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**Wednesday 18 November 2009**

**Journal  
des débats  
(Hansard)**

**Mercredi 18 novembre 2009**

**Standing Committee on  
Estimates**

Ministry of Small Business  
and Consumer Services

**Comité permanent des  
budgets des dépenses**

Ministère des Petites  
Entreprises et des Services aux  
consommateurs

Chair: Garfield Dunlop  
Clerk pro tem: William Short

Président : Garfield Dunlop  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
ESTIMATESCOMITÉ PERMANENT DES  
BUDGETS DES DÉPENSES

Wednesday 18 November 2009

Mercredi 18 novembre 2009

*The committee met at 1620 in room 151.*MINISTRY OF SMALL BUSINESS  
AND CONSUMER SERVICES

**The Chair (Mr. Garfield Dunlop):** Good afternoon, everyone. Minister McMeekin and members of your ministry, welcome back. Minister, you have 10 minutes left to make comments. Do you wish to do that?

**Hon. Ted McMeekin:** I'd like to do that.

**The Chair (Mr. Garfield Dunlop):** Okay, we can start with that right now. Is that okay with you?

**Hon. Ted McMeekin:** Okay, very good. Thanks, Mr. Chairman.

**The Chair (Mr. Garfield Dunlop):** To the committee: I understand that there may be some folks who would like to adjourn a little early today.

**Ms. Cheri DiNovo:** Can I make a motion, Mr. Chair?

**The Chair (Mr. Garfield Dunlop):** Would you mind waiting until Mrs. Munro gets here?

**Ms. Cheri DiNovo:** Oh, is she on her way?

**The Chair (Mr. Garfield Dunlop):** I think she is, yes.

**Ms. Cheri DiNovo:** Okay, I'll wait.

**The Chair (Mr. Garfield Dunlop):** Maybe a little later on.

**Ms. Cheri DiNovo:** Okay, no problem.

**Mr. Khalil Ramal:** Excuse me, can you tell us the rotation? He has 10 minutes to speak and then it comes to us again?

**The Chair (Mr. Garfield Dunlop):** Yes.

**Hon. Ted McMeekin:** That's right, yes.

**Mr. Khalil Ramal:** That's fine. Thank you, Chair.

**Hon. Ted McMeekin:** Thanks very much, Mr. Chairman and members of the committee. Once again, I'm delighted to be here in front of my esteemed estimates committee member colleagues to make closing remarks about the great work we're trying to do over in the Ministry of Consumer Services.

I'm now pleased to have yet another experience under my belt in my role as the new Minister of Consumer Services, speaking with you all about important matters like propane safety, the protection of heritage cemeteries, our administrative authorities and the education of consumers. I am honoured to fulfill the Premier's request to be an unabashed advocate for the consumer, and that is what we in our ministry are trying to be.

My ministry's role is to protect the consumer and promote public safety. We are effective in helping consumers obtain their rights, while also helping to educate business operators about their obligations.

I believe that educating people to be smart consumers is one of my ministry's key roles, as well as being a priority for our delegated authorities. Whether we're educating consumers to shield them from unfair or unethical business practices and scams, or working with the Electrical Safety Authority to ensure that electrical installations meet the provincial code, we're working to strengthen consumer protection and public safety.

Consumers learn that the Ministry of Consumer Services is here to help, not just by providing helpful advice, although we certainly do that, but also by being willing to go much, much further to take up a complaint, investigate it and see it through to a judicial conclusion where that is appropriate.

Ms. Munro spoke with eloquence about the importance of educating the public. We do that through many means, including our Smart calendar, which by the way we released this morning. I hope that you all received copies last week in your constituency offices. If you haven't, we'll certainly make sure you do.

We educate consumers through a variety of means. Our website contains valuable information on a number of consumer topics. Consumers can learn what the top complaints are: collection agencies, energy brokers, health and fitness club memberships. In fact, we have a section devoted to helping consumers protect themselves, where people can search our Consumer Beware database to learn about individuals and businesses with compliance issues. They can also be linked to other organizations that deal in public safety, such as our delegated authorities. Last year our website received 28,000 visits, almost triple the amount of the previous year.

Ministry staff also consult with other provinces to learn from their successful public outreach and educational programs. We know there is always more we can do to educate people about protecting themselves from unsavoury business practices. I ask staff to continually look for ways to help Ontarians become smart consumers. As I said before, nobody on our staff gets in trouble for helping somebody. That's rule number one, the golden rule in the Ministry of Consumer Services, if I can be so bold.

For my part, I plan to meet regularly with consumer advocates, community leaders and other consumer-

focused organizations to hear directly from them what more we can do to help consumers, especially our most vulnerable citizens: new immigrants, our senior citizens and young people.

But our role is more than just education. We also ensure that we close the loop on accountability and good governance. Ms. Munro and I both agree that these principles are vital and they are something our administrative authorities must adhere to.

May I remind the committee members that we have undertaken an independent review of that administrative authority model, and we have learned that the model is working and that these organizations are, in fact, doing a good job.

When things don't go well, which occasionally happens, we hold people accountable. Whether it's through complaint resolution between consumers and businesses or administrative authorities, we are prepared to fix any problems that arise. For example, Ms. DiNovo, you so rightly expressed concern about propane safety. I take your concerns very seriously. That's why we went over all 40 recommendations in some of my finish-up time. We have put in place new regulations to further improve the safety of Ontario's propane system, including minimum numbers of annual inspections for propane facilities, enhanced training requirements, and public availability of a facility's emergency preparedness, just to name a few.

Ms. Munro, I give you my commitment with respect to the TSSA that we will implement the recommendations we discussed at our last meeting. Those commitments are one of our top priorities and we will ensure that they are fulfilled.

As an aside from my notes here, I didn't run to be a defender of any status quo, warped or otherwise; I ran because I, on a good day, like all of you, want to change the world and make it a better place for my kids and my grandkids. I say that because I don't believe that when all is said and done, there's any point in being here if we're not going to act. You listen in order to learn, you learn in order to understand, you understand in order to act—on a good day.

This brings us to the issue of outcomes. Both Ms. Munro and Ms. DiNovo raised this important issue; thank you both very much. We need to be clear about what it is we're trying to accomplish, and even more specific about how we measure it. It's about tracking, monitoring and measuring outcomes to do the job that needs to be done.

We will continue our practice with our administrative authorities to develop and implement memorandums of understanding with respect to how they do their work. Rest assured that we will continue to vigorously enhance the outcomes process and ensure that the protection of our citizens is paramount. We all know and agree that tragic events can happen no matter how well-prepared we may be. There is no perfect system; there are no steps that can guarantee absolute safety. Even so, we must never be complacent. We have a responsibility to seek continuous improvement in our systems.

At my last presentation, we also spoke about inactive cemeteries. Ms. Munro, you made some excellent points; thank you. The Cemeteries Act protects inactive cemeteries. The act provides for an extensive public consultation process if a request is made under the act to close the cemetery. Notice is required to be published in a local newspaper and must be given to the municipality and municipal heritage committee, as well as the Ministry of Culture and the Archives of Ontario. The registrar will only order a cemetery to be closed if the closing is in the public interest, and the cemetery owner is responsible for ensuring that human remains that are to be moved are properly dealt with. These protections are carried forward in the Funeral, Burial and Cremation Services Act, 2002, and its proposed regulations.

Ms. DiNovo, as I said earlier, I very much appreciate your interest and leadership on the payday lending file. There are important areas where we may have some slight disagreement, and I respect that. I know that you would like to see rates much lower, and perhaps a somewhat different model, to be fair. Our approach was not designed to put the industry out of business, which we believe would inevitably force it underground, but rather to allow it to continue in a significantly regulated environment. So we have moved to ban rollover loans and prohibited other practices for current loans. We've also eliminated the acceptance of wage assignments by payday lenders, which is significant, and we're requiring absolute disclosure. In terms of annual percentage rates, the Ontario government has set the upper limit on the total cost of borrowing for payday loan agreements in Ontario. The rate for payday loans is \$21 per \$100 borrowed. This will come into effect in December. We feel that we have developed a balanced approach.

#### 1630

To conclude my remarks, I would again like to thank you all for allowing me to come and present before my esteemed colleagues. I'm delighted to have the opportunity to serve as the Minister of Consumer Services. We and the staff will continue every day to be as vigilant as we can. Each and every consumer has a right to be protected, and we are all consumers, so we are also advocates of consumer protection. We are all unabashed advocates, everyone in this room, of doing the right thing and finding solutions to any problems that arise.

Consumer protection in Ontario has not yet achieved such an exalted state that nothing further needs to be done. Indeed, I hope I've been clear in saying, to the contrary, that I am promoting a culture in which we are constantly looking for ways to improve. I am very proud of what we have achieved so far, and I'm very proud of the work that's gone on and going forward.

I'm very, very proud of the staff that serve the good people of Ontario in this ministry. I really am, every single day. We're doing good work and we continue to be here to help.

Thanks so much for your kind attention.

**The Chair (Mr. Garfield Dunlop):** Thank you very much, Minister. Ms. DiNovo?

**Ms. Cheri DiNovo:** I have a motion, Mr. Chair, if I may, that because of the rotation, the Progressive Conservatives and the NDP have had our turns, so the government take their turn and we adjourn at that point.

**The Chair (Mr. Garfield Dunlop):** We would need unanimous consent on that. By the way, this is the last day for estimates for this session. There will be no more after today.

Do we have agreement on that motion? Agreed.

I'm also going to ask at the end of your rotation if we can have the votes on the estimates so we can report them back tomorrow. Okay?

Go ahead, Mr. Ramal.

**Mr. Khalil Ramal:** Thank you, Mr. Chair. You've been a fine Chair since I came to this committee.

**The Chair (Mr. Garfield Dunlop):** Thank you.

**Mr. Kim Craitor:** What do you want?

**Mr. Khalil Ramal:** I want nothing.

Welcome back, Minister, to this committee. I know you're the Minister of Small Business and Consumer Services. As you know, small businesses, like medium-sized business or big business, are facing tough times these days as a result of the economy nationally and internationally. Many small businesses are suffering from a lack of access to government ministries and offices. They call an office and they have a tough time reaching their goal. I know you try as much as possible to have an open and accessible ministry for small businesses, to assist them in any way.

I think I heard you announce today some kind of special calendar to assist small business and allow them to move on with their business. Can you explain how small business can benefit from your ministry being accessible and how you can waive all these obstacles and red tape in your ministry, if you don't mind?

**Hon. Ted McMeekin:** Well, I wish I had made an announcement with respect to small business today, but as members of the committee know, there's been a restructuring of the ministry, so it's not the Ministry of Small Business any more, although, as Minister of Consumer Services and as one who has run a small business, I understand the challenges that small businesses face. And I understand that our government is working as diligently as it can to make available to small businesses the various tools they need in order to compete, including, and I won't go into it here, a comprehensive adjustment on the way we do taxation in this province so as to provide for businesses some of the advantages they need so that some savings can accrue, which can be reinvested in building a stronger, newer, more innovative and more competitive economy in the midst of the global economic challenges that we face.

I'm ragging the puck here, so I think I'll just stop there.

**Mr. Khalil Ramal:** I guess that's enough for me, Minister. I guess my colleague has a good, important question about his region.

**Hon. Ted McMeekin:** Thank you. That was a good, important question, by the way.

**Mr. Kim Craitor:** Thanks. Minister, I just want to talk about my favourite subject, wine.

**Hon. Ted McMeekin:** I'll drink to that.

**Mr. Kim Craitor:** I knew you would.

**The Chair (Mr. Garfield Dunlop):** You've got everybody's attention.

**Mr. Kim Craitor:** My riding includes Niagara-on-the-Lake, and I would suggest to you that my riding probably produces at least 70% of the wines in Ontario. There has been one wine in particular that I have constantly promoted to consumers that they should be buying, and that's called VQA—

**Hon. Ted McMeekin:** Yes.

**Mr. Kim Craitor:**—Vintners Quality Alliance, which simply means that that bottle of wine has 100% of its grapes from Ontario. It's not a bottle of wine that may have 40% or 30% and the rest is foreign juices from another country. It's 100%.

I'm constantly trying to promote that to the public: Buy that.

**Hon. Ted McMeekin:** Right.

**Mr. Kim Craitor:** That's the one; you're supporting ourselves.

**Hon. Ted McMeekin:** Thank you.

**Mr. Kim Craitor:** I just wanted to ask a couple of things. There was a great announcement—I think this is the place to reiterate it—about a new direction the ministry was going in to do a couple of things: continued support of VQA, Vintners Quality Alliance, wines; and a new wine strategy. I was particularly proud that you took the leadership on that. Can you just, for the benefit of the committee, share it with us? And if you'd just give me a minute, I'll get some wine for us to drink while you're doing that.

**Hon. Ted McMeekin:** I wish. Will you allow that, Mr. Chairman?

Thanks so much for the question. It has been a file that has consumed much of my time since being appointed as Minister of Consumer Services.

I want to just take a minute to thank the member from Niagara-on-the-Lake, Niagara Falls, whatever.

**Mr. Kim Craitor:** Fort Erie.

**Hon. Ted McMeekin:** Fort Erie. I know we didn't agree on every point with respect to where we needed to go, but your input was extremely important in helping us to define where we wanted to go with respect to a strategy.

As you know, honourable sir, we did ask the Grape Growers of Ontario and the Wine Council of Ontario to work together to help develop a strategy for the industry and to propose a series of long-term solutions. I think it would be fair to say that there was broad-based recognition that rather than being seen as two industries, we need to develop a system where they could emerge as one industry and work together.

We weren't able to reach consensus on every issue, but the grape growers and the wine council did reach important consensus in a number of areas. For example, they agreed on a price for the 50,000 tonnes of grapes.

They also agreed to work at a strategy around handling the surplus grapes, which, I'm pleased to say, as a result of our strategy—at least it has been attributed to our strategy—is now considerably lower than it was originally projected to be. I think that's a good sign.

In addition to that, they indicated that both the Grape Growers of Ontario and the Wine Council of Ontario saw as their number one priority the continued growth of Vintners Quality Alliance wines. Our government has certainly embraced that, and we have begun to shape and frame policies that will, in a very specific way, enhance that direction. There have generally been some very positive comments about that. I know that the environmental alliance and others have made some very positive comments—I don't happen to have them here at the moment—about the government being at a fork in the road and choosing the right path and this is going to help the local economy, both the grape growers and those who produce VQA wines.

So our focus is to strengthen our VQA brand and promote those products that are grown here in Ontario. As you mentioned, the VQA brand is 100% Ontario grape. Needless to say, if we continue to grow that with some focus—I think it grew at a rate of about 28% last year—and provide opportunities in the LCBO and perhaps elsewhere, depending on where we go with that to retail that product, that ought to stand us not only in the good stead we're already in but in an even better position. So we want to look at increasing retailing opportunities for VQA wine.

We want to improve the whole issue around cellared-in-Canada-wines and the labels, which is a really important issue, so we're looking at that. The industry has been very much involved in supporting that. We believe in truth in advertising. The cellared-in-Canada moniker, by the way, is not a provincial moniker; it's a federal one. It came about as a result of some consultations. We think there may even be a role for the federal government down the road around monitoring that.

**1640**

One of my staff colleagues did give me some quotes here. The Grape Growers of Ontario were very, very positive. Bill George, the chairman, said, "The government of Ontario is paying a lot of attention to VQA and growing VQA and the support of VQA," and that's good.

Dr. Rick Smith, the executive director of Environmental Defence, said, "People clearly want to buy local wine. They want to know what it is they're buying. They don't want to have products with misleading labels," which was good.

A Niagara Falls newspaper, which I think it would be fair to say was somewhat critical of various governments in the past around their wine policies, said in an editorial that the wine strategy was a "well-thought, measured approach that will wean the Ontario ... industry off its need for the lucrative CIC wines while preparing the marketplace for the shift to VQA. What's more, it will be for the benefit of the Ontario wine industry...."

These are some of the quotes. There seems to be broad-based support among the grape growers, the wine

council, as well as those who understandably and justifiably have a pronounced concern about being keen in green and maintaining strong Ontario produce. Does that answer your question?

**Mr. Kim Craitor:** I think, more importantly, it just lets the committee know what a success it has been for the wine industry, thanks to your leadership.

**Hon. Ted McMeekin:** It has been phenomenal.

**Mr. Kim Craitor:** It has been excellent.

**Hon. Ted McMeekin:** Some of the best wines in the world. I can't say that everybody in my family does this, but this minister only buys VQA wine.

**Mr. Kim Craitor:** One last plug: VQA wine, Vintners Quality Alliance. That's the one we're all buying to support Ontario grape growers.

**The Chair (Mr. Garfield Dunlop):** I've been to Niagara-on-the-Lake.

**Mr. Kim Craitor:** I know you have. They really respect you there.

**The Chair (Mr. Garfield Dunlop):** I've been to Picton too.

Mr. Brownell?

**Mr. Jim Brownell:** What is happening now is that we have a bill going through the Legislature, and it should very soon make its way to a vote. We know that Bill 187, the Technical Standards and Safety Authority bill, has looked at propane safety in this province. I know that in debate, the members of the opposition sitting here certainly made some good points and you as minister certainly gave a good overview of what recommendations had been supported. I think there were about 35 recommendations supported—two in the bill and about three more that need further review. I think it was very important to get it out in estimates.

I'm just wondering if you could summarize, in this last little bit of work you're doing here before estimates, how this bill, if it's passed—I'm hoping that our desire is to have this passed—will improve propane safety in the province. We know that we had the problems at Sunrise, but how will this affect propane safety right across the province?

**Hon. Ted McMeekin:** Thanks for the question. As you may know, we have covered this rather extensively, but let me just revisit it, by way of a brief summary, to note that the Sunrise Propane situation was tragic and caused the government to reflect on the need to review propane safety issues and to ensure that we were doing everything we possibly could to make sure there wouldn't be a repetition and that our system was strong. So we had an independent expert panel do that. They made, I think, 38 or 40 recommendations, all of which are in the process of being implemented. That's the case because Ontario's and one of my ministry's prime concerns relates directly to public safety. Public safety is not a partisan issue. It's something that we all agree on. We want our families, our kids, our parents and those who work in the industry to be safe and to have in place the provisions that are needed to accentuate that orientation towards safety.

We've introduced the bill. It will, amongst other things, extend the role of the Auditor General with respect to auditing the TSSA. It will allow some additional powers to the minister in terms of appointees, consumer representatives and the chair and the vice-chair. It will also create a new safety and risk officer who will provide some independent oversight, Mr. Brownell, to ensure that we're very much on top of TSSA's performance in the public safety area. It will provide the minister, whoever that person may be, the power to direct the strategic focus of the TSSA by actually issuing policy directives, and it will require the minister and the TSSA to enter into a more comprehensive and robust memorandum of understanding, which will be done very much in the context of enhancing the public safety regime in Ontario.

Is that helpful?

**Mr. Jim Brownell:** Yes. I had a constituent the other day who had watched what was unfolding here. You went through all the recommendations, and this constituent said, "In summary, what's that all about?" So you've given a good summary—

**Hon. Ted McMeekin:** It's all about making sure the people of Ontario are safe.

**Mr. Jim Brownell:** Right.

**Hon. Ted McMeekin:** And that's our number-one priority.

**Mr. Jim Brownell:** If that person watches the next time—

**Hon. Ted McMeekin:** Yes. Let me be clear, to anyone who may be watching: This is about public safety.

**Mr. Jim Brownell:** Yes. Thank you.

**Hon. Ted McMeekin:** Everyone in this room agrees that that's a priority. There's no party in this Legislative Assembly which doesn't agree with that.

**The Chair (Mr. Garfield Dunlop):** Any other comments from the government members?

**Mr. Bob Delaney:** How much time do we have left?

**The Chair (Mr. Garfield Dunlop):** Four minutes.

Mr. McNeely?

**Mr. Phil McNeely:** Minister, I had to step out for a few minutes and I may have missed it, and I missed the first session with you here. Your consumer calendar that is going out presently—the protection of consumers—I believe that that is an annual thing that we've seen before. I know that I have it in my riding office and it gets distributed fairly well from there. Just tell me more about it and what changes you've made this year.

**Hon. Ted McMeekin:** The consumer calendar—we had the official launch today. We did it at Yonge-Dundas Square. We had about 40 of our staff volunteer to come out. We have printed, I think, some 370,000 copies in a number of languages: Spanish; French; English; Tamil; Chinese, both simplified and traditional; and Punjabi. We had a number of people out. We had 5,000 copies, an early print run, available to us and we were going to be there from 8 a.m. to 1 p.m. By about 10:38, we'd gone through all 5,000 copies. I'm told that shortly after I left, three police officers ran around the corner, looking for a copy too, because they wanted to take one home.

It obviously is designed and distributed so that three basic things can happen: Consumers can know their rights, they can learn about how to shop smart, and they can protect themselves. We have, within the calendar, facts on scams. We have advice on purchases. Specifically this year, we have a section on gift cards, health fraud, buying and selling a house, purchasing and selling new or used vehicles, home improvement renovations, landlord-tenant issues, the rights of energy consumers, how to make sure your donations to charities are doing what you want them to do, how to spot counterfeit money and how to purchase bereavement services. There are also some tips on how to cancel contracts, some reference to the 10-day cooling-off period and some of the consumer protection legislation that's there, how a family can go about preparing for an emergency, and even a section on telemarketing fraud.

It's just chock-full of good information. It's the most popular publication that our government puts out. It's one that people usually start calling and asking for at this time of the year. We try to make sure we get it distributed to anybody who feels they might benefit or who we feel might benefit from it.

**Mr. Phil McNeely:** These are issues that have come up in my own riding. The gift cards: There are regulations or legislation in the past year covering some protection there?

**Hon. Ted McMeekin:** Absolutely. Yes, we have put in place legislation that prohibits, for example, expiry dates on gift cards and provides other important protections that were put in place after broad-based consultation with all the major consumer protection groups in the province.

**Mr. Phil McNeely:** David Ramsay had a private member's bill on energy consumers. Do you have any comments on people who come around to your door offering energy contracts?

**The Chair (Mr. Garfield Dunlop):** You have about a minute, Minister, to finish up.

**Hon. Ted McMeekin:** It has been a plague that we've seen from time to time in all our constituency offices. I think the bill is a good start. I don't know one way or the other at this point, but I'm hopeful that the government will embrace the intent of the private member's bill, perhaps strengthen it with some ideas from other parties and present it as government legislation, because I think it's really important that we move forward with that kind of initiative.

It has been a delight to be here, Mr. Chairman; it really has. You can see that I really am excited about this ministry and its potential to make a difference. The day that stops, I won't be the minister anymore.

**The Chair (Mr. Garfield Dunlop):** Thank you very much to the government members.

Based on our motion, we'll now have the votes.

Shall vote 3101 carry? Carried.

Shall the 2009-10 estimates for the Ministry of Small Business and Consumer Services carry? Carried.

Shall I report the 2009-10 estimates of the Ministry of Small Business and Consumer Services to the House? Agreed.

That wraps up the Ministry of Small Business and Consumer Services. Minister, thank you. To the staff of the ministry, thank you so much as well. And to all members of the committee, thank you for your co-operation

throughout the fall session. We will talk to you more in the spring at the estimates.

Thank you very much. The meeting is adjourned.

*The committee adjourned at 1652.*









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