although it may be for different reasons.

My community of Sarnia–Lambton has 3,030 residential condo units, with the majority of those residences located along the beautiful waterfront of Sarnia, Point Edward and Corunna. I would urge all members in the House to take the time to visit Sarnia–Lambton and the beautiful county of Lambton and share in that vista of the river.

1620

In fact, according to the local MPAC records, the first condo built in Lambton county—this was news to me—was actually constructed in 1950, so 65 years ago this year.

As an aside, I want to thank Justin Johnson of the Chatham-Kent and Lambton county MPAC office for providing my office and myself with these numbers.

Whereas the price point of a traditional single family home in urban centres like Toronto is completely unaffordable for many, condominiums represent an entry point into housing market for young people. In Sarnia–Lambton, the condo market is usually an option for a different demographic of our community.

While all the news out of Toronto is about a housing bubble and the average cost of a detached home being well over \$1 million, single-family dwellings in Sarnia–Lambton are still relatively very affordable. Market research shows that in Sarnia–Lambton, the condominium market is most appealing to buyers looking to downsize from their present family homes. Condominiums in Sarnia–Lambton are able to attract buyers based on those amenities, proximity to the waterfront and parks, and the lifestyle that Sarnia–Lambton brings.

Prime examples of this in Sarnia–Lambton are the Sandy Lane condominiums in Sarnia, which are ideally situated with views of Sarnia's expansive Canatara Park, the azure waters of Lake Huron and the iconic twin spans of the Blue Water Bridge, which I know the House leader from the government has toured many times when he's crossed between Point Edward and Port Huron and Sarnia.

The Blue Water Bridge, North America's second-busiest border crossing, is located in Point Edward. A lot of people say Sarnia, but it's actually in Point Edward, where my constituency office is located. There are also options in my community like the Mariner Village in Point Edward, which allows marine enthusiasts to dock their boat right at their doorstep.

Condo ownership in Sarnia–Lambton is a great option for those who want to have an active lifestyle in the community without all the worries and yardwork that come with traditional home ownership. As such, I think it is worth re-examining the protections that are in place for people investing in and purchasing condos. I and my caucus will be supporting this bill when it comes to a vote at second reading, and I hope that with the review of the committee, it can be strengthened even more.

The bill summary indicates that the Protecting Condominium Owners Act, 2015, will allow for the estab-

lishment of a condominium authority that would be responsible for administering condo owner education, dispute resolution and a condo corporate registry. The condo authority will have the responsibility to administer the Condominium Authority Tribunal, I suppose otherwise known as CAT, which would resolve disputes through case management, mediation and adjudication—a lot of big words there.

The bill will also create a separate licensing authority to administer licensing of condo managers. This will be done through a proposed new Condominium Management Services Act, the CMSA—I'll talk more about these acronyms later—which will create a training and education program for managers and establish a code of ethics for condo managers. This act would also set specific qualifications to be a licensed manager.

I should note that the government believes that all these new authorities and tribunals will be run by only adding a \$1 to \$3 charge to the monthly condo fee of condo owners. It reminds me of something to do with hydro and a cup of coffee a day. But anyway, I won't go there; I digress.

I would have to be totally honest: I don't believe this number really represents the true impact that will eventually be seen on condo owner bills. The government has a well-documented history of lowballing numbers and an equally well-documented history of allowing bureaucracy operating costs to balloon. Yesterday's release of the Auditor General's report into the CCACs is evidence of that.

I think my concerns on the cost of these new agencies are shared by many. These new administrative authorities will require a large amount of capital for start-up, and it won't be long before they're back, cap in hand, to the condo owners, seeking increases to that monthly fee.

I do, however, see the need for improved oversight of the operations of condo boards and condo management companies. With hundreds of units in some buildings, the boards of condo corporations can often be tasked with the management of millions of dollars in funds. How that money is being handled is a growing concern for many, myself included. Each of the Toronto daily newspapers devote regular column space to stories of condo boards and managers run amok, and condo owners left in debt and on the hook.

I support this bill's aim to strengthen financial management by providing condo owners with more information about financial matters affecting their investment. They say that the home is the biggest investment most people will ever make. If you're going to enjoy it, you need to know that things are being handled in a professional manner.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Ms. Peggy Sattler: It's a pleasure for me to rise today on behalf of the people I represent in London West to respond briefly to some of the comments that were made by the member for Sarnia about Bill 106, the Protecting Condominium Owners Act. The member for Sarnia

expressed a certain amount of skepticism, some reservations, about whether this bill would do what it says it's supposed to do, which is to protect condominium owners. Certainly, that is skepticism, a reservation, that we on this side of the House, members of the NDP caucus, share.

Much of the meat of this bill is left to regulations. Despite the length of this bill—it is a very lengthy document of about 160 pages—still, much of the actual protections that consumers, condo buyers, are looking for are going to be left to the regulations. And what we saw, Speaker, when the expert panel was established by the government to come up with this bill, is that condo owners had very little voice in the development of those regulations. We remain very concerned that the interests of condo owners will not be protected. Condo owners will not have an opportunity to express their concerns as this bill moves forward and as these regulations are developed. The tribunal that is created really is much more representative of the interests of developers and managers than of owners. We have some concerns about this bill.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Hon. Steven Del Duca: I'm happy to spend a couple of minutes this afternoon lending my voice to the discussion and debate that we're having on this very important legislation that I know has been, in various forms, talked about a number of times here in this legislative chamber.

I want to give credit to the minister responsible for this legislation, for bringing it forward. I couldn't help, in listening to the member from Sarnia talk about the experience that he has in his own community—representing the wonderful community of Vaughan, just on the edge of Toronto, and having lived there for the last 25 or 26 years, I see my friend and colleague across the way from the neighbouring riding of Thornhill. I think she would agree that our community just on the edge of Toronto has, over the last quarter century, changed quite substantially with respect to the various options of housing that are available, including seeing a number of, for the very first time, large-scale condo projects. I can think of one that is actually in the riding of Thornhill but in the city of Vaughan that is now towering, I want to say, more than 30 storeys at the corner of Jane and Highway 7.

We see that right across the 905. We see, with a number of initiatives including the growth plan and the greenbelt, a significant move over the last generation to more sustainable housing and more intensified development, particularly along transit corridors and in proximity to transit corridors. It's one of the reasons, with the explosion of the growth of condos, that we do need to move forward with this legislation.

I was reviewing some of the notes as they relate to this bill and I was looking at the fact that this legislation, if passed—hopefully, when passed—would increase protections for condo owners and Ontarians purchasing a

condo by requiring condominium managers to be licensed.

There is a long list of items in this legislation that, when I think of those who are choosing this kind of available housing, particularly those empty-nesters in my community who are looking to live still in Vaughan and have a sustainable way of life that they look forward to enjoying—I think it's extremely important, notwithstanding some of the concerns mentioned by the member from London, that we move forward with this bill.

The Acting Speaker (Mr. Ted Arnott): Questions and comments.

Mrs. Gila Martow: I want to thank the member from Vaughan for the segue into the fact that I feel that condo development is very challenging for all of us. I think that we have all dealt with complaints about the management and the elections of management in the condos in our ridings.

1630

But specifically I want to address, as the member from Vaughan just said, transit and infrastructure surrounding the condos. To allow condos to be developed without the proper infrastructure is a big mistake; and we are seeing that in York region, where this Liberal government has invested over \$640 million building bus lanes without any data supporting that there's extra ridership. The public is asking—it's their tax dollars. They want to see the Yonge subway expanded. In fact, one of the big developments is the World on Yonge. It was designed to have a connection to a future subway in its underground parking levels. The fact that this enormous complex was developed and built and completed and is now occupied without any access to a subway means that we have thousands more cars on the roads. Not just in York region, Mr. Speaker; those cars are travelling to downtown Toronto to access jobs and hospitals and other things.

What we need to do is have a comprehensive plan. Yes, we need to have better management of our condos and we need to have some fairness and better oversight for the residents. It is a big investment, as we all know. But also, we need to see better planning of these condo projects in terms of the impact that they will have on neighbourhoods and the amount of green space that is still needed to support the number of people living in the units.

So I look forward to working with my neighbour in Vaughan and seeing that we can improve things for York region.

The Acting Speaker (Mr. Ted Arnott): We have time for one last question or comment.

Ms. Cindy Forster: Thank you to the member from Sarnia-Lambton for his comments. I want to weigh in a little bit on the member from Thornhill's comments about, yes, we're building hundreds of condominiums across this province, most of them in the greater Toronto area, but our infrastructure is not keeping up with the approval of those condominiums. I hear it in the hospitals, from my friends who work in emergency depart-

ments, where the emergency departments are bursting at the seams because there are so many people living in urban areas now. The hospitals are not keeping up with the ability to expand their emergency departments, their day treatment programs, their outpatient clinics, to actually see the number of people that are actually moving into the city. That is problematic.

So part of that whole development piece needs to be: Do we have enough hospitals? Do we have enough transit? Do we have enough doggy parks? It's another issue that I hear from people here in the city of Toronto. Nobody is opposed to people having animals in their condominiums, but when you have great big dogs and little dogs, there need to be places for them to do what they need to do, whether that is part of the actual condo development or a dog park, just like we put parks for kids in neighbourhoods. That's another piece that needs to be looked at.

When condos are coming into smaller communities like mine, you need to be looking at, are we going to approve a 25-storey condominium in a side of the city where there are single-family homes that are at most two storeys and have people towering over this whole neighbourhood? So there are a lot of things to think about, and not just kind of in-filling and making sure that we're using the best use of space.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the speaker from Sarnia.

Mr. Robert Bailey: It's a privilege to rise again and respond to all the members who spoke. I didn't write down their names, but anyway, they know who they are.

It was a privilege to speak to this bill. Like I say, pretty well all of us in this chamber probably at one time or other either live in a condo now or have a number of condos back in our respective ridings. I think we're well qualified to speak to this. I think everyone wants to see more oversight because there have been injustices and there have been people who have financially paid a penalty, through no fault of their own. I certainly applaud the minister for introducing this legislation.

I'm looking forward to the rest of the afternoon, hearing the rest of the debate and hearing ideas of how this bill, if it goes on to committee, can be improved and made a better bill.

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

Mr. Gilles Bisson: Mr. Speaker, I'm sitting somewhere near to the member who actually championed this issue for some years: our good friend Rosario Marchese, the former member for—what was his riding?—Trinity-Spadina. Mr. Marchese was quite adamant about trying to get something done on this particular issue, because in his riding it's a reality that condos are a big part of what makes up his riding, as it is with a whole bunch of other members across this province. But specifically for those members living in urban centres, such as Mr. Marchese, this was a huge issue.

Just in passing, it always kind of amazed me when I talked to some of my colleagues from Toronto, on all

sides of the House. In places like Trinity–Spadina and others, you'd find they'd be saying that the turnover of people coming into the riding year over year completely changes the dynamics of the riding over a period of five to 10 years. In my particular case, in Timmins–James Bay, I can literally pick up the phone book for some communities from 1990, when I was first elected, and still find the same people who were there when I originally got elected. In the types of communities that I represent, families have been there for a long time. They don't move on. They've got their own family home, and they've made those communities where they live. The reality in places like Toronto—in Trinity–Spadina and other places—is that there's a large turnover of people, and a large part of that is because of condos. I always found that to be rather fascinating, and it should be somewhat politically challenging, I would say, for the member representing the riding.

That being said, it's good to see that the government is moving on this particular initiative. I don't think it's to the degree we would like to have seen—the bill as proposed by Mr. Marchese—because there are a number of things that are not dealt with in this bill that he long advocated for being done. It would have been nice to see those things done, and who knows, once this bill goes to committee, we might get lucky, and the government might see its way. And who knows, we might even see Mr. Marchese show up as a deputant on the bill. You never know. Anything is possible.

Here, I think, are some of the larger issues. I hear them, not only from people living here in Toronto; we have condominiums where I live as well. It's a fact of life. Most large urban centres have condominiums as a choice for people when it comes to where they're going to live. In the city of Timmins, we have a number of condominiums that have been built over the last number of years that have been quite popular, especially for those—it tends to be, where I come from, people who raised their family, had a house, got a lot of equity in the house and decided, “You know what? We need to downscale, so we're going to move into a condominium-style apartment,” and that's where they've ended up.

The biggest complaint that you hear, other than some of the managerial issues and the management companies and the boards and stuff, is the fees. You walk into the condominium thinking you're going to pay a certain amount of money. You're told, when you buy, “Here's the price you're going to pay to purchase this condo.” You agree on the price, obviously; you make the offer. You know that you're going to have to pay a certain amount of money to the condominium corporation every month in order to pay for those in-kind services that go on to maintain the building, and you're prepared for that. However, the rates tend to go up far more than what you tended to believe when you bought the place. So the issue of how much people have to pay in condo fees is one that's very near and dear to the hearts of many condo owners, and this bill doesn't go as far as I think it needs to, to deal with that.

Now, the bill is going to committee, so we're going to hear from people and we're going to hear what the experts have to say, and hopefully the government is going to want to move some amendments. But I can tell you that one of the largest issues that I hear, when it comes to condominiums, at least in my constituency, is that people walk in, they're told this is what you're going to pay when it comes to condominium fees, and you expect you're going to have some increases over the years. But all of a sudden, wham, they're whacked, and it's not protected under the Rent Control Act, because condominium fees are not considered rent. They can go up at whatever rate the market will bear, and in some cases that could be quite astonishing.

The other reality in the bill that I think needs to be dealt with is the whole issue of management companies. Often what happens—and this is what I've seen in one particular condominium, where the builder hired a particular management firm to be able to manage the building, and lo and behold, that didn't work out so well. The people who bought the condominium were not happy with the services they were getting from this particular management corporation, and there was one heck of a fight—this was back maybe about 20 years ago—on the part of the residents, with the management company and with others involved who were trying to get this whole thing resolved.

1640

There needs to be some kind of a mechanism so the owners who end up owning these condominiums have a greater say about that particular issue, about who's going to manage their particular condominium building. Because if you're calling the condominium manager over issues in your apartment that you're not happy with, or issues with the building, and you're not being responded to, and you're an owner and you're paying for these people to maintain this building to a certain standard and to do certain things and those things or standards aren't met—my God, that will drive people over the deep end. The bill lacks in that particular area somewhat. I think we need to be able to take a look at how we deal with that.

I'm going to digress a little bit, Mr. Speaker, because it's a housing bill. I just have to put these two cents in, because it's an issue that is of utmost urgency in First Nations communities across not only northern Ontario but probably in other places as well. That is the desperate lack of housing and the utter failure on the part of the federal government to respond to the housing crisis in First Nations communities, not just in my riding but across Ontario and the rest of Canada. We have people who are living 20 to 25 people in a house, not because they all want to live together but because there's nowhere else to go. The federal government has done little in the way of improvement when it comes to funding to build new housing. Maybe one of the things that we're able to do is that we could build some co-op housing or some not-for-profit housing stock in communities such as that, or other kinds of housing projects, as we understand them in the province of Ontario under the not-for-profit

housing model. It would give us an opportunity to be able to provide housing to people that need it.

I'll give you just one story, Mr. Speaker. I know I digress a bit but I really need to put this on the record. In Attawapiskat, there is a wonderful story called the De Beers diamond mine. When they built the diamond mine, they had trailers where they had the workers stay when the construction site was building the mine. Essentially, they're small rooms. They're in a trailer with about 20 rooms in it. The rooms are all about 12 feet by 14 feet, pretty small things, just a place for a bed and a desk.

De Beers, because there was a housing crisis in Attawapiskat, made some of these trailers available to the community in order to deal with the emergency housing crisis that was going on at the time. They grouped together, I think, about four of these things so that they had two wings of these particular portables set up in order to be able to provide emergency shelter.

That's still there. It's been there for six or seven years now, maybe even longer. We have entire families living inside what is essentially a contractor's room that you would normally use when you're building a construction site somewhere. It's quite dangerous. There are not adequate showers. There is not adequate water. One stove for the entire side of the building to use—in other words, there are two stoves for all of the units that are in there for people to be able to cook their meals. It's a fire hazard. It's just a horrid, horrid situation.

So when you look at housing needs—I understand that condominiums are quite a different issue and they have their own particular issues that need to be dealt with, but I think that at one point the province has to think about, how do we step in to become part of the solution when it comes to dealing with the inadequate housing stock in First Nations communities? Yes, it's a federal responsibility—I'm the first to admit that—but if we don't become part of the solution, I have no confidence in waiting for the federal government to resolve this particular issue, because it's an issue they've created over a period of years.

With that, Mr. Speaker, I'd like to thank you for this time in debate and allowing me to digress a little bit to talk about First Nations housing in the short time that I had.

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

Hon. Dipika Damerla: I'm absolutely delighted to stand up and speak to this bill, because those of you who know me a little bit know that this is an issue that is really close to my heart. In fact, one of the first things that I did when I got elected in 2011 was to bring forward a private member's resolution seeking that we find alternative ways of dispute resolution within the condo community. So I'm absolutely delighted that of course this bill goes much, much further than my original private member's resolution, which focused on dispute resolution.

I just wanted to say that here at Queen's Park we do many things. Everything that we do, we do for the benefit

of Ontarians, but every once in a while a bill comes forward that truly, truly touches the personal lives of Ontarians. This is one of those. For almost all of us, the vast majority of Ontarians, our single biggest asset—our savings—is always our own home. A condominium is a home. What this bill really does is provide protection to the owners of their homes, the owners of these condominium units—their single largest asset. I cannot underscore the importance of this bill.

The details of the bill have been discussed quite significantly in this House, so I'm not going to into that. But I do want to speak to the bigger picture, which is, why are we doing this? We're doing this primarily because it's time to update the Condominium Act. It's time to ensure that the single largest asset that most Canadians will own, when they own it, is well protected. I'm very much supportive of this bill, and I look forward to the bill passing, becoming an act, and being able to go back to my constituents and say, "Here's a promise that I made, and we've been able to keep it." Thank you so much.

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

Mrs. Gila Martow: Thank you very much, Mr. Speaker. I just want to comment on the member from Timmins–James Bay, that he's right. Sometimes people are afraid of condos in general, because why purchase a condo as an investment when the maintenance fees can be out of your control, as well as repairs are often needed, and that can be out of your control as well?

It's a scary thing for a lot of people to invest in condos when they hear so much negative hype about management companies and expenses. I think we've all had people who are so frustrated at dealing with the local and municipal representatives in terms of dealing with their condos that they reach out to our constituency staff, which really isn't in our mandate but we're always there to help our constituents. I've already made a couple of friendly phone calls to condo boards asking them for clarification. I understand their frustration as well, because they're volunteers and they're often in a community where you can't please everybody and everybody has a different opinion. It can create incredible animosity within these buildings, which have their own level of government. I think that that's what we need to really understand here: There's the federal government, the provincial government, the municipal government, and now we're dealing with boards at the condo level.

I'll just give you an example. I got a message today on Facebook from somebody who's complaining that in her condo they're holding their annual general meeting this week. Monday and Tuesday are actually Jewish holy days. The condo has a majority of Jewish people, and they're holding it on holy days. Obviously, the board members aren't as observant or as religious. So it's very frustrating for people dealing with these little communities within their community.

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

Ms. Peggy Sattler: I am pleased to rise to respond to the comments that were offered by the member from Timmins–James Bay. I think he gave us some helpful context as we're considering this bill, and that is the fact that this condo act had its genesis, in large part, with the efforts that were made by the New Democratic Party and particularly our esteemed former colleague Rosario Marchese, the former member for Trinity–Spadina.

Mr. Marchese's first bill to reform the Condominium Act was brought to this Legislature back in 2007. That is eight years ago. It has taken eight years and four iterations of this bill—we've seen two Premiers over that period—but finally we have arrived at a place where we are going to do something to address some of the most egregious issues that come up in the condo world.

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As another member just said, the condo world really is a world unto itself. It's like a mini level of government that is created there, with condo boards of directors having absolute authority over condo owners.

One of our concerns, Speaker, that we have expressed on numerous occasions—and I do want to say that the NDP is supporting this bill. However, we are very concerned about the fact that the bill will not address disputes between condo owners and developers. This is one of the issues that we hear about all the time in our ridings with condo owners who have seen their life savings vanish because of unscrupulous developers and managers who have really jeopardized the value of their properties.

The Deputy Speaker (Mr. Bas Balkissoon): The deputy House leader.

Hon. James J. Bradley: I understand that the opposition parties have taken a good deal of time to debate these bills and they're now continuing to put up speakers, despite the fact that the bill has been debated for over seven hours. Over 40 members of the Legislature have spoken to this bill or participated in debate during questions and comments. The government extended debate beyond the normal threshold of 6.5 hours so more members would have an opportunity to speak on this bill.

Listening to the debate, it's been clear that the majority of members appear to be in support of the bill. It is time, in the view of the government, that the bill pass second reading and be referred to committee, where we think some really good work can be done. In committee, members from all parties will hear from the relevant stakeholders. I can't wait. I'll be sitting in on committee if I have the opportunity to do so. In committee, members will have that opportunity to move amendments, if they choose to do so, in what they believe would be the strengthening of the bill.

Continuing debate today signals there's no true desire to have further meaningful debate on this bill. It appears, from the point of view, I think, of any objective observer, that this is just extending the debate for the purpose of extending the debate. I would love to see the opposition parties stop this particular stalling, as some people might call it—I wouldn't speak that dramatically about it—and

move this legislation forward so we can get on to Bill 85, the good government act; Bill 112, the energy consumer protection act; Bill 113, Police Record Checks Reform Act; and Bill 115, Electoral Boundaries Act.

We on this side of the House believe that moving this bill to committee will give that opportunity for public input, an opportunity for moving the amendments, and I suspect many of the members of this Legislature would like to be back in their home ridings about this time of day.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the member for Timmins–James Bay. You have two minutes.

Mr. Gilles Bisson: Well, I feel the guillotine coming, Mr. Speaker. I feel like Robespierre, who stood there in Parliament when he was hauled off to the guillotine and about to lose his head.

Listen, I just have to say two things to my friend the dean of the Legislature. I remember him sitting on this side of the House and talking about the importance of members having the ability to speak to bills if they so choose, because, after all, that is one of the very few rights that we have in this Legislature: to be able to speak to legislation. If members want to use that right, I don't think it should be viewed as, oh, we're stalling.

I had some legitimate things I wanted to say about the bill. I only had 10 minutes to give, and I did what I did and I said what I had to say, and that was, for me, all I needed to do in this debate. There are other members that may want to do the same, but the government shouldn't read into it that we are at seven hours of debate and that somehow this is a big filibuster on the part of the opposition. You sit at the government House leader meetings with me as the House leader for the New Democrats. We haven't had a discussion about, "Are you guys willing to give this one up?", to trade off for anything. We haven't had any of those discussions. Our House leaders' meeting is coming on Monday. We'll see where this ends.

I don't think this is a bill that most people oppose. As you can hear, most of us are in favour of this bill. It's not going to be dragged through the Legislature for any long period of time, and I just want to say, on the part of the New Democrats, that we're not a part of any filibuster on this bill. There are some people who have legitimate concerns that they want to put on the record. And this is a bill that is important to our caucus because our friend Rosario Marchese tried for years to be able to move this issue forward, and we're taking some pride in seeing that there's some movement on this legislation coming forward on the part of the government.

For that, we want to say job well done on the part of Rosario for having pushed this for as long as he has. I look forward to hearing what other members in this debate have to say.

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

Ms. Cindy Forster: Thank you, Speaker.

Hon. James J. Bradley: I thought you were listening to me.

Ms. Cindy Forster: I wasn't listening to you, Minister. In fact, I wanted the opportunity to speak to this, because I'm probably one of maybe a few people who actually have been involved in this whole condo process as a condo owner, right from the very beginning. It isn't really about this bill; right? We're talking about real people here with real stories.

I can tell you, last week when—I think it was the member from Bramlea–Gore–Malton who got up and spoke to it first and I had a two-minute hit during that debate. From that one two-minute hit I got 50 tweets; 50 people tweeted me and the member from Bramlea–Gore–Malton, thanking us for raising important issues about the condo act in the Legislature. That was in a period of about six hours after that debate.

I actually wanted to spend some time talking about the things that these condo owners actually experience in their time. The condo that I purchased and moved into in Welland about seven years ago—the developer at the time was a company called Pointe of View, now called the Carlisle Group. They were from Calgary then and they're back in Calgary now. You'll all be thankful that they actually moved out of the province. If you Google them, they're still there under the new Carlisle Group; they come up as Pointe of View as well. The horror stories that people have experienced with this company—and they built across North America. They built in San Francisco; they built in other states across the United States. At the same time they were building our condo in Welland, they were building a condo in Brampton; and they experienced the exact same issues and problems I'm going to tell you about.

You talk about special assessments. When you Google this Pointe of View company, now called the Carlisle Group, some people have already had \$180,000 per person worth of special assessments—a \$4-million repair to one building in Calgary and all the unit owners have had special assessments of \$180,000. Imagine you have put your life savings into a condo—I can tell you, in my building in Welland, many of the people who moved into that building—it's a four-storey, 70-unit building—were in their mid-seventies, into their early eighties, some were as old as 90. They sold their house, and houses don't sell in Welland for \$1 million like they do in Toronto. Houses sell on average for—a 50-year-old house or 40-year-old house might sell for \$200,000 or \$250,000. They actually had to take a mortgage, these seniors, to actually the additional costs of these condos.

You move into these condos because you think that you are going to have stress-free living. In fact, for seven years, it has been a nightmare for many of the people who live in my condo, although they have a great support group. Then you elect condo boards—and I sat on my condo board for the first year when the transition happened—and you have no say on when they turn that condo over to you. When the city says, "Well, this condo is inhabitable, it's meeting building codes from our perspective," the condo board then just says, "We're turning it over," regardless of whether there are things that need to be fixed or not.

So right from the developers to the builders, to the engineers and the architects who sign off for the developer, there are problems. The developer and builder hire these experts to actually sign off on these buildings. They rubber-stamp that everything is fine and dandy but at the end of the day, it's not.

1700

In my building, half of the roof blew off the first winter. The roof had been installed improperly. They installed a makeup air unit in the attic, and there's one woman now who still has a lawsuit going seven years later. She bought the unit; her mother was going to rent from her. Her mother was, I don't know, 80, 85 years old. The mother could not live in the building because of the vibration of the air conditioning and heating unit that was in the attic, because it was installed improperly, because there wasn't enough room to put the appropriate padding and springs. They would have had to change the roofline to actually make that happen. So the vibration in this condo, which was right next to and right under this attic, was over top of her apartment. The light fixtures started to fall from the ceiling; the drywall started to crack in the corners; the cabinets came away from the wall. The woman had to move out.

For seven years, this woman has been in a legal battle with the developer, with the city and with the condo board, because they're saying that the condo board should be responsible for this, as well. She is still at the point that she has not settled this and she has not been able to rent that unit out in seven years. So imagine all the money that condo owner is actually out.

When you get to the point that you start to make your complaints to Tarion, you think, "I'm a condo owner. I've paid \$700 for my Tarion insurance." But, in fact, once the assessments start and you start to have a look at what the fixes are that you need, it isn't Tarion who sends out their people to actually support your claims. In our case, we had the heating and air conditioning; we had the roof unit; we had improper fire walls between floors. There was a lot of work to be done in this building. Tarion required us to hire experts to write reports to the tune of—I think at the end of the day we paid the engineering company that we hired almost \$100,000 out of our condo fees to write reports to support our claims to Tarion.

That isn't the way that it should be. We shouldn't be having to use our condo fees to do that. If you pay a fee, like when you build a new house and you pay a fee to Tarion, that should suffice to have their people come out and see if the work was done appropriately, if the work actually complies with the building code. But the developers and the builders all say, "The city signed off. The city said that the building is inhabitable, so it's the city's problem."

Well, I don't know about in your ridings, but in my riding we have two building inspectors for the entire city. I would say that in the city of Toronto they don't have enough building inspectors to actually keep up with the work that condo builders and developers are moving forward with.

I'm not here to say that all builders and developers are bad builders, because they're not. I know there are lots of good condo builders and developers here in the city of Toronto, and probably across the country, but there are some bad ones. Unfortunately, in my case we had a bad one, right?

At the end of the day, Tarion actually makes you jump through all these loopholes, and God help you if you miss one day. So there's a one-year assessment; there's a two-year assessment; there's a seven-year assessment, based on certain things in your unit. If you miss that by one day, you are out of luck to even try to claim anything back through that process.

You know, the bill is good. The bill addresses a lot of things. It addresses things between condo boards and owners, between condo boards and managers. But in my experience, the biggest problems were not between a condo board member and condo owners; the big disputes were between the condo board, our management company and Tarion, or the condo board and the developer or the builder. I mean, those are where the real problems lie, and it shouldn't take seven years to actually get those kinds of issues addressed.

Most recently, we're told that the footings in our building are not appropriate to support the weight of the building, and so we now have experts in having a look at it. It's probably going to cost this one 70-unit condo building \$300,000 to \$400,000 to reinforce those footings. We already paid engineers \$100,000 to look at that four or five years ago, but we're right back there. People will be getting assessments once again. They've already received special assessments to the tune of a couple of thousand dollars, and that's in addition to their condo fees.

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

Ms. Soo Wong: I'm glad to rise this afternoon in support of Bill 106. I listened attentively this afternoon to the member from Welland, and I'm very pleased to hear her comments about the importance of this bill, but more importantly her support of the bill.

Of course, there is room for improvements, especially as we go forward to the committee so that we can bring in some witnesses to clarify some of the pieces and strengthen the bill. As a member in the eastern part of the city of Toronto, I know that this particular bill is very important to my constituents. I know that almost every corner in my riding has a condominium. They range from three storeys to 40-plus storeys. One of the pieces that my constituents—especially those who are living in new condominiums—are very interested in is the issue of dispute resolution.

We know that amongst neighbours, when you have language issues or you may have certain eating habits, people complain about different things. I think that everybody in this chamber receives different calls from their constituents. I know I've received different calls specifically dealing with condominiums. If this particular legislation is passed, it will reduce the time of resolving

disputes amongst condominium owners and the board as well as between homeowners, because this is recognized as home ownership. It is very important that this does not get tied up in the court system, where it creates costs for both parties, but more importantly, the issues get laboured into disputes year after year.

I'm really, really excited about this proposed legislation, but also to strengthen and protect these homeowners, because at the end of the day, this is one of the largest investments for these owners and Ontarians across the province.

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

Mr. Robert Bailey: It's a privilege to stand and speak in reply to the member from Welland as she outlined some of the issues and concerns that she had with this act, which she'd like to see improved—get it to committee and we can see it improved. That was our big concern—that we think that people do want to support this bill. They want to see it improved because there are a number of people in all of our ridings that in some way or form live in condos. It's a big investment, as a number of people have alluded to. I have a number of calls in my office, even though I don't have nearly the condos that people in Toronto obviously do—the GTA. I do have over 3,000, which is quite a few, in my riding—a larger number than I would have thought until I did some research on this.

It certainly has been time well spent researching this bill. You certainly learn a number of things about your own riding as well as, like I say, Toronto. I get up every morning, I walk down the street, down Wellesley and across Bay, and see all the condos there taking shape just in the last two years. I've been here eight years now, and it's just unbelievable how these towers go up and the work that's taking place there.

Mr. Bill Walker: Tell them where all the gravel comes from, Bob.

Mr. Robert Bailey: Yes. The gravel, I think, comes from up in Bruce-Grey-Owen Sound, and our member from Dufferin-Caledon—that's always important: building materials and aggregate.

But anyway, Speaker, I look forward to the rest of the debate—a pleasure to speak.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Hamilton East-Stoney Creek.

Mr. Paul Miller: Thank you, Speaker. This is the first time I've spoken to this. Apparently a lot of people have spoken to it, but I know a lot who haven't.

To make a long story short, I'd like to thank the member from Welland. There's nothing like having an actual owner talk about the experiences of her fellow condo owners and her experience. It really amazes me that there's only one actual owner on the expert panel. Most of them are made up of builders, developers and all the other people who make the money as opposed to investing in their own condos and having to live with the rules that are in place.

1710

This is certainly long overdue. I commend all the parties, including the government, to bring forth something to protect condo owners because they certainly need the protection. The resolution process for problems certainly was archaic, to say the least, with too many levels to deal with—you could go two, three years in a lawsuit before you got anything done, and it cost you more than the repairs you would have had to do. That's a bit of a fiasco that is going to be dealt with, I hope.

My good friend from St. Catharines, that member speaks up and talks about stalling and time. Well, you know, with all due respect, they do have a process at their hands called "time allocation." If they wanted to use that—

Interjection.

Mr. Paul Miller: It's six and a half hours—they could use that. If they want to push their bills through without full debate from all the members, they could do that.

It amazes me when they say, "Let's get it to committee. Let's rush it to committee." Well, Speaker, with all due respect, when it gets to committee and the subcommittee determines how much time, who you notify about it, how the public knows, it can go anywhere from one to 10 days and it usually doesn't go too long. So, really, the public doesn't get their say and they have to come all the way to Toronto to have their say. That's a bit of a fiasco, too.

I guess debating it in the House is useful and productive, and it certainly should be used to its fullest.

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

Hon. Jeff Leal: I think it was extremely helpful this afternoon when the member from Welland gave a real-life story about the particular challenges one could have as a condo owner. We know that condominium ownership and development is one of the fastest-growing types of housing in the province of Ontario today. I always remark when I walk down Bay Street that even the Catholic diocese of Toronto is in the business. Anybody who's on Bay Street knows that St. Basil's church sold off the top half of their parking lot and now, lo and behold, with God's intervention, they're building a very nice condominium in that particular area.

But, Mr. Speaker, it's time to get on with it. To see this republican-type filibuster of this bill—we've heard, frankly, very articulate speeches, but the job is now that we've got to get this bill to committee. Members on all three sides may have some very good amendments to strengthen this bill because we know that there are challenges—challenges with condominium boards, challenges with condo fees, challenges when special allocations are made. We have a unique opportunity where all sides can get together. Let's wrap up debate this afternoon. Let's get this into committee and let's get amendments made to actually strengthen Bill 106 that will help condominium owners in Ontario and, indeed, assist our good friend from Welland who's going through a real experience. This bill would probably help her in

terms of strengthening legislation to make her experience better with her particular condominium in the wonderful community of Welland, Ontario.

That's what the late Mel Swart would have wanted, a great consumer advocate from Welland. He would have said, "Get it to committee and get it passed." Right, Mr. Bradley?

Mr. Paul Miller: What about Peter? You forgot Peter.

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

Hon. Jeff Leal: Next week I'll talk about Peter.

The Deputy Speaker (Mr. Bas Balkissoon): Order. I will now return to the member from Welland. You have two minutes for a response.

Ms. Cindy Forster: Thanks to all the members for all their comments.

In fact, this bill won't help this situation. It will not help the situation of making sure that condo owners and residents are served as opposed to architects, engineers, consultants, lawyers and developers. That's who this is going to protect. It isn't going to protect the little condo owner like me and the 70 people in my building. They're not having trouble with their condo board. They want a speedy resolution to their conflicts with builders, architects and engineers who signed off on documents and said that the grading was appropriate, the roofing was done right and all of these kinds of things that they can't get resolved, and it takes six, seven years. They want results for the out-of-pocket expenses where they've had special assessments to the tune of—in my own condo building—about \$2,000 over the last seven years, in addition to their condo fees doubling to pay engineers to fight Tarion. Those are the results that condo owners want to see, and those are the people who I'm sure you're hearing from in your constituency offices as well. I know that I hear from them all the time.

So we'll be proposing a number of amendments, actually, when we go into committee, to make sure that consumers, the little condo owners out there who use their life savings to buy condos, have the full protection, and when they actually buy a condominium, that it's a place they're going to enjoy living in peacefully for the rest of their days.

Mr. Ted Arnott: Mr. Speaker, a point of order.

The Deputy Speaker (Mr. Bas Balkissoon): A point of order: member for Wellington—Halton Hills.

Mr. Ted Arnott: I wish to inform you we have three members who are anxious and excited about the opportunity to speak to this bill this afternoon. They're here and they're ready to go. I just wanted you to know that, Mr. Speaker.

The Deputy Speaker (Mr. Bas Balkissoon): I would just say to the member that that's not a point of order.

Further debate?

Mrs. Julia Munro: I'm pleased to have the opportunity this afternoon to be able to speak to Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums. The

bill's short title is the Protecting Condominium Owners Act.

I want to just flip back quickly to 1998, because I was here then and I recall that we spent a lot of time listening in public hearings to those people who wished to come forward and speak about issues that they were running into with their condominiums.

I'm surprised that this act hasn't been reviewed in the almost 20 years since then, because when I listen to many of the people who are speaking here in the Legislature and many of the concerns that have been raised by others, it's clear that there are some systemic issues that simply don't go away. So I'm surprised that the government has not sought to bring forward legislation sooner than this and take a look at how they might make legislative adjustments that would meet the needs of condo owners particularly.

As I say, the condo owners' issues have been brewing for years, and to make sure that Bill 106 addresses these challenges, our party will be making several amendments when it gets into the committee review process. Certainly, I'm hoping that the government will see fit to deal with these amendments appropriately and we can move forward in support.

I want to focus my comments on some of the background on the issue, highlighting some unbelievable but heart-wrenching stories of condo life and also looking at criticism of the bill, including suggestions for reform from condo owners and the building industry.

First, why are we talking about condominiums? Why is Bill 106 before us today? Well, this bill will affect the lives of many Ontarians, as well as many in the condominium industry, from construction to sales.

A condominium unit refers to a unit or set of units where there is a shared ownership of common elements of a property, while the unit owner retains ownership in individual parts of the property. A condo does not necessarily mean a high-rise building, although that image may be the first one that comes to mind. Many condos include buildings that are attached townhouses or single detached houses where the road is the only common element. There are many condos in rural and northern Ontario, so it is important that this legislation work for all Ontario, not just Toronto.

About 1.3 million Ontarians live in condominiums. There are currently 700,000 condo units across Ontario and more than half of all new homes under construction are, in fact, condos. In Toronto, for instance, 20,000 new condo units were built in 2014—20,000. Another 60,000 units are currently under construction. It really boggles the mind to contemplate what kinds of changes that makes to the fabric of the community, what kinds of changes it makes to the structure of municipal government and the services that it has to provide.

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But it's not just happening in Toronto. In fact, condo construction is becoming more common in smaller cities across Ontario as consumers are choosing to live in new buildings that are transit-friendly and close to services

and amenities. Condos are increasingly popular in small towns and rural Ontario, including second-home vacation properties such as cottages and winter resorts. The new style of living is here, and it's here to stay, particularly with the price of land and the cost of utilities continuing to increase, although there is large condo development as well as small.

Condominium construction is a major economic driver in Ontario. The industry represents over 100,000 jobs and over \$8 billion in wages. The building and development process for condominiums is incredibly complex. According to the Building Industry and Land Development Association, it takes approximately 10 years to complete a high-rise development project, including four years of construction. Therefore, the market is dependent on a stable legal framework. That is why it's so important to get it right with Bill 106 and other relevant acts, like the Planning Act.

Condominium construction is a major source of municipal revenue. In Toronto alone, government-imposed fees and charges, including section 37 payments for community benefits, section 42 park levy payments, and contributions in public art installations, represent over 17% of the average price of a condominium unit.

As you can imagine, there are many stakeholder groups involved with condominiums. The Condo Owners Association of Toronto, or COA, has been a strong voice for review and reform of the Condominium Act to respond to the problems that owners are experiencing. The following are some of their key questions and comments to be addressed by amendments and discussions in committee:

—Why is Bill 106 self-regulated, with no fines for non-compliance or contravention of the act? Other acts offer protection with fines; i.e., traffic, health and safety, accessibility etc.

—Why was the government's expert condo panel composed of condo service trades representatives with no representation for condo owners and their issues? In turn, there should have been more initial suggestions or recommendations adopted by the ministry based on input from owners versus trades and service providers.

—The new condo office that's proposed is another cash grab by the provincial government. It is completely unfair and unreasonable to increase the monthly fees for owners.

—The proposal to charge all condo unit owners by way of a condo office monthly fee will provide huge dollars. Based on the number of condos in the province, this fund would be far too large. It begs the question: Is this a new condo tax?

—Why are condo owners expected to pay for property managers' licensing when they are employees of property management firms?

I have more examples, but I think this serves to demonstrate the argument we have used in our debate this afternoon that there is more to say, that people do want us to speak up about the issues regarding condo legislation. We know that for the users of condos, the

purchasers of condos, in many cases this is the largest investment that an individual makes. It is incumbent upon us, as legislators, to look carefully at the details and at the kinds of abuses that we've seen in different parts of the province where people have misunderstood, have not accepted their responsibility, or they have made things so difficult for people to understand and so complex.

One of the cases that comes to my mind is that no piece of paper goes from one person to another without it coming from a lawyer. Now, that gives you a sense of how difficult and, frankly, ridiculous it is for people who want to buy their home, and now they are in the position where nothing can go between the members of the board except by a lawyer's letter. That gives you some idea of how important it is for us to take the time to debate this bill this afternoon.

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

Ms. Peggy Sattler: I'm pleased to rise on behalf of the people I represent in London West to speak for a couple of minutes to the comments that were offered by the member from York-Simcoe. The member from York-Simcoe expressed a concern that we have repeated over and over during this debate, and that is about whether this new legislation, the Protecting Condominium Owners Act, will actually protect condominium owners.

She pointed out the lack of representation on the expert panel that came up with this legislation, the lack of representation for people who actually own condos. There was only one representative of owners on that expert panel; the rest of the members of the expert panel came from the development industry, from consultants, from lawyers, from all of the people who are going to profit from the administration and management of condominiums.

We have all heard over and over again from constituents who have invested significant dollars into purchasing a condo. Often, these are very young people who are making their first purchases. They don't have a lot of money but they are making this investment, and currently there is no place for them to go if they get into a dispute with the condo board, with the developer or with the manager. Certainly, what's in this legislation will deal with disputes between condo owners and boards but it will not deal with some of the most significant and egregious disputes that arise between condo owners and the developers and the managers of those condominium units.

We're pleased to see this finally coming forward, but we remain concerned about what it will do to actually protect condo owners.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. Point of order?

Hon. Dipika Damerla: I just wanted to take this opportunity to correct my record. This morning during question period, I meant to say that our government spent \$3.15 million on the healthy children strategy for six aboriginal communities across Ontario. I said \$3.5 mil-

lion; the actual amount is \$3.15 million. I just wanted to correct the record.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. Members are allowed to correct their record at any time.

Questions and comments?

Hon. Brad Duguid: I want to thank the member for York-Simcoe. I listened carefully to her comments. She is one of the most respected members here. I think members on all sides of the House like this member and enjoy her company. She has been here for a long time and is very experienced, so I appreciate her comments.

I have had an opportunity to speak at length to this bill myself, as well. At the same time, I think we've all had ample opportunity as parties to express our views on this, and I can't imagine—it appears that we're hearing lots of duplication in comments from the members opposite.

This is one of those bills that has had so much consultation. It's been before this House more than once. I really think that all of those folks that contributed so much outside of this Legislature, all of those condo dwellers and their representatives who were so excited to move forward for the first time since 1998 with these reviews—I would think if they're watching these proceedings, they're wondering why we're not getting on with this, why we're not moving this to committee and actually getting something done here.

1730

There's no question, Mr. Speaker, that after 50 members have had an opportunity to speak, after seven hours of debate and the fact that we've extended this debate for six and a half hours now, I really think that the folks outside of this place are starting to lose their patience. They want us to get on with this good reform, because we all seem to be in agreement. If there are more specifics that we want to get on with, we can deal with that, when the time comes, with amendments in committee, if necessary, to make sure this is the strongest legislation possible.

I encourage the members opposite to show a little respect for the members outside of the Legislature who have worked so hard on this. Let's get on with this.

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

Mr. Bill Walker: I'm pleased that I am able to speak to this, because there are points I need to represent on behalf of my constituents. They are outside of this Legislature, but they sent me here to Queen's Park to make sure that I bring my thoughts here on their behalf.

I want to echo the minister's comments about my colleague from York-Simcoe: She is certainly one of the most-liked and well-respected members here, and I certainly listened intently to all of her comments. I hope everyone enjoyed what she shared with this Legislature and those people listening from home.

I'm going to speak to this later, Mr. Speaker, in more detail, but one of the things that I do want to bring in—and it might be a little bit of a different take on some of the things—is that I am actually a condo owner back in

my home area, and I'm actually the president of our condo association. One of the things that I have concerns about and I'm going to bring to this Legislature to ensure that we're doing good legislation is that not all sizes fit all things. I'm from a very rural area—a small 55-unit. It is an elected board for governance. We have challenges now getting people to step up to even become a board member, let alone putting compulsory management in that would have to, then, increase fees. Many of the people living in our units are elderly; many of them are widowed; and they're barely hanging on now. If we put compulsory management and the fees to keep that person educated, that would be yet another tax on the system.

I think we have to be very diligent. I think there are very good things that are going to happen in this legislation. It's good, after 17 years, to review, but the big skyscrapers here in the urban areas of Toronto are much different than a 55-unit, such as it is in rural Ontario—those costs to contain and maintain that, and just the onerous responsibility.

I do think there are good things from governance. A good colleague of mine down here has a special assessment that was put in for \$1,000 for the next 18 months. That's unacceptable, Mr. Speaker. If you have good governance and people who are paying attention—you are audited, you do an AGM, so people should understand what's going on and should have good management. I'm one of those people who takes it very seriously. I don't think you're going to send me to management school and it's going to make that much difference.

The Deputy Speaker (Mr. Bas Balkissoon): I now turn to the member from Welland.

Ms. Cindy Forster: Thank you to the member from York-Simcoe for your comments.

The member from Timmins-James Bay, when he was speaking a few moments ago, raised the issue of affordable housing and how that intertwines with this condo piece. I know that when I was the municipal affairs critic, this issue was raised to me a number of times by people who were renting in condos here across Toronto—and it's around the whole condo fee piece, right? You move into a condo as an owner—it affects owners as well as renters. You buy a condo and you're told your condo fees are going to be \$300. You rent your unit out, but then after that first annual meeting your condo fees suddenly go to \$700, because you're required to submit a certain amount of money into the reserve fund for the future. So now you're raising your tenant's rent by \$400, \$500 or \$600 so you can break even in renting out your asset. So the owner is impacted and the tenant is impacted in that case. I don't know how this bill is actually going to address that kind of situation.

The member from Bruce-Grey-Owen Sound raised the issue of not-one-size-fits-all, and it's absolutely true. In my own condo as well, we have difficulty having people step up to the plate to actually run on the condo board. The condo fees are such that we couldn't support full-time management, nor could we even support a full-

time superintendent for the building. So I think that we need to be looking at not just 40-storey buildings here in Toronto, but we need to be looking at what we can do to address problems in smaller condo buildings across the province as well.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the member for York-Simcoe.

Mrs. Julia Munro: Thank you very much. I would like to say a special thanks to the member from London West, the Minister of Economic Development, Trade and Innovation, and the members for Bruce-Grey-Owen Sound and Welland.

When I take the accumulation of the comments made by those people, one of the things that comes across is that people are forgetting why somebody particularly wants a condo and why they choose that form of home ownership. It's more obvious in rural or outside metropolitan areas than it is in downtown Toronto, and that is because the ones that I know of in my riding are often the home choice of seniors. They look at this as an opportunity where somebody else mows the lawn and shovels the snow. That's fine, and that's sort of their vision of what they're going to get and what they're going to pay for. They're comfortable with that.

Too often, it morphs into something much harder for them to manage financially. They're on fixed incomes. They look at the purchase as kind of the big part of it, and then all of a sudden it sort of creeps in that the big part has now become the condo fee. Members have raised issues of people or condo buildings where there's no possible way they could afford a full-time paid manager or supervisor or even a combination.

I think it's really important to keep that vision in mind, that on the one side of the concern is the 42-storey building but on the other side is the two-storey building in small-town Ontario. Those people deserve our attention.

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

Mr. Ted Arnott: I'm very pleased to have this opportunity this afternoon to speak to Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums.

I wasn't sure I was going to have this opportunity, Mr. Speaker, because, as you know, a couple of the government members have been alluding to the fact that this debate has gone on for a considerable period of time, in their view, and that everything has been said. The government is not currently putting up speakers, so I gather their members, the ones who are present, don't wish to participate further in this debate. At the same time, we have members on this side who want to participate and want to have a chance to speak, so we're going to continue this debate on this Thursday afternoon.

Of course, as you know, Mr. Speaker, a number of our caucus colleagues have spoken to the bill, and our caucus position quite simply is this: We know that home ownership is one of the best investments a family can

make and that families need to know that they will be protected once they have made this substantial financial commitment. We also know that more and more families are choosing a condominium as their preferred housing option. Condominium development in the province is continuing to grow, certainly in Toronto but in many of our smaller cities as well, and, indeed, in our small towns across the province.

This bill, Bill 106, provides many important new consumer and financial protection measures. That is certainly the contention of the government. In fact, on this side of the House we agree with that statement, but we have this concern that we've expressed and we will continue to express during the course of this debate and, indeed, if the bill passes and goes to committee. We are concerned about the increased red tape and bureaucracy contained in this bill. There will be two new administrative authorities created, which will require a large amount of capital for start-up. Of course, as government grows, as bureaucracy grows, we continue to see upward pressure on taxes, higher deficits and higher debt, which is what this government is known for. So we would add that concern obviously and encourage the government to try to find ways to reduce unnecessary bureaucracy in a general sense.

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Bill 106 affects a number of acts. It opens up the Condominium Act, the Land Titles Act, the Ontario New Home Warranties Plan Act, the Licence Appeal Tribunal Act, and the Condominium Management Services Act as being enacted as a result of this bill, if, indeed, it is passed.

The bill is intended to allow for the establishment of a condominium authority that would be responsible for administering condo owner education, dispute resolution and a condo corporation registry. The condo authority would be a not-for-profit corporation under the oversight of the Auditor General, and after initial start-up funding from the government it would be financed solely by a fee charged to condo corporations. It is estimated the fee passed down to owners would be about \$1 per month. The condo authority would, of course, have the responsibility to administer the Condominium Authority Tribunal, which would resolve disputes through case management, mediation and adjudication. Presumably this would mean some disputes that might be currently going before the courts would in turn be discussed and adjudicated through this new tribunal.

The bill would create a separate licensing authority to administer licensing of condo managers. This would be done through a proposed new Condominium Management Services Act, which would create, if passed, a compulsory licensing system for managers and management firms, creating a training and education program for managers, and establish a code of ethics for condo managers. The act would also set specific qualifications for someone to be a licensed manager.

The bill would amend the Ontario New Home Warranties Plan Act so that most of the warranty protections

available to buyers of new condos would also apply to certain condo conversion projects, and this, to me, makes sense, Mr. Speaker.

The bill aims to strengthen financial management by providing condo owners with more information about financial matters affecting their investment and more control over changes.

The bill aims to improve how condos are run by requiring the boards to provide regular information updates to owners, and updating requirement for board meetings. I think, certainly, that is probably in the public interest, to ensure there are standards set for informing condominium owners what's going on, and, obviously, that is something that we would want to see happen.

Mr. Speaker, I know that this has come up in the debate but I want to reiterate a few important points. The most recent condo legislation in the province of Ontario, to the best of my knowledge, passed in 1998. Of course, now in 2015, 17 years have passed; obviously we have to look at legislation from time to time to ensure that it is up to date and it is meeting the current needs of the people of Ontario. It is time to review this issue.

Today, 1.3 million Ontarians live in condos and more than 50% of new homes being built in Ontario today are condominium developments. So, again, that illustrates the size of the condo sector, and also the growing importance of the condo sector and the necessity, I think, of provincial legislation to keep up with that reality and ensure that condominium owners are given adequate consumer protection. There are currently 700,000 condo units in Ontario, with another 51,000 units under construction; that's up from 270,000 units in 2001. So, again, this illustrates the growing importance of condominium developments as a housing option, and the take-up by Ontario families.

In 2012, the government began reviewing the Condominium Act, and there was a three-stage public engagement process aimed at modernizing the legislation. This was in response to growing concerns from condo owners and managers, and I'm told that the key issues identified during the course of this review included governance, dispute resolution, financial management, consumer protection and condominium manager qualifications.

There are two issues that I want to add to this debate. Actually, I had previously brought them up, in the course of the debate and as part of a two-minute response, I believe it was last Thursday, Mr. Speaker, and I am still awaiting a response from the government. The first issue is a condominium in the community of Fergus, in the township of Centre Wellington. It is called the Fergus mill condominium. It is at 478 St. Andrew Street East in Fergus. The owners' association has contacted me on numerous occasions to express concerns about the need for provincial regulation for the inspection and maintenance of turbines where they exist in residential buildings. In this case, there is an electricity-generating turbine in the Grand River that is actually physically in this condominium building, this redeveloped old mill building that's actually very, very beautiful. But the residents are

concerned about the vibration from this turbine and what impact it might have on the safety of the residents, and also the structural integrity of the building, due to the constant vibration and noise from the turbine.

I've made numerous inquiries with the government, with the Premier and with various ministers, asking whether or not there is any regulation of this sort of thing. We've determined, after numerous responses, that the provincial government does not regulate this sort of activity. I can only surmise that there are very few examples where there is an electricity-generating turbine in a river that's also associated and attached to a condominium building like this. I've suggested that this might be something that the Technical Standards and Safety Authority might be most appropriately involved with to regulate, and I still await a response from the government.

I wrote the Premier, actually, on Tuesday of this week; also the Minister of Energy and the Minister of Government and Consumer Services. I draw this issue to the attention of the minister who has introduced this bill for consideration and urge her to look into it as well, to see what can be done to assist these condominium owners.

Secondly, there's an issue, again of long standing, that I've raised in the House now and also in many, many communications with the government and many letters that I've written, drawing attention to the need for traffic signals near the Sands Condominium in Georgetown, in the town of Halton Hills, at the intersection of Guelph Street/Highway 7 and McFarlane Drive/Hall Road. I've worked with the town of Halton Hills's mayor, Rick Bonnette, and some of the councillors who have expressed concerns, as well as some of the representatives of the condominium board who are very, very concerned about safety as they're leaving their building and turning left or right on Guelph Street, which is also Highway 7 through Georgetown.

These constituents of mine believe that there needs to be full traffic signals at this intersection. I'm supporting them. I'm disappointed that the ministry has initially indicated an unwillingness to recognize the important safety issue here, but we are persistent in Wellington-Halton Hills and we're going to continue raising this issue. Again, I would ask the Minister of Transportation to take a look at the unique needs here at this intersection and also the reality that there's going to be significant new development in the area which will create additional traffic. Again, a safety issue exists.

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

Ms. Peggy Sattler: I am pleased to respond, on behalf of the people I represent in London West, to the remarks that were given to us by the member for Wellington-Halton Hills.

You know, Speaker, I know we all agree that protection for condo owners is important. I have heard a lot of support for seeing this bill move forward.

When we reflect on who these condo owners are in our province, we look at what we know. What we know

is that 71% of all condo owners are one-person households and couples without children. Of these, women make up two thirds—fully two thirds—of condo owners who live alone. Three quarters of those are aged 55 or older and living alone.

There is another much smaller segment of condo owners that are lone-parent families. Of those, 84%, or four out of five, of those lone-parent families are headed by women. So women are disproportionately affected by this legislation because they are over-represented among condo owners.

One of our concerns is that this legislation does not provide a dispute resolution mechanism when there are disputes with developers, which means that the only recourse is to go to court to seek some kind of legal redress. We know that going to court can be extremely expensive. It can be an extremely lengthy and extremely costly process that can take years for a dispute to be resolved.

When the only recourse that we're leaving for women who often have much fewer resources, particularly lone-family women, is lawsuits, we are not protecting condo owners at all.

1750

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

Mrs. Laura Albanese: I'm pleased to add my comments to Bill 106 and also to respond to what the member from Wellington-Halton Hills had to say about this bill.

It is certainly, I agree, one of the most important decisions that a person can make in their life: to purchase a home, to purchase a condo. We know that at one time they used to be far and few between, and that right now, as the member rightly pointed out, over 50% of the new homes that are built in Ontario are condos.

Even in the riding that I have the privilege to represent, York South-Weston—which is in Toronto but not downtown Toronto; it's in the northwest part of the city—condos are very common. Who are the condo owners? They're seniors, but they're also single families of all backgrounds, from all walks of life. We have small condos and we have big high-rise condominiums as well.

The need for the government to move forward with new legislation has been felt for a long time. I'm very pleased that we have taken the time to do extensive consultations. At every stage—in phase 1 and phase 2—I took the time as an MPP to conduct local consultation and consulted my residents on what issues they felt were important so that I could pass them on to the ministry. We did that as a community.

In regard to the red tape that the member from Wellington-Halton Hills was talking about, I want to say that the new condominium authority that will be formed will have oversight and provide a quicker, lower-cost dispute resolution than what is available today. That is the whole point: to give people the chance to do that in a quicker and less costly way.

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

Mr. Bill Walker: It's always a pleasure to bring comments to my colleague from Wellington–Halton Hills, who always brings a balanced viewpoint to any issue in this House.

Mr. Speaker, I'm probably going to be cut short in my 10 minutes, so I'm going to try to get it all in now. I'm relatively supportive. It's great to see a 17-year review of this. I support in principle the concept of the education and the intent.

But I do have some concerns. That's why I want to address them and make sure, if it gets to committee, that these are amendments that they will accept. They need to appreciate the size and complexity; one size doesn't fit all. We need the ability to balance the realistic and pragmatic reality of being able to comply with all the factions of the bill. I'm worried about a bureaucracy being created when I see words like "mandatory and compulsory licensing system."

Many people in the condo that I'm a member of are seniors living on a very fixed income, so some of these things, again, are going to have very onerous responsibilities. We don't get a lot of people lining up at the AGM to become members of the board of directors. If we put too much stringency in it, a lot of people are going to back away. We don't have the ability to afford full-time managers. We don't have the ability to address some of these things at the most high level that someone in a very urban area certainly could do.

The compulsory licensing system, again, definitely is a concern, and I've raised this personally with the minister. Something in downtown Toronto doesn't always work in rural Ontario or, more importantly, northern Ontario. We have to make sure that, again, it's not too onerous.

I ask questions: What's the onerous potential to put on members? What's the ability to maintain this? What's the time? What's the cost? Communication: It's suggested that it requires boards to provide regular information updates. Any good board of management is going to do that on a regular basis. We certainly do a newsletter, and anything we're going to do from an action perspective we communicate back out. You have an AGM; you have auditors who come in.

I do have concerns that there needs to be better and smarter disclosure. As I mentioned earlier, one of my colleagues has a special assessment of \$1,000 a month for 18 months. That should have been disclosed. But at the end of the day, we need to just make sure that we do this with balance and the ability for people to actually do

the job, Mr. Speaker—not make us compulsory managers. Those things are going to be too onerous.

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

Ms. Cindy Forster: We're getting to the final six minutes of this debate. There certainly have been a lot of good comments made, particularly from the opposition side, I may add, about how we can't look at this just in the eye of Toronto or the greater Toronto area. We really have to look at this as it goes across the province, because more and more condos are being built in smaller communities, in tourist areas across the province, and we want to ensure that consumers have the protection that they actually need. So many developers and builders have promised consumers many things, just like consumers are promised at the door in gas contracts or furnace sales or water heater sales. Many condominium purchasers use their life savings to actually buy this last home they're going to have in this life, and we need to make sure that we do this right.

I know that we'll certainly be bringing forward a number of amendments, amendments around addressing some of the issues that I and others talked about today with Tarion, about issues that we talked about with developers. I know from my own experience of having gone into the showroom and having been sold a bill of goods, only to find out, when the condo was finished, that in fact what I was promised I didn't get—unless you're prepared to go to litigation, and if it is not impacted by a violation of the building code, you're out of luck, unless you want to spend a bunch of dollars paying lawyers to actually get remedies to those situations.

As the bill moves forward through committee, I'm sure that many of us will have amendments, and we hope that the government supports those amendments to make sure that this is right for Ontarians.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the member for Wellington–Halton Hills. You have two minutes.

Mr. Ted Arnott: Seeing the time, Mr. Speaker, I want to thank the members for London West and York South–Weston, the member for Bruce–Grey–Owen Sound and the member for Welland for responding to my comments. We all look forward to further debate on Bill 106.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bas Balkissoon): Seeing the time on the clock, this House stands adjourned until next Monday at 10:30 a.m.

The House adjourned at 1757.

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Fife, Catherine (NDP)	Kitchener–Waterloo	
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Forster, Cindy (NDP)	Welland	

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Hardeman, Ernie (PC)	Oxford	
Harris, Michael (PC)	Kitchener–Conestoga	
Hatfield, Percy (NDP)	Windsor–Tecumseh	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Hoggarth, Ann (LIB)	Barrie	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Hon. / L'hon. Eric (LIB)	St. Paul's	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
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Marie-France Lalonde, Harinder Malhi
Kathryn McGarry, Eleanor McMahon
Taras Natyshak, Peggy Sattler
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Second reading debate deemed adjourned	5330