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(Hansard)**

**Wednesday 13 May 2009**

**Journal  
des débats  
(Hansard)**

**Mercredi 13 mai 2009**

**Standing Committee on  
Justice Policy**

Tobacco Damages  
and Health Care Costs  
Recovery Act, 2009

**Comité permanent  
de la justice**

Loi de 2009 sur le recouvrement  
du montant des dommages  
et du coût des soins de santé  
imputables au tabac

Chair: Lorenzo Berardinetti  
Clerk: Susan Sourial

Président : Lorenzo Berardinetti  
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
JUSTICE POLICY**

**COMITÉ PERMANENT  
DE LA JUSTICE**

Wednesday 13 May 2009

Mercredi 13 mai 2009

*The committee met at 1434 in committee room 2.*

TOBACCO DAMAGES  
AND HEALTH CARE COSTS  
RECOVERY ACT, 2009

LOI DE 2009 SUR LE RECOUVREMENT  
DU MONTANT DES DOMMAGES  
ET DU COÛT DES SOINS DE SANTÉ  
IMPUTABLES AU TABAC

Consideration of Bill 155, An Act to permit the Province to recover damages and health care costs incurred because of tobacco related diseases and to make a complementary amendment to the Limitations Act, 2002 / Projet de loi 155, Loi autorisant la province à recouvrer le montant des dommages et du coût des soins de santé engagés en raison des maladies liées au tabac et à apporter une modification complémentaire à la Loi de 2002 sur la prescription des actions.

**The Chair (Mr. Lorenzo Berardinetti):** We'll call the meeting to order. We're dealing with Bill 155, An Act to permit the Province to recover damages and health care costs incurred because of tobacco related diseases and to make a complementary amendment to the Limitations Act, 2002.

Are there any comments, questions or amendments to any section of the bill, and if so, to which section? None?

**Mr. Peter Kormos:** The Chair meets silence.

**The Chair (Mr. Lorenzo Berardinetti):** As there are no amendments, do I have permission to collapse sections 1 to 14 and to move all sections simultaneously? Agreed? Agreed. Thank you.

The final thing is—

*Interjection.*

**The Chair (Mr. Lorenzo Berardinetti):** Sections 1 to 14 are carried.

*Interjection.*

**The Chair (Mr. Lorenzo Berardinetti):** Shall they—

**Mr. Peter Kormos:** You're not going to invite any debate on them?

**The Chair (Mr. Lorenzo Berardinetti):** Okay. If you want me to be formal about it, then I will ask. Is there any debate on sections 1 to 14? There is no debate. Shall sections 1 to 14 carry? Carried.

Shall the title of the bill carry? Carried.

Shall Bill 155 carry? Carried.

Shall I report the bill to the House? Agreed? Agreed.

**Mr. Garfield Dunlop:** Can I make one comment?

**The Chair (Mr. Lorenzo Berardinetti):** Yes, Mr. Dunlop.

**Mr. Garfield Dunlop:** I think we're all in favour of this legislation. We've seen it in other provinces, and as it moves forward, we hope that it will have an impact on smoking and stopping people from smoking etc. The government of Ontario has historically collected a lot of revenues from the tobacco companies. They've supplied a lot of revenues to this province, and we all know that. But I think there's a moral responsibility for the province of Ontario—and I'm not saying it's just the responsibility of the province of Ontario—in conjunction with the federal government, to really take a more aggressive role in contraband cigarettes. Particularly in our First Nations, we see it—I can tell you, if you folks ever want to come up and do a tour of eight or 10 First Nations and see the smoke shops and see the advertising etc., everything is in exact contravention of what we allow under the Smoke-Free Ontario Act. So if we're going to go after tobacco companies and sue them and go after them legally, I think we have a real responsibility, with the money we collect from them, to stop what's happening with our First Nations and illegal smoking here in the province of Ontario. I wanted to put that on the record. I think it's only fair that we do so.

**The Chair (Mr. Lorenzo Berardinetti):** Thank you.

A motion to adjourn? Mr. Levac.

**Mr. Dave Levac:** I did not want to enter into this, except to make sure a point is made: I hope there would not be, through the previous statement, an assumption that nothing is being done. I would think that that's not true. In case there's an assumption that nothing is being done, there is something being done, and it is a very complex issue.

I appreciate what Garfield Dunlop is saying, but I think at the same time, there needs to be an understanding that it's not fair to imply any other way—and I didn't hear that from Mr. Dunlop, but there have been some comments that nothing's being done. I personally resent it, and I'm sure that law enforcement officers in Canada, Ontario and locally are in agreement that things are being done, but maybe not to the satisfaction of some.

**Mr. Garfield Dunlop:** If I may, the general public feels that nothing is being done, that there's been a blind eye turned to it. I think that if you wanted to bring credibility to these ministries, what we should do is have a report back from the ministries to the House just giving

us an update, giving us a report on what exactly is being done, because the small store owner or the convenience store owner who's just been made to spend a lot of money on a power wall doesn't think a lot's being done.

**The Chair (Mr. Lorenzo Berardinetti):** That would be outside of this committee.

**Mr. Garfield Dunlop:** Yes, I understand.

**The Chair (Mr. Lorenzo Berardinetti):** A motion to adjourn: All those in favour? Opposed? Carried.

*The committee adjourned at 1439.*







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