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**Thursday 28 October 2010**

**Jeudi 28 octobre 2010**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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Greffière  
Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 28 October 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 28 octobre 2010

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

*Prayers.*

### ORDERS OF THE DAY

#### BROADER PUBLIC SECTOR ACCOUNTABILITY ACT, 2010

#### LOI DE 2010 SUR LA RESPONSABILISATION DU SECTEUR PARAPUBLIC

Resuming the debate adjourned on October 27, 2010, on the motion for second reading of Bill 122, An Act to increase the financial accountability of organizations in the broader public sector / Projet de loi 122, Loi visant à accroître la responsabilisation financière des organismes du secteur parapublic.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mrs. Liz Sandals:** I'm very pleased to be able to speak to Bill 122, the Broader Public Sector Accountability Act.

**Mr. Peter Kormos:** Jeff, quorum. The minute I walk out and Ted walks out there's no quorum. Get some people in here.

**Mrs. Liz Sandals:** I will carry on.

I'm very pleased to speak to Bill 122, the Broader Public Sector Accountability Act, and to voice my support for this act.

I'd like to begin by telling you a little bit about the legislation and what it will accomplish. The proposed legislation, if it's passed, will do the following things: First of all, and what has perhaps been discussed most prominently in the media, it will create a ban on lobbyists that would prohibit many of the broader public sector organizations from using public funds to hire lobbyists. I need to emphasize the track here. What we're saying is that organizations that receive funding primarily from the provincial government should not be using those taxpayer dollars to pay for lobbyists to lobby the government to get more money. To us, that simply makes no sense and we're going to put a ban on that practice.

That ban will apply to 259 classified agencies, which would include things like the LCBO, Cancer Care On-

tario, all the various hydro entities and the one that has come to light as a result of the auditor's report: large broader public sector transfer agencies like hospitals. It will also include transfer agencies like school boards, community care access centres and universities. In fact, any publicly funded organization that gets more than \$10 million in funding from the provincial government will be included in this ban on taking taxpayer dollars and using them to hire lobbyists to get more taxpayer dollars. That's the first thing the act will do.

It will also provide the government with the authority to make procurement directives that larger broader public sector entities will have to follow. This would apply to things like hospitals and school boards, and the procurement rules will be the same as the guidelines the ministries themselves are now following. This comes as a result of trying to work with some of these sectors—I'll get to this later—with voluntary guidelines that align with the government's own internal guidelines. As the auditor has pointed out, that hasn't been successful, so now we're saying that we're going to legislate these guidelines.

There will be expense claim rules, because one of the things the auditor found was some egregious abuse of public dollars for expenses in some of these transfer agencies like hospitals. We will be putting an end to that. Again, this will give us the legislative authority to give directives to hospitals and school boards about what expense guidelines need to look like. We'll also have rules related to transparency, that those expenses will actually have to be posted in some cases.

The posting would require LHINs and hospitals to comply with the directives around posting of expense claim information for designated individuals such as CEOs, board members and senior managers, and those would need to go on their public websites. Just as we currently have the ruling internally about needing to post expense claims for deputy ministers, other senior people around here, ministers and their staff, parliamentary assistants and opposition party leaders—all of those—we, the McGuinty government, will be extending that requirement in law so that others will be required to do that as well.

We will also be providing for increased oversight of hospitals and LHINs. The proposed legislation would authorize the Minister of Health and Long-Term Care to put in place new accountability measures specifically for hospitals and LHINs. That would require public posting of expense claim information, but in addition to that, it would require the reporting of the use of consultants.

There are lots of legitimate uses of consultants, but what the public needs to know is when a hospital or LHIN is going beyond its own staffing and hiring a consultant. That would now be publicly reported automatically.

#### 0910

There would be what is known in law as an attestation, essentially a swearing—the member for Welland will correct me if that is wrong and an attestation is not really a swearing; I think that’s what it means—about each organization’s compliance with the requirements. So the CEO is going to have to swear that they have complied, and the ministry will be able to go in and directly audit the operations of LHINs and hospitals.

There are a number of attestations that will need to be made: the reporting on the use of consultants, the prohibition on engaging lobbyists, the compliance with expense claims and the compliance with the procurement directives. In fact, if it turns out that somebody is either not doing the required attestations or the attestations turn out not to be accurate, CEOs could actually have their pay docked.

This goes beyond trying to work with some of these agencies in a more voluntary policy mode, and says that we’ve done the policy thing and now we’re going to actually put this in legislation, because compliance with the policy directives has clearly been inadequate.

As people in this chamber will certainly be aware, the report by the Auditor General, which he did at the request of the public accounts committee, of which I am a member—there was unanimous agreement among the members of all three parties in requesting this special audit by the auditor. He audited 16 hospitals. He found that of those 16 hospitals, eight were using lobbyists inappropriately, which is why we are ending that practice now, and eight others had problems not necessarily with the inappropriate use of consultants but with respect to inappropriate procurement of consultants that would be acceptable to use.

It happens that one of the hospitals that were audited was Guelph General Hospital, my hospital. I’d like to give you a little bit of information about what they found there. My hospital was not one of the hospitals that was hiring lobbyists. They actually took the approach that they wanted to be quite public with the people of Guelph in letting the people of Guelph know what the auditor had identified and what they, as an individual hospital, were going to do to correct that.

In fact, they posted a lot of information on their website. They started by explaining the background of the Auditor General’s report, and went on to say—I’m quoting from their website:

“‘We welcomed the audit as an opportunity to help us identify strengths and opportunities to improve,’ said Richard Ernst, President and CEO. ‘All hospitals in the report, including us, had gaps in how well they managed the use [of] consultants.’”

The website goes on to say:

“In particular, GGH needed to improve its processes with regards to sole sourcing (the awarding of contracts

without having a competitive bidding process) and follow-on agreements (extending existing contracts without a full review beforehand).

“More recently, the hospital has implemented a new, well-documented process for how it buys things, including consulting services. Among other things, its process requires directors to document and justify their needs prior to obtaining senior management approval. In addition, all consulting engagements will have contracts with clear deliverables, ceiling prices, payment schedules, and performance management processes identified.”

Those were all things that the Auditor General specifically identified as weaknesses in hospital procurement practices in general and in GGH’s practices in particular. They have moved to correct those problems that the Auditor General identified. The website goes on to say:

“‘The Auditor General report doesn’t question the need to use consultants, just the manner in which they are managed,’ Ernst said. ‘Health care is very complex and consultants provide an important service to hospitals as we don’t always have the expertise on staff.’

“For example, some of the recent ways GGH has invested in the knowledge and experience of consultants include:

“—targeted clinical reviews of departments to ensure quality of care and efficiency”—so they brought in an external reviewer to look how they can improve their practice;

“—implementation of IT projects, which improve efficiency, patient safety and quality of care”—and many organizations, not just hospitals, don’t have the IT expertise on staff and need to hire someone in to do specific IT projects, information technology, computerization, so that’s quite a normal use of consulting in the broader public sector;

“—training and education expertise”—and I know one that they specify, for example, was they brought in an external reviewer to look at their practices in the emergency room. That external reviewer identified a number of areas where they could improve practice and expedite service for patients who go to Guelph General Hospital. They then engaged a consultant who had expertise in training to work through the implementation and training of that with all the emergency room staff, and it actually has resulted in a significant reorganization of the emergency room but also an improvement in the flow-through times at Guelph General Hospital. That was a question of procurement badly done. The result of the exercise had a positive impact on patient care in Guelph.

“—physician and executive recruitment”—I know they’ve had to replace a few doctors who are on staff and they had to replace their CFO, so they brought in what would be called a headhunter to help with that; and

“—environmental assessment”—issues where they’ve been required to do an environmental assessment for one reason or another. Again, that’s not expertise that they would have on staff. They need to bring somebody in. Nobody is arguing that. But what they also need to do, and what we are putting in this law, is making sure that

when they do that, that they do it effectively, that they do it according to the rules, that it's competitive, that it's open, and there is a limit on what the consultant can bill.

Then the website goes on to say:

"The report"—this is the AG's report—"provides guidelines about best practices engaging consultants. GGH has already made improvements to its policies and procedures in this area and now meets or exceeds the guidelines.

"In addition, the report recommends that hospital boards play a more active role in the oversight of the awarding of large contracts.

"To date, our board of commissioners has not expressed any concerns about management decisions to engage consultants," said the board chair, Peter Ferraro. "However, we will put processes in place to ensure our new policies and procedures are being followed and the board is more involved in the oversight of consulting engagements.

"Our board believes GGH is a very well managed organization. Through the fiscal challenges of the past year, we've managed to balance our budget and continue to provide the range of services our community requires. In fact, in the past two years, we've added a regional bariatric program and have been designated regional provider of elective vascular services." Then it goes on with a few more comments.

Obviously, once it was known that Guelph General Hospital was one of the audited hospitals, that created local media interest and the Guelph Mercury picked up on that story and reported much of the information that I've just given you here. They did point out that, "Guelph General spends about \$700,000 a year"—slightly more than one half of 1%—"of its \$120-million operating budget on consultants." That's probably not a terribly surprising fee. Mr. Ferraro, who is mentioned earlier as the chair of the board of commissioners of the hospital: "Ferraro said Guelph General doesn't use consultants for lobbying, noting that the hospital speaks directly on issues with Queen's Park"—the Ministry of Health—"or Guelph Liberal MPP Liz Sandals."

I can certainly attest to that. I get regular updates from the CEO and the chair of the board. Certainly, when there's an issue where they think they need some help with the Ministry of Health, I'm in there; I get a visit from my friends at Guelph General Hospital. In fact, I often get a visit from my friend at Groves hospital, which is up in Fergus, in Mr. Arnott's riding. They were in to see me just last week, too, with an issue that they're looking at. It's not at all unusual, in my neck of the woods, to be dealing with all the different public sector organizations, none of which seem to think it is necessary to hire lobbyists to talk to the government. They do, in fact, come and talk to the local MPP.

**0920**

With the few minutes that I have left, I'd just like to give a bit of the background to this because I think it's important with hospitals to understand the track this has taken. When we came in to government in 2003, the

Auditor General was not allowed to go into these broader public sector organizations. We changed the law so the auditor could actually look. Because we said, "Auditor, go take a look," guess what? The auditor found things.

I know, because I'm on public accounts, that the first thing the auditor did was actually go into most of the major broader public sector organizations and look specifically, the first time through, at their procurement policies. He essentially said that none of these people have the rigour of the government's own procurement policy.

I'll quote the auditor in his report here. The government actually responded to that first round, and this is in the auditor's description of what happened: "Recognizing the inconsistencies in procurement policies existing in the broader public service, the treasury board of cabinet directed in March 2008 that a supply chain guideline be prepared and, as of April 1, 2009, be incorporated into the ministry's funding agreements with organizations receiving more than \$10 million per fiscal year. Two key documents were prepared: the supply chain code of ethics setting out overarching principles of conduct for organizations, their suppliers, advisers, and other stakeholders for acceptable behaviours and standards; and procurement policies and procedures governing how organizations are to conduct their sourcing, contracting, and purchasing." He goes on to describe that in a bit more detail. "Treasury board announced that the code and procurement policy were to be implemented by April 1, 2010."

But I want to note that, at this time, there was no legislative authority to put this in law, so what we did, as treasury board, was say, "Here are the guidelines you are expected to follow."

I now go on to quote the auditor: "The hospitals we visited were all aware of the new requirements and acknowledged that the new supply-chain policies were an improvement. However, as of April 1, 2010, some hospitals had not yet fully implemented the policies," and then he goes on to describe what they're doing.

The point here is that we have been working on this ever since we came to government. We said to the auditor, "Look." As a result of his first look, we said, "Here are appropriate guidelines." It turns out that isn't strong enough; now we're putting it into law, and there is no question that people will have to follow the law.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Peter Kormos:** I listened carefully and, quite frankly, enthusiastically to the member during her comments on this bill. She was thorough in her analysis of the bill, section by section. I have no hesitation in stating that.

I'm going to be speaking to the bill myself in a few minutes' time, for the modest 20 minutes that's going to be allowed me this morning. While one can speak about the technicalities of the bill, one can also—and I shall—speak about the fact that you can drive a Mack truck through it.

They can't even call them loopholes when it's that big, when it's big enough to drive a Mack—you know what a

Mack truck is, huh? When I worked out in northern BC in the copper mines as a law student, I was the bottom rung of the food chain there; I was a greaser. A Mack truck is a truck where the tires are taller than you are. To change the oil, you've got to walk under it and reach up to change the oil in a crankcase on a Mack truck. So you could drive a Mack truck through the loopholes here.

This isn't going to end lobbying and this isn't going to end high-priced consultants all being paid for on the taxpayer dime. What this bill is really about is the sordid, unseemly relationship between politically connected lobbyists, publicly funded organizations and, more significantly, this Liberal government. To a large extent, the lobby industry is all about fundraising for political parties in power. It's all about selling access to Premiers and ministers of the crown at 300 bucks a pop, 400 bucks a pop, 500 bucks a pop, whatever the market will bear.

Mark my words: If the Premier is shaking your hands at one of these well-heeled, highly funded access events, he's looking over your shoulder to see who the next person is that he's got to shake hands with. The handler for the Premier or a particular cabinet minister might deem you appropriate for a business card exchange—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Questions and comments?

**Mr. Jeff Leal:** The member from Guelph spent some time this morning highlighting the contents of Bill 122. Certainly, I think we all agree here in the House that local MPPs, when they do their job of representing their communities—I know in my particular case, Peterborough Regional Health Centre never hired a lobbyist to talk to the provincial government. I can also say that Trent University and Fleming College in my riding have never used lobbyists to approach the provincial government, having a long-standing relationship with those three organizations. We usually meet on a monthly basis to find out what is going on and how I can assist them in a whole variety of projects that they are moving forward.

I think we also need to separate the role of lobbyists from consultants. If you look at any organization, public sector or private sector, across the province of Ontario, from time to time they do employ engineering consultants. As a former municipal politician, for some large projects beyond the scope of staff within the organization, consultants were brought in. Indeed sometimes, when there was a CEO of a municipality to be hired, often there was a personnel consulting group brought in to scan Ontario and throughout other areas of Canada to get an individual who might be leading an organization that has a substantive budget.

I noted in a National Post article written by John Ivison back in October—the title was “NDP Happy to Dance with ‘High-Priced, Well-Connected Insiders,’” at \$1,000 a ticket on November 27.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Frank Klees:** I listened with interest to the member from Guelph. Bill 122 really should be named an act to divert attention from the real issues of how

government has been done under the Liberal government. It's virtually impossible for a member of this Legislature—albeit the Minister of Health, in her opening remarks relating to this bill, said that MPPs should be the real lobbyists and are empowered to do that. The fact of the matter is, we all know in this place that that is not the case.

Any member of this Legislature who has written letters to a minister knows full well that, with the exception of at least one minister whom I'm looking at right now, it takes us literally follow-up after follow-up after follow-up call to get a response. And then when we do, we get a template response.

The question really is, will this bill do anything to make government more effective? I suggest no, because it's simply diverting the attention of the public, once again, to be seen to be doing something. At the end of the day, it is doing nothing and will do nothing.

**0930**

What should be done? MPPs in this place should in fact be empowered to do the lobbying on behalf of their constituents, on behalf of their hospitals, on behalf of the services that are missing in the community. MPPs should be given the respect that they're due by the ministers of the crown to respond to their questions, not just with another question or with another diversion, but to indicate that their appeals are being taken seriously and that action will be taken by the minister. Then we don't need any outside lobbyists.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Phil McNeely:** I'm pleased to respond to the member from Guelph and her comments on Bill 122. The bill is in response to the Auditor General's report Consultant Use in Selected Health Organizations. It is important to note that this government has cut the cost of consultants from \$656 million in 2001-02 to less than half—\$304 million—in 2009-10. Information technology consultants like in projects like eHealth are probably the most frequent consultants used. It's difficult for hospitals, LHINs and the government to properly define the scope and estimate the time required, the cost and the deliverables for these complex IT projects. There is a history of overrun in dollars, time and meeting the deliverables.

Our government has addressed this by bringing in IT Source. IT Source is a modern, mobile workforce of OPS staff that can be deployed to IT projects across government. IT Source has a current complement of 167 personnel. In the public accounts committee, we discussed the importance of government having that capacity. That has moved ahead, and 167 personnel will grow to 275 full-time equivalents this year, replacing the consultants who previously did this work. Ministries will be able to obtain in-house the expertise in selecting, modifying and creating the IT systems they need. In-house expertise will avoid the complex problems that have developed with large IT developments in federal, provincial and municipal governments. We have been moving ahead. We've already got 167 personnel in place to make sure these do not occur. I just compliment our government—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. The honourable member for Guelph has two minutes for her response.

**Mrs. Liz Sandals:** Thank you to the members from Welland, Peterborough, Newmarket–Aurora and Ottawa–Orléans for their remarks.

To the member from Welland: Yes, I do know what a Mack truck is. I actually, when I was in high school, had quite a close friend whose father was a senior executive at Mack trucks. So I am familiar with Mack trucks. You wanted to know; you got the answer.

I do want to remark on a couple of remarks. This business about politically connected Liberal consultants is absolute garbage. I went through that whole list of consultants that my local hospital has hired. I don't have a clue who any of them are. I don't know whether some of them might be Liberals or Conservatives; some of them might even be NDP, for all I know. I doubt the hospital even knows what their political connections are. They hired them because they had expertise in the area that I mentioned when I went through the list.

In terms of some of the lobbyists and this whole business of access to government, when we actually go back and check the files, it turns out that in fact, many of these lobbyists have long-standing contracts which began prior to 2003 when it was actually a Conservative government. So I suspect that many of those lobbyists are actually Conservative connections, if they have any connections.

The other thing I want to say is on this "MPPs need to be empowered." My experience is that the public sector organizations in my riding come to me. They don't have lobbyists. So my experience is that I am empowered to deal with the needs of my constituents.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Elizabeth Witmer:** I'm pleased to join the debate on Bill 122, An Act to increase the financial accountability of organizations in the broader public sector. I want to congratulate my colleague our critic for revenue and government accountability for the excellent job she has done in already stating some of the points that we wish to get on the record.

This was introduced on October 20 of this year. It basically is proposing that there would be the bringing in of new rules and higher accountability standards for hospitals, local health integration networks, or LHINs, and the broader public sector, BPS, around the use of lobbyists, consultants and expenses. The legislation, supposedly, if passed, would expand the freedom-of-information legislation to cover hospitals effective January 1, 2012—I do find that very interesting because there's no reason this couldn't have become effective in 2011, before the election—and it also would require hospitals and LHINs to post expenses of senior executives online and require hospitals and LHINs to report annually on their use of consultants. And, of course, organizations funded by the government would no longer be able to use public funds to hire lobbyists.

I would say that this piece of legislation was introduced for a couple of reasons, and I don't think they bear

the same reasoning as the government pretends. I believe the government got caught. They got caught, first, on the eHealth fiasco, where we found out that \$1 billion had been wasted, much of it on consultants who had been hired by this government and who had very strong affiliations to the government and party of the day.

I believe this bill is also in response to eHealth 2.0. Had the Liberals voted for the bill that we introduced on May 6, 2010—Bill 39, the Truth in Government Act—I think many of the problems that have been brought up now by the Auditor General would have already been on the way to being addressed, but the government chose not to.

I also agree with my colleague from Newmarket–Aurora. I think that this bill is another attempt to divert attention away from an issue—an issue where MPPs do not, if you are in opposition, have the ear of many of the cabinet ministers. Despite the fact that the Minister of Health was quoted as saying, "No CEO needs a lobbyist to get in contact with me or my office.... Our MPPs are more than willing to act as lobbyists. I urge the hospital to make use of the best lobbyists they have and that's their MPPs," I would say to you, that is definitely not the case. In fact, my colleague from Wellington–Halton Hills discovered that when he tried—and he has been trying now for many, many years—to lobby on behalf of his hospitals in Fergus and in Georgetown. Regrettably, his pleas for assistance, his pleas for some information as to where these hospitals might stand in the 10-year plan or where they might stand in the queue appear to have, up until now, fallen on unresponsive ears. In other words, the ministers of the day—and there has been more than one—have simply not responded.

I know myself, oftentimes when you have an issue and you approach some ministers, people are not responsive. I heard the member from Guelph, who spoke just before me, say that she has great success. Well, maybe she has great success because she is a member of the governing party. But I would say to you, for most MPPs in opposition, we get little in the way of attention or respect. I would have to qualify that: I do believe there are certain ministers and people who were ministers and no longer are today in this government who actually are very responsive. There is at least one in the House today that I think all of my colleagues would agree has been most responsive to the concerns, and that's how it should be.

**0940**

But for the Minister of Health to say that the MPPs should be the lobbyists, I can assure her that my colleague certainly has found his repeated requests, not even getting the approval, but getting information as to where his hospitals stand in the queue—he just hasn't been able to obtain the information.

I know that other colleagues here—for example, we had an issue with Cambridge hospital. I would find out information about Cambridge—despite the fact that my colleague from Cambridge and I were actually very interested in what was going on there because it was part of the whole health services restructuring picture in the

Waterloo region, we wouldn't get any information from the LHINs until the government members had all of the information. We're lucky to get a phone call for an announcement that's going to be made at 9 o'clock in the morning. We might get an email the night before at 6 o'clock. They always want to make sure that we're not there, basically. They don't have a lot of interest in us even being present at announcements.

That's something that certainly concerns me, that the LHINs have become so politicized. These LHINs were supposedly set up in order to obtain input from our communities. They were supposed to be non-partisan. I can tell you that over the years, we in opposition are the last people that anybody wants to listen to and get advice from, and we certainly don't get any information as to what it is they're doing until the very last minute. We're often not even acknowledged, yet the government members have had the information for a long time. If they contact us, they won't tell us what it is they're announcing.

How silly. Surely, as a representative in my community, I have the right to know what is going to happen in my community and the right to information. My regional chair has it, my mayors have it, but I'm not given it. I can't believe it. That's what's happened with some of the LHINs throughout the province of Ontario. There's certainly not a body that is non-partisan or involving all of the members of provincial Parliament, who have been, by the way, duly elected by the people in their riding to represent them. So if you wonder why people are critical of the LHINs, it's because they have developed a bureaucracy and certainly are not responsive to the people that we represent.

This bill is basically, I think, an attempt to divert attention away from that issue, where MPPs no longer are the people who actually have any influence with the ministers. I think if you take a look at an article here in the *Toronto Star*, they have said that "the access and influence of MPPs has steadily diminished and power has drifted into corner offices and the hands of a few unelected advisers." So it's not just MPPs who feel they're not being listened to in opposition. The media also recognize that there is a problem and that that problem needs to be addressed.

If we take a look at the report that came out in October, the Special Report on Consultant Use in Selected Health Organizations, as I say, this bill is in part also a response to that report.

I was really disappointed to see the Minister of Health earlier this week, on October 26, delightfully taking the opportunity to attempt to divert attention away from the seriousness of the report, a reminder of the fact that there has been a lot of use of lobbyists during the term of this government since 2003, because she attempted to shift the blame.

I would say that the Auditor General, in his report, was referring primarily to the use of lobbyists and consultants since 2003. However, she took quite a bit of delight in saying, on that day, October 26:

"On page 30 he talks about a contract dating from 2002.... Again, the party in power was the Conservatives; the Minister of Health was the member from Kitchener-Waterloo.

"It's hard to be humble, but you're not perfect in every way. We all hold responsibility."

Yes, we do hold responsibility, but I would say to the health minister—and I would hope she would rise in this House today at the first opportunity possible and acknowledge that she was wrong. I was not the Minister of Health at any time in 2002. I would hope it was a member of her staff who gave her incorrect information, and I would hope that she would set the record straight.

If I take a look at this report, we hear about a hospital that was awarded at least 15 contracts between 2007 and 2010. As of February 2010, total payments made to the firm amounted to over \$650,000. Then we hear about another hospital engaging an engineering firm, on a single-source basis, to provide consulting at a cost of \$165,000. We hear about another hospital that started engaging a consulting firm in 2002; it was completed in 2009, and approximately \$3.7 million was paid. We hear another one about a hospital that single-sourced a contract; again, there were total payments of \$259,000 since 2007.

If we turn the page, we see that we have an example that has been brought forward by the Auditor General of Ontario that says that a hospital engaged a consultant from February to April 2008, at a cost of \$163,000. We see that another hospital single-sourced an information technology program to a consulting firm in January 2008. We see another one in June 2008 and August 2008—consultant fees. We have another hospital that single-sourced a contract to an engineering firm for \$21,000 in early 2007, and the project was completed in 2009.

The examples are on page 25, page 26 and page 27. The time of most of these lobbyists and consultants it is between 2003 to the current time. Many of them, if I look at page 26—here's one: "In April 2006, a hospital single-sourced the engagement of a consulting firm...." On page 27, we have the period of time a consultant was engaged, from 2007 to 2009; and at another hospital, 2007 to 2009. We have another hospital here: April 2007 to 2008. And we have another single-sourced contract: 2007 to 2009. Those are on pages 26 to 27.

On page 28, we have 2003 to 2009 for one hospital. We have a reference to a hospital in 2008 and another one in 2008. We turn to page 29 and we have a hospital in the fall of 2009. Another one single-sourced a contract for information technology, beginning in March 2009. On page 30, we have this reference in 2002 to the hospital single-sourced contract that went on until 2009. I think that's where the minister was trying to somehow implicate me, but I'm sorry; I left the Ministry of Health in February 2001.

#### 0950

If we take a look at this, the examples continue on page 30. In 2006 a hospital and a lobbying firm signed a letter of proposal. We have in 2009 a hospital engaging a



lobbying firm. We have another hospital that engaged a firm to lobby the government from 2005 to 2009.

So you know what? The reality is, the use of these consultants and the use of these lobbyists occurred, for the most part, during the life of this government, particularly in the more recent period of time, so for the minister to suggest otherwise is simply not accurate. Again, it's another attempt to divert attention away from this government and the use of consultants, and the use of Liberal-friendly consultants.

This bill obviously is a cover. It's a cover to divert attention away from the use of lobbyists and consultants by this government, lobbyists who were, for the most part, affiliated and connected to the Liberal Party. It's also intended to divert attention away from the fact that if you are an opposition MPP, it has become increasingly more difficult to lobby the government.

I just want to share a story with you, because I was the Minister of Health up until February 2001. When the Health Services Restructuring Commission went through the province of Ontario and made recommendations, there was an opportunity after the fact for communities to respond and say whether or not they agreed. I can tell you there was one particular situation that occurred up in Thunder Bay. The recommendation was to close five of the hospitals—and the government talks about us closing hospitals. Well, there were five. The recommendation by the commission was that two would remain open. So what happened?

Your own members, Michael Gravelle and Lyn McLeod, your former leader, lobbied me and said, “No, we want you to close them all”—all five. These are part of the five that you accuse us of closing. Your members wanted this. They said, “We want a new state-of-the-art medical centre in northwestern Ontario.” And I said, “Okay. If you can present your case, I will listen. If you can present your case, I will speak to Premier Harris. I will take your case to cabinet.”

Do you know what? Your two members lobbied. I listened. My Premier listened. My cabinet listened. And guess what? They got their new hospital. You can imagine their shock, because over and over again they said to me, both of them, “Elizabeth, we won't get it because we're Liberal ridings.” And I said, “You will get it. If this is in the best interest of the people in your community, you'll get it.”

So, ladies and gentlemen, we have moved far in this House. Mr. Speaker, you know of what I speak because you also were a Minister of Health who was responsive to opposition demands for health services. But we have moved far away from that, to a point where now members of the opposition are rarely given any information or it's rare for us to get a response to our requests for health services on behalf of our members.

This bill today, as I say, is really a diversion. It's regrettable that the government hasn't acknowledged that it needs to do a better job. As the minister has said, yes, MPPs should be the lobbyists, and let's hope that in the future they do listen to the opposition.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**M<sup>me</sup> France Gélinas:** It was very interesting to listen to the member from Kitchener–Waterloo, who certainly knows a whole lot about this portfolio.

This bill was based on what happened at eHealth. What happened at eHealth, as she mentioned, shook up the foundation of our health care system. How could millions of health care dollars end up being squandered away to the pockets of wealthy consultants? This was unimaginable in Ontario. How could this happen? But it did happen. It was there for everybody to see, and the government reacted: fired the Minister of Health; let go the deputy minister; fired the head of eHealth; let go half of the board of eHealth. We were cleaning house. This was not acceptable; things were about to change.

Then came the new report, and we see exactly the same thing, just on a bigger scale. Nothing had changed. What had changed, as she explained, is that access to the ministers in this government is becoming harder and harder. If you are not already a friend of the person who happens to be a minister, you are shut out. You need to pay people who are their friends in order to be heard. This flies in the face of what a democracy is all about. We were elected to represent the people who elected us. Ministers are elected to represent the people of Ontario. So when their elected representative comes to them and gets shut out—people need to communicate, so they line the pockets of well-connected friends of the Liberals so they can be heard.

The bill we have here, as my colleague said, has big holes in it.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Michael A. Brown:** My good friend from Kitchener–Waterloo—

**Mrs. Elizabeth Witmer:** Yes, I am.

**Mr. Michael A. Brown:** I'm hoping the riding hadn't changed names.

We're here at this point in this debate and have this bill before us because the government opened up this sector to the Auditor General. Under former governments, nobody knew these things. That's why we're here, and it's a good thing we're here. We've now discovered, because of this government having the Auditor General go in, the abuse that you are talking about today. Before, you couldn't know that. You couldn't know, for instance, that in early 1999, a hospital single-sourced a contract which has continued in operation since that time, with a firm developing, managing and providing ongoing IT technical services to the network. The total cost of this single-source consulting firm has been \$60 million.

A hospital engaged a consulting firm to provide project management services for a hospital redevelopment that started in 2002 and was completed in 2009. Approximately \$3.7 million was paid to this firm in two separate contracts.

Both contracts were single-source.

A hospital engaged a consultant since 1999 as a chief executive officer of a provincially funded initiative that administers many hospitals and health care providers. The hospital originally single-sourced the position to this consultant.

In 2002, a single-source contract valued at about \$51,000 went to a lobbying firm for a six-month period—six months: \$51,000 to this lobbyist.

What we are here talking about is a government that opened up this sector. We now know what happened. We're fixing it.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Ted Chudleigh:** I'd like to congratulate the member from Kitchener–Waterloo for, first of all, putting the truth to the fact that five hospitals in Thunder Bay were closed to build one state-of-the-art hospital. That same scenario happened in Sudbury. It happened in Port Hope, in Cobourg. It happened in Ottawa and it happened in Toronto as well. Hospitals were closed, yes, but state-of-the-art hospitals replaced them in those same communities.

**1000**

Secondly, the member talked about the local health integration networks and how they have a lack of communication. I have the example in my riding where the new Oakville hospital site was dedicated; it was dedicated in my riding. She said she received notice at 6 o'clock the night before, to make it difficult for them to show up. Well, I didn't receive any notice at all, not one notice. Liberal members from all the ridings around came to that site dedication, and I didn't receive any notice at all. The LHINs certainly weren't doing their job as far as local input was concerned in that case. I will be on their doorstep the day that we take control of this province and do away with LHINs, and I will be shaking their hands, saying good-bye and hoping that they have luck in the future finding a job.

The other situation that happened—the press releases are full of the phrase “full, proactive disclosure,” and yet when I read the bill itself and go through it very carefully, I can find no definition of what “full, proactive disclosure” means. I remain to be convinced that this bill is anything but a diversion and anything but a sham.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Peter Kormos:** I'm going to be speaking to this bill in around four minutes' time, and I look forward to that. Unfortunately, I won't be able to get all of my 20 minutes in today. That's okay. I'll start, and I'll resume the balance of my comments the next time the government chooses to call this bill.

It's remarkable that the government professes to be solving a problem when it was not government forces but in fact opposition forces, indeed New Democrats, who brought the committee to the point where the committee called upon the Auditor General. It's also New Democrats who have been raising in this Legislature, for two or two and a half weeks now, not just hospitals, but municipa-

lities, universities, colleges, all those MUSH sectors that have been spending huge bucks of taxpayers' money—scarce, hard-earned taxpayers' money—on lobbyists to access a government that is otherwise inaccessible.

The problem that the minister has is that she says we don't need lobbyists, but the lobby industry says that if you don't have lobbyists, government won't be able to forge the important relationships that it has to have with municipalities, universities, schools and hospitals, among other things, including, I suppose, children's aid societies, so somebody is not telling the truth. You understand what I'm saying? Because the minister says you don't need lobbyists, and the very sophisticated lobby industry says it's impossible to penetrate the huge barriers around government without high-priced lobbyists. Somebody is not telling the truth, and I look forward to the committee hearings on this bill, because I suspect that the same lobbyists who have been criticizing the government for this bill will be coming forward in committee and explaining to the minister that she's wrong; that, indeed, this government is inaccessible, unapproachable, aloof and arrogant.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments? The honourable member for Barrie.

**Mrs. M. Aileen Carroll:** No, no; the honourable member is just slipping out.

**The Acting Speaker (Mr. Jim Wilson):** Are we done?

*Interjections.*

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Kitchener–Waterloo has two minutes for her response.

**Mrs. Elizabeth Witmer:** I want to thank the member for Halton, who I know has certainly worked very hard to lobby on behalf of his community for improved health care services, the member for Algoma–Manitoulin, the member for Nickel Belt and, of course, the member for Welland.

I also want to add that the two hospitals in my community of Kitchener–Waterloo both support this legislation—Grand River Hospital and certainly St. Mary's hospital. I think, for the most part, the hospitals are happy to know that they hopefully will have access moving forward into the future. I don't think most of them wanted to get to a place where they felt that this government could only be accessed by using lobbyists. We know that on occasion there is a need for consultants for special projects, and I think we have to acknowledge that as well.

However, if there's one thing that comes out of this particular debate and the passage of this bill, I hope that we will, at the end of the day, have a government that is prepared to be more responsive to MPPs—all MPPs in this Legislature, not just the government MPPs.

As I said during my debate and my discussion, I think the bill here is certainly a response to the eHealth scandal and a billion dollars being spent, much of it on Liberal-connected lobbyists. It is a response to the second

scandal as well, the eHealth 2.0. But it also, I think, is an attempt to divert attention away from the fact that the government doesn't listen to the people or MPPs.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Kormos:** As I say, I won't be able to finish my comments this morning because I've only got around 11 minutes left and I've got 20 minutes in me. I've got more than 20 minutes. I could do a lot more than 20 minutes on this foul matter, but of course the rules restrict me.

Let's understand what's going on here. We've got a government that's been in government for seven years: the Liberals. They're tired; we can see it. The public's tired of them; the polls tell us that. Seventy-six per cent of Ontarians say they want to see another party in power; 86% say that it's harder now to make ends meet than it was two years ago. So it's a tired government, in power for seven years.

The Auditor General confirms what New Democrats have been saying in question period now for several weeks. Andrea Horwath has been on her feet here in the Legislature, challenging the government and confronting them with information about lobbyists being hired by hospitals, universities and colleges, amongst others. Huge, huge amounts: This is a huge business. It's an enormous business. It's a billion-dollar business here in the province of Ontario, across the country, across North America.

The lobbyist industry is an integral part of fundraising for political parties, especially political parties in power. But the amazing thing is, you've got government backbenchers—and I understand why they might be quizzical about the whole matter, because they're not in the loop. But you've got a minister who feigns shock and awe and horror at the revelations of the Auditor General. "My goodness," she says. "How could this be? Lobbyists? On the public dollar? My goodness. I'm shocked," she says. "I'm horrified," she says. "I'm distressed," she says. She's like the piano player in the brothel who wants to pretend that he doesn't know what's going on upstairs.

So here we are. We've got a minister who's in denial. Who have these lobbyists been talking to? They've been talking to ministers and Premiers and senior staffers. For Pete's sake, when John Matheson from StrategyCorp—I don't know whether he was ever one of them, but when he came knocking on her door or took her out and wine and dined her—whether he did or not, at least somebody did—who did she think these people were? Just people wandering in off the street with big American Express platinum credit cards? Did she think they were people who were wandering and weren't sure where they were? They were looking for directions, help? Maybe call CAA for them?

For Pete's sake, lobbyists have been talking to the minister. Lobbyists wine and dine; they schmooze. And they organize fundraisers. Meet the Minister of Health at \$300 or \$400 a pop. Meet the Minister of Infrastructure at \$300 or \$400 a pop. I find it amazing. I find it truly amazing.

I was on the train to Toronto the other day from St. Catharines. I was over here, and a guy—he was one of these guys with the cellphone and the laptop, a little bit of a blowhard; he was talking far too loud. He wanted to make sure people heard him, because it was the weekend of the Liberal confab a couple of weeks ago, the mud-slinging seminar. This guy was talking to one of his colleagues: "Yup, yup. Yeah, I went to the" whatever "and I met the Premier and a couple of cabinet ministers." And I'm thinking, "You poor, dumb sucker. You probably paid big bucks for that, and the cabinet ministers that you met had no idea who you were, couldn't recall you if their lives depended on it. You got fished; you got suckered; you got snookered; you got taken; darn it, you got Ponzied. You've been had."

**1010**

How the lobby firms promote themselves is they highlight the people in those firms who have the political connections. Being the former chief of staff is pretty potent stuff for institutions out there that want to have access to government—being a former cabinet minister. The impression—wink, wink, nudge, nudge—is, "I can introduce you to my former colleagues, I can make things happen, I can grease the wheels," and from time to time they do.

It seems that there's almost a nasty sort of quid pro quo here, because the impression the public has out there is that if you don't hire the right lobbyist—wink, wink, nudge, nudge—in this instance, with the Liberal connections, your interests aren't going to be furthered very well. So what has the lobbyist industry become in many respects? It's become a pasture for political warhorses who are sent out to pasture; something of a sinecure, I suppose. You've done your political service; it's finally time to make the big bucks. Indeed, there will be people in this Legislature, when they're defeated in October, who will market themselves as potential lobbyists, who'll say they've got not just the know-how, but that they're in the know.

My problem, once again, and the government's problem, really, is that the lobby industry appears to be very, very outspoken with respect to how important they are in government relations.

The real failure of this bill is that the bill only applies to what I believe the Lobbyists Registration Act calls consultant lobbyists, lobbyists who are on retainer, lobbyists who you'll hire for a specific term—contract lobbyists as compared to in-house lobbyists.

What would be the effect of this legislation? The effect will be that the lobby industry will undoubtedly effectively persuade universities, schools, hospitals, municipalities to hire in-house lobbyists because the bill doesn't apply to them. The bill doesn't apply to all to lobbyists who are part of the corporate or bureaucratic or institutional structure of a particular public body that uses public funds.

The legislation is also very clear that it restricts utilizing public monies. The people of Ontario may say, "When I donate money to a hospital, that's public money,

or when a hospital makes money with the charges for parking, that's public money." No. That's not the money that this bill applies to. A hospital can then use contributions from the public—and all hospitals do big fundraising because, of course, they're underfunded—to hire lobbyists.

So this isn't even cosmetic. The blemish is still going to stick out like a raw pimple here on the face of a tired, old government—because the government is being less than forthcoming. I didn't say less than truthful; I know it's unparliamentary. I can't always say the things here that I want to, so I don't. If I said the government was being untruthful, I'd have to withdraw—and I withdraw that.

**The Acting Speaker (Mr. Jim Wilson):** I remind the honourable member that you can't say indirectly what you can't say directly, so I just ask you to be careful, please.

**Mr. Peter Kormos:** Which is why when I said the government was untruthful, I withdrew it right away, as I'm withdrawing it now. I'm good enough with the withdrawals here. I've done more than a few of them in my time, and from time to time I appreciate the Speaker helping me, but usually I'm on top of it. When I've said something unparliamentary, I usually know it, and that's why I'm speedy to withdraw it.

I say the government is not forthcoming. The government is not telling all that it's got to tell. The government is concealing a big chunk of the facts.

**Mr. Robert Bailey:** Not fulsome?

**Mr. Peter Kormos:** That was unparliamentary, Mr. Bailey. That was unparliamentary.

The government is letting the public toy with the impression that the government is actually responding to what it, the government, sees is a problem, and what it, the government, isn't responding to at all, because the government doesn't perceive it as a problem.

This government and the lobby industry work hand in hand, hand in glove. They're tight, they're intimate, they know each other well, they know each other so well. I'm oh, so looking forward, although it's a fait accompli now and it's oh, so very moot to concern oneself with George Smitherman's list of contributors—you understand that Joe Pantalone, the NDP candidate in the mayoralty campaign, who I am very proud of, released his list of contributors a week before the election date, October 25; so a week before that. Rob Ford, the successor to David Miller, the mayor-elect, the successful contender, released his contribution list in the days before the actual election. But George Smitherman just wouldn't. He just couldn't bring himself to do it. One wonders why he wouldn't want to be candid in the context of the two other contenders being so open about who was bankrolling their campaigns. I don't know.

Part of me really, really, really—I really, really wish we had that contribution list because I suspect it would lend credence to the argument that the opposition parties are making here. Please, if I'm wrong, I'll be the first person to admit it, but I suspect that we'll find all sorts of

familiar characters on George Smitherman's list of contributors. I suspect—and this, of course, explains why he would not want to reveal these—there will be people from the eHealth industry. I suspect there could be people with familiar Korean surnames, Samsung types. I suspect there will be more than a few lobbyists, because lobbyists saw the potential for grease at city hall—

**The Acting Speaker (Mr. Jim Wilson):** Thank you.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Jim Wilson):** It being 10:15 of the clock, this House stands in recess until 10:30, at which time we will have question period.

*The House recessed from 1018 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Robert Bailey:** I'd like to introduce, in the west members' gallery, Les and Marilyn Armstrong from the village of Plympton-Wyoming in the great riding of Sarnia-Lambton.

**Mr. Bas Balkissoon:** I'd like to introduce the parents of page Haadiyah Khan—her father, Shakeel Khan, and her mom, Halima—and her sister, Muneerah, visiting today in the Legislature.

**Mrs. Elizabeth Witmer:** Today the members of the Ontario Dental Association are hosting a reception here at Queen's Park for members. I'd like to welcome Dr. Kerr Banduk from my riding and invite all members to attend at 6 o'clock.

**Mr. Charles Sousa:** I'd like to introduce the parents of our page, Kimberly Ren from Mississauga South. Her mother, Lily Liu, and her father, Wayne Ren, are here today. They've come to watch Kimberly lead in today's procession.

I'd like to also acknowledge the grandparents of another page, Eric O'Brien. Grandparents Bill Hamilton and Margaret Hamilton are here, as well as his aunt, Lori Armour, visiting us today.

**Hon. John Wilkinson:** I'd like to introduce to the House Pam Wieland and Charlie Peatman from 3M Canada. They're here today to receive a tour of our Legislature. Welcome.

**Mr. Ernie Hardeman:** I am honoured to welcome to the House today the family of page Eric O'Brien from the great riding of Oxford and the city of Woodstock. They were previously introduced, but I want to introduce his grandparents, Margaret and Bill Hamilton, and his aunt and uncle, Lori and Tim Armour. I welcome them to Queen's Park and say that Eric is doing a wonderful job as a page.

**Mr. Garfield Dunlop:** I'm pleased to introduce to you today in the House OPP Constable Dawn Martin and her daughter Nicole. Dawn is the police coordinator for Crime Stoppers of Simcoe-Dufferin-Muskoka. They're over here in the crowd.

**The Speaker (Hon. Steve Peters):** Further introductions?

I'd like to take this opportunity, on behalf of the member from Carleton-Mississippi Mills and page Carina

Hochgeschurz, to welcome her mother, Colleen, and her grandmother Hiede Hochgeschurz to the Legislature today. Welcome to Queen's Park.

We have with us in the Speaker's gallery a parliamentary delegation from the National Assembly of Pakistan led by Khurram Dastgir Khan. Please join me in welcoming our guests to the Legislature. Welcome all of you to Queen's Park today.

## ORAL QUESTIONS

### MINISTERIAL CONDUCT

**Mr. Tim Hudak:** My question is to the Acting Premier concerning Premier McGuinty's refusal to hold his cabinet ministers to account.

After 48 hours, it's clear that we will not be given the unqualified apology we have asked for from the Premier and his Minister of Research and Innovation. Premier McGuinty, by his refusal to act, basically indicates that he is either unconcerned or condones the new innuendoes and baseless smears the minister made in his non-apology apology. In fact, the Premier seems so unconcerned about it, apparently he has not even contacted the minister directly to talk about this affair.

Acting Premier, I understand that Premier McGuinty has a lot invested in Minister Murray. He elevated him over the heads of many long-serving Liberal members. Is that why the Premier refuses to hold this minister to account?

**Hon. Dwight Duncan:** As the Premier indicated yesterday, the minister apologized to the people in question and to the opposition. The Premier found that to be the appropriate apology. I will just simply reiterate that the Premier's point of view is from that perspective. We believe the apology was appropriate, complete, and the matter is behind us.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** Well, quite frankly, Acting Premier, I suspect that you know in your heart, we know and the general public knows that the minister has yet to make a clear and unconditional apology. People would like to see an apology without all the ifs, ands and buts.

The problem here is that this is a broader pattern of the Premier refusing to hold his ministers to account. The Premier claims that he is going to take the high road, but his cabinet ministers or campaign team attack his critics while the Premier looks away.

We need to look no further than the nasty whisper campaign against Ontario's Ombudsman this spring, where the Premier's top campaign strategist accused the Ombudsman of equally deplorable things. After weeks of letting this go on, all the Premier had to say was that the debate was getting "a little out of hand." He never sent a strong signal that this was wrong, and he held no one to account. Isn't that the reason this keeps happening, because the Premier refuses to hold his ministers to—

**The Speaker (Hon. Steve Peters):** Thank you. Acting Premier?

**Hon. Dwight Duncan:** Well, in fact, I was just reflecting on when Tory cabinet ministers spent \$1,600 on bar tabs and expensed it. I was reflecting last night on when that party and their government tried to take funding away from the Provincial Auditor after he had been particularly critical of that government.

The Premier of Ontario has laid out a plan to get Ontario's economy back on track, to create jobs, to make our economy more competitive, more prosperous. We have a lot of work to do on that. The Premier and his ministers and members of provincial Parliament are committed to creating jobs and building a stronger economy for a better future for all Ontarians.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** I can understand why the Acting Premier is uncomfortable with answering these basic questions, but clearly a pattern has emerged where the Premier claims to take the high road but rewards those who do his attacks.

As you know, Acting Premier, members of your cabinet and senior campaign team are closely involved with the Working Families Coalition, an American-style election campaign group that has spent some \$7 million on attack ads on PC candidates. After the election, we saw Premier McGuinty reward Patrick Dillon with plum appointments to the WSIB, Infrastructure Ontario, the College of Trades, and also send millions of dollars to his senior campaign adviser and pollster for Working Families, Don Guy. I expect that Ontario families will see more of these types of attacks in the time ahead.

I ask the Acting Premier, why has the Premier established this pattern of condoning and rewarding this type of work?

1040

**Hon. Dwight Duncan:** The Premier of Ontario has established a record of accountability and transparency that was sadly absent. It was sadly absent when Michael Gourley got more than \$3 million in contracts. We brought that openness and transparency to Hydro One, and because of the openness and transparency, we also know that his adviser Mark Spiro led the fight to protect big pharmacy, against the interests of average Ontarians. We also know that Tory lobbyists associated with the member opposite have been very active in lobbying, and so we're about transparency and accountability. That's why we undid many of the things they did, like specifically exempting Hydro One and OPG. We'll continue to build on that record of transparency, and at the same time, build a stronger economy and more jobs for all—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### PREMIER'S RECORD

**Mr. Tim Hudak:** Back to the Acting Premier: The problem is that the McGuinty government only makes a commitment to transparency after they get caught with

their hands in the cookie jar over and over again. We've had three consecutive scandals: the lottery and gaming corporation, and back-to-back scandals like eHealth and eHealth 2.0, where dollars were from taken patient care to reward Liberal insiders.

And it's no wonder that the Minister of Research and Innovation gives out a non-apology apology, because he's learning from the Premier himself. In his video confession over eHealth, Premier McGuinty said he was sorry. He said he would not have this happen again. But less than one year later, we saw hundreds of millions of health care dollars go to well-connected insiders and bloated consultant contracts through eHealth 2.0. If the Premier won't hold himself accountable for his own apologies, why should we expect him to hold his minister to account?

**Hon. Dwight Duncan:** Building a strong economy in these times involves difficult choices. This government has made choices. We have chosen to invest in health care and education. We have chosen to work to create more jobs for all Ontarians. This government is going to continue on that path.

Governments of all stripes make difficult decisions and sometimes don't get them right. And when you don't get them right, I think it's appropriate to start and work even harder still to correct them. The Premier of Ontario has a record of openness and transparency, of investing in health care and education and building a cleaner environment for our children. That's a record we're proud of. That's a record we'll take to the people of Ontario. That's a record we'll stack up against that member and his party any day of the week.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** Well, the McGuinty government has made choices, all right. Instead of helping families who have children waiting for life-saving pharmaceutical products, instead of helping families who need to get a loved one into a long-term-care home, you chose to give out hundreds of millions of dollars to Liberal-friendly consultants and insiders, and that's why Ontario families are looking for a change from the tired, out-of-ideas McGuinty government.

The Premier has made similar non-apology apologies, always filled with ifs, ands and buts. When he spoke about Sarah Kramer, the Premier said, "It is obvious that we made a mistake," but he relied on the advice of Alan Hudson. After the McGuinty Liberals passed the secret G20 law, he said, "It was a major mistake not to have publicized the change in the law," but he denied any wrongdoing.

Acting Premier, why do you think these kinds of boondoggles are ever going to stop when Premier McGuinty refuses to hold anyone accountable?

**Hon. Dwight Duncan:** Yes, choices have been made. When given a choice, that member and his party closed 29 hospitals. When given a choice to invest in health care and to build a stronger health care system, they chose to compare nurses to hula hoop workers. They chose not to invest; they chose not to do things that are important for a

strong economic future. When given a choice between keeping kids in school and fighting teachers, they cost kids more than 10 million days of education and learning time in this province.

Yes, sir, this is all about choices. This is a government that will choose the people of Ontario through strong policies designed to create jobs, build a better education system, a better health care system and a cleaner environment. That's what the choices are about. The people of Ontario will have a clear choice, and they will reject you and all you stand for—

**The Speaker (Hon. Steve Peters):** Thank you.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order. Members from Simcoe North and Oxford.

Final supplementary.

**Mr. Tim Hudak:** The pattern of the Premier's non-apology apologies extends to families in Caledonia. While the Premier says he's sorry, he has refused to hold to account the lawbreakers and what they've done to Caledonia families, including intimidation, home invasions and violence—these things all detailed in Christie Blatchford's new book, expressing very clearly the failure of the McGuinty government to govern and to protect its citizens equally.

It is an extraordinary failure of leadership. No wonder the Minister of Innovation refuses to apologize, because Dalton McGuinty does not keep his word when he—

**The Speaker (Hon. Steve Peters):** First, withdraw the comment. Secondly, I remind the honourable member that he should not be using first names.

**Mr. Tim Hudak:** I withdraw the comment.

If Premier McGuinty does not keep his promises, how can we expect the minister to be held to account?

I ask the Acting Premier: Why is Premier McGuinty making Caledonia families who work hard and play by the rules fend for themselves instead of holding lawbreakers accountable?

**Hon. Dwight Duncan:** The government of Ontario has worked hard with our First Nations communities across Ontario, and all communities, to build a better future for all Ontarians. It's an inclusive future that speaks to the best values of Ontarians. It's a future that speaks to resolving issues without violence, without the use of police. It's a future that speaks to job creation in our northern communities, where far too many aboriginal children go to bed hungry.

When that member and his party were given the choice, we know what happened there. We know what the inquiry said. When given those choices, that party made the wrong choices. It chose expediency over peace. It chose bad decisions over good decisions.

We will continue to build a stronger future for all Ontarians, the residents of Caledonia and our First Nations, but at the same time showing peace—

**The Speaker (Hon. Steve Peters):** Thank you.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a second.

New question.

## CONSULTANTS

**Ms. Andrea Horwath:** My question's to the Acting Premier. Why don't Ontario families have the right to know whether their local hospitals and LHINs were squandering millions of health care dollars on insider lobbyists and consultants?

**Hon. Dwight Duncan:** To the Minister of Health.

**Hon. Deborah Matthews:** This is a government that expanded the authority of the Auditor General to look at hospitals. Prior to our action, the Auditor General simply did not have that authority. We expanded the power, and then we specifically asked the Auditor General to go in and look at hospitals, to look at LHINs, to look at our ministry and examine the use of consultants, including lobbyists.

The Auditor General did a thorough report. He reported back, and what he found was simply not acceptable. That's why we've taken the action we have by introducing legislation that addresses all of the issues and recommendations raised by the Auditor General.

As the member opposite knows, the Auditor General does not identify the lobbyists and does not identify the consultants. In fact, he does not attach the findings to the individual hospitals and LHINs—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Andrea Horwath:** Every single one of the 19 hospitals and LHINs investigated by the Auditor General had big problems with consultants and lobbyists winning big at the expense of front-line care. There's a good reason, therefore, to believe that the exact same problems—similar problems—exist in the rest of Ontario's hospitals and LHINs. So why doesn't the McGuinty government call in the Auditor General to make sure we stop diverting precious health care dollars from front-line care once and for all?

1050

**Hon. Deborah Matthews:** The member opposite makes my case for why we need to take action with legislation. What I hope I'm hearing is that she and her party will in fact support the legislation that we've introduced. The leader of the third party is absolutely right: The Auditor General did not give a clean bill of health to any of the organizations he looked at. Every single LHIN, every single hospital that the auditor examined had problems. That's good enough for me. I know the problems are throughout the system. That's why we're introducing legislation.

If the Auditor General chooses to continue to look at this issue, he is free to do that. We do not instruct the Auditor General. He is free to do whatever he wants to do.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** One hospital paid a lobbyist \$275,000 over the last four years. That's the equivalent of two hours of home care a day for 350 people in Hamilton and London. New Democrats think that the

government should ask the Auditor General to investigate all hospitals and LHINs. Why is the McGuinty government refusing to do so?

**Hon. Deborah Matthews:** When it comes to accountability, the NDP cannot have it both ways. They cannot on one hand call for more investigation and on the other hand call the legislation we've introduced worthless. They cannot have it both ways.

The people of this province expect us to solve the problems when we become aware of the problems. We are abundantly aware of the problems because the Auditor General has described them very clearly. Our job is to fix the problems and that's what we're doing. I do hope that both parties opposite will in fact support us on this.

## CONSULTANTS

**Ms. Andrea Horwath:** My next question is also to the Acting Premier. In another sole-source contract, another sole-source deal, one consulting company received \$180,000 for every consultant it employed. It's clear that well-connected insiders lined their pockets while emergency rooms closed and hallway medicine became the norm in Ontario in many communities.

Why is the McGuinty government continuing to protect the identity of all of these consultants?

**Hon. Dwight Duncan:** To the Minister of Health.

**Hon. Deborah Matthews:** I think it's incumbent upon all of us in this Legislature to accurately represent the opinion of officers of this House, the Auditor General being one. The Auditor General was asked specifically if he found evidence of favouritism for political insiders. His answer was very clear: He did not find that. The party opposite may wish to create the fiction, but they are not reflecting the opinion of the Auditor General. When it comes to this issue, I will take the word of the Auditor General over the insinuations of the opposition any day of the week.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** The Auditor General found that one consultant earned \$1,100 per day without even having a contract and that the same consultant went nearly \$60,000 over budget.

Instead of protecting the consultants who lined their pockets on the public health care dime, why won't the McGuinty government simply release their names?

**Hon. Deborah Matthews:** This is very important legislation that we have introduced to respond to the findings of the Auditor General. I have to tell you that others are supportive of this legislation. Let me quote Dr. Ann Cavoukian, Ontario's Information and Privacy Commissioner. Here's what the Information and Privacy Commissioner has to say about our legislation: The introduction of legislation to bring hospitals under Ontario's freedom-of-information legislation is "a major step forward for openness and transparency, leading to greater accountability." These are the words from the Information and Privacy Commissioner. She also praised the government for bringing forward the new rules under the

proposed Broader Public Sector Accountability Act and ushering in an era of greater openness and transparency for the citizens of Ontario.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** Public dollars that should have been invested in hiring nurses and providing home care services and long-term care were instead blown on high-priced insider lobbyists and consultants, all under this government's watch. The McGuinty government can now side with the families who have seen front-line care suffer or they can side with well-connected consultants and lobbyists who got rich at the expense of our health care system. Who is this government going to side with?

**Hon. Deborah Matthews:** We are very clearly on the side of the people of this province. We are on the side of the taxpayers of this province and we are on the side of the patients of this province.

The issues that were raised by the Auditor General are simply unacceptable, are terribly disappointing, and require decisive action. That is why we introduced legislation the very same day that the auditor came out with his report. We are taking action because we want better health care. We want every dollar possible going to front-line health care.

We have some work ahead of us. The hospitals are supportive of this approach. They, too, understand that we need to do better when it comes to transparency and accountability. I look forward to a time in this House when the members opposite are going to be complaining about what has been exposed through that freedom-of-information legislation. But what it means is, we're getting better, we're getting stronger and we're—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### MINISTERIAL CONDUCT

**Mrs. Christine Elliott:** My question is for the Minister of Research and Innovation. If the minister is truly sorry for the defamatory messages he posted on Twitter, then why hasn't he taken them down?

**Hon. Glen R. Murray:** I believe they are down. If they are not, I will check. I appreciate the question.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Christine Elliott:** We appreciate that, so we're halfway there. Now I would just simply ask that the minister issue an unequivocal apology with respect to this matter.

**Hon. Glen R. Murray:** Sometimes we do things that are regrettable. I have apologized over the last two days in every way I can imagine, unqualified. I was asked the question several times; I gave unqualified apologies yesterday. I regret my remarks. I'm not sure how many other ways I can apologize.

#### AIR-RAIL LINK

**Ms. Andrea Horwath:** My question is to the Acting Premier. We're joined today by Mr. Pietro Valeriani,

who is in the west members' gallery. Mr. Valeriani and at least half a dozen of his neighbours in the village of Weston in northwest Toronto came home earlier this week to find a letter from Metrolinx. The letter says that their homes need to be acquired to accommodate the air link from downtown Toronto to the airport. At no point over the last five years were Mr. Valeriani and his neighbours told that they would be losing their homes. In fact, they were told the exact opposite. How could their government blindside them this way?

**Hon. Dwight Duncan:** To the Minister of Transportation.

**Hon. Kathleen O. Wynne:** I thank the leader of the third party for the question. As she knows, the air-rail link, the work that's being done on the Georgetown south corridor, will increase service for GO passengers, will allow for the air-rail link to be completed. The tunnel that is being built—and I understand that there's a meeting tonight to talk about it—is very much part of what the community has wanted and has asked for.

I know the member for York South–Weston has worked very closely with the community. She has been reaching out to the community. But the issue here is that GO has been reaching out to the residents in this community. Since the summer, GO has been involved in extensive community consultation to ensure that community members know exactly what the construction processes are and the go-forward and that they know they have options in terms of their properties and the disruption—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Andrea Horwath:** These are not just houses; they are homes. Mr. Valeriani has lived there for 20 years. It's where he cared for his wife when she passed away. He's 64 years old and he doesn't want to be forced out of his home. He's now dealing with incredible stress, incredible emotional turmoil, because of this letter that was so unceremoniously delivered to his front door.

Will the McGuinty government immediately order Metrolinx to look at all options other than, besides, expropriation?

**Hon. Kathleen O. Wynne:** Metrolinx is in the process this morning of getting in touch with the families who have been confused by this letter that has been sent. As I say, there have been multiple outreaches—I'm not going to talk about a specific case—over the summer and over the previous weeks, but Metrolinx is once again reaching out to the specific families involved. There are options that families have in the broadest sense.

**1100**

What I will say is that if the way the letter was written was not clear enough in terms of laying out options, we take responsibility for that. We will make sure that, going forward, it is much clearer what the options are. Families do have options as this project goes forward. We will continue to make sure that Metrolinx does the outreach that's necessary because, of course, people don't want to have surprises. They want to know what their options are,



and I take full responsibility for making sure that they know what those options are.

#### HEALTH CARE

**Mr. Charles Sousa:** My question is for the Minister of Health and Long-Term Care. Providing quality health care and health care options for the people of Ontario is of utmost importance to all of us in government. We've seen extensive investment throughout the health care system that has allowed significant improvements in wait times, access to care, alternative care options and hospital infrastructure. It wasn't too long ago when we saw what cuts to health care meant for families across Ontario and the difference it can make when a government invests in front-line care to support better health care outcomes.

I have recently been told that this government has met their target of attaching one million patients to a doctor. Could the minister please tell the House more about this important milestone?

**Hon. Deborah Matthews:** The member from Mississauga South is absolutely correct. In 2003, we inherited a devastating shortage of family physicians in this province. We promised to attach 500,000 Ontarians to a family doctor, and we kept that promise. In 2007, we made a promise to 500,000 more Ontarians that we would attach them to primary care, and we have kept that promise a year ahead of schedule. Promises made, promises kept.

A million patients is quite the feat: It's some 500 Air Canada Centres. It's more than the population of the city of Ottawa. It's 16 people every hour, every day of the week, 24 hours a day, since we were elected. We did it by giving patients more options. That's why we've got 151 family health teams up and running; we've got 49 more on the way. We're adding 25 nurse practitioner—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Charles Sousa:** Thank you, Minister, for sharing this news. I know that Ontarians are pleased to see that the government has made tremendous strides in improving health care for families across the province.

Access to care has always been a concern for my constituents. We all know how important it is to avoid an emergency room for simple health issues. However, ensuring that Ontarians can access different health care options is vital to ensure that we aren't bogged down in our emergency rooms with minor illnesses.

While this government has made tremendous strides in providing access, more can always be done. Could the minister please tell this House what is being done to ensure access to health care options?

**Hon. Deborah Matthews:** It's true that too often Ontarians turn to their emergency department when they don't have a family doctor. That's why this government has created a variety of different options to provide Ontarians with the care they need in a timely manner. One of those initiatives is the greatest-ever expansion of community health centres. We're adding 49 new community health centres and satellites. Through our Health Care

Connect initiative, that care can be found through the Ministry of Health website or by telephone. We can find you a family doctor or a nurse practitioner, no matter where in this province you are living.

We've also got HealthForceOntario working, helping to recruit doctors from around the world to come practise in Ontario. In fact, through the great work of HealthForceOntario, we have reversed the brain drain. We now have more doctors moving from the United States to—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### MEMBER'S CONDUCT

**Mr. Garfield Dunlop:** My question is for the Minister of Research and Innovation. Last Saturday, you attacked my leader and my party. A look back into your history shows that you have a pattern of sending attack messages via Twitter.

In the middle of the G20, when our men and women in uniform were working hard to keep our city safe, you used Twitter to call them "bashers." Why were you attacking our men and women in uniform?

**Hon. Glen R. Murray:** I will go back and check in detail. I certainly don't believe that.

My partner served in the Canadian Armed Forces for a great chunk of his life. I've done lots of work with the Armed Forces. I can't tell you how personal a commitment and support I've had.

If the gentleman had actually looked back through my history—he should spend some time with my friends at the Princess Patricia's light infantry in Winnipeg and look at the care and support and the kind of commitment I had for that particular regiment, of which I'm tremendously proud.

I'm very proud of my partner, who is gay, and the duress—and the things he fought for in the service of this country.

I hold the Canadian Armed Forces in the highest regard.

People in my community have had to put up with a lot more discrimination in order to serve in the same way that so many other people did.

**The Speaker (Hon. Steve Peters):** I just want to remind the member—I just checked the question, and I trust his supplementary is going to be tied in to his role as a minister. The question that you just asked—and I had to confirm—he was not a minister at the time that your question referred to.

**Mr. Garfield Dunlop:** Okay. In the middle of the G20, you directed another statement to the Toronto police via Twitter. In the statement, you asked them: "Why did you?"—

**The Speaker (Hon. Steve Peters):** I just would say to the member that the question you are asking right now does not concern the conduct of the member at the time. He was not a minister at the time.

I'm going to ask that you phrase your question to either the current situation—it has to be under the current

situation. You can't talk about something that was when he was not the minister.

**Mr. Garfield Dunlop:** Okay. Then I'd like to know from the minister if he understands the seriousness of what happened at the G20, and that the problem was that the McGuinty cabinet passed a secret law allowing that to happen, allowing the secrecy. Yet at the same time, he puts it on his Twitter.

**The Speaker (Hon. Steve Peters):** I'm going to pass. New question.

#### AFFORDABLE HOUSING

**Ms. Cheri DiNovo:** My question is to the Acting Premier. Yesterday at subcommittee, the McGuinty government killed my inclusionary zoning bill.

Is the McGuinty government really opposed to inclusionary zoning, even though they passed it in this House twice and municipalities across Ontario, including Hazel herself, demand it?

**Hon. Dwight Duncan:** We're very supportive of inclusionary housing. It was your bill and your amendment we were opposed to. We didn't think it achieved what we wanted it to.

We want to make sure we get it right. While we welcome your input—it's very helpful input, I might add—we felt that your amendments and proposals were flawed.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Cheri DiNovo:** My amendment simply called for a change to the Planning Act to allow for inclusionary zoning. It couldn't have been milder.

Vancouver; San Francisco; Atlanta; London, UK; and numerous other jurisdictions have implemented inclusionary zoning—15,000 units in Washington, DC, since 2003; 9,000 in San Francisco; in Boston, 1,000 new affordable units in one year alone, and over \$20 million in fees collected through the years 2000 to 2007.

Inclusionary zoning costs the government nothing and would create desperately needed affordable homes. Why is the McGuinty government opposing inclusionary zoning?

**Hon. Dwight Duncan:** No, she said it herself: Her amendment was weak, and we didn't think it was done properly. It was obviously more designed to get a bit of media attention as opposed to dealing with the real issues around inclusionary housing.

Let me just remind the people of Ontario—I heard the numbers from other communities—that we have now created some 76,500 units of affordable housing. In March 2009, we invested \$1.2 billion to renovate 94,000 social housing units, build 4,500 new units and, most importantly, create 23,000 jobs. That member and her party voted against it.

I was glad to hear her say that her amendment was very weak. It was.

We take these matters seriously. We want to have provisions for inclusionary housing. We're going to do it right and reject the simple, media-attention-grabbing, weak amendments that member put forward.

#### FULL-DAY KINDERGARTEN

**Mr. Bob Delaney:** This question is for the Minister of Education. For months, the opposition has made it clear that they do not support full-day kindergarten. They voted against Bill 242 and have called full-day kindergarten "a frill."

Yet I've spoken with many constituents out in western Mississauga who have heard about our government's and our province's strong commitment to early learners. They want to understand how this investment in this challenging economic time is good for our province.

Minister, would you please explain the impact of full-day kindergarten in light of the criticisms levelled against it?

1110

**Hon. Leona Dombrowsky:** I'm very happy to have the opportunity to remind the people of Ontario that investing in our earliest learners is one of the very best things we can do to improve student success and student outcomes in the province of Ontario. We know that. Families know that. Parents have told us that they want this program.

In addition to that, in addition to building for future student success, we are also enabling another type of educator to play a very important role with kindergarten teachers, and they would be early childhood educators. What I can say is that when our program is fully implemented, we will have 20,000 early childhood educators and 3,800 more teachers working with our youngest learners. That is an investment that we know is going to enable our—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Bob Delaney:** The principal point that people in western Mississauga have asked me is that they like the program; they'd like to see more of it. With more students expected to enter full-day kindergarten, I expect we're going to need more staff to support these students. I know that there is one teacher and one early childhood educator assigned to each classroom for full-day kindergarten.

Would the minister tell us how the province is getting ready for this influx of students and what steps Ontario is taking to ensure that our students have the proper support?

**Hon. Leona Dombrowsky:** To the Minister of Training, Colleges and Universities.

**Hon. John Milloy:** As the honourable colleague outlined in his question, under full-day kindergarten we have a registered early childhood educator who works alongside the certified teacher to provide two qualified educators in each full-day kindergarten classroom. ECEs are also responsible for the integrated before- and after-school programs that are offered as part of the overall program.

I'm pleased to report to the Legislature that there are currently over 27,000 ECEs registered in Ontario. In addition, there are 5,829 students currently enrolled in

early childhood education programs in Ontario, and nearly 700 people have returned to school to pursue careers as early childhood educators through the Second Career program over the past two years.

In fact, the Minister of Education and myself, very recently, visited a class of early childhood educators and were able to congratulate, at first hand, workers who had been laid off—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### PROTECTION FOR PEOPLE WITH DISABILITIES

**Ms. Sylvia Jones:** My question is for the Minister of Community and Social Services. Minister, this afternoon we will be debating my private member's bill, Bill 83. The Respect Our Homes Coalition, along with People First of Ontario and Community Living Ontario, held a news conference this morning explaining why this was such an important issue for families and organizations supporting people with an intellectual disability.

Minister, will you support the safety, dignity and respect of individuals who do not want their homes picketed during times of labour unrest?

**Hon. Madeleine Meilleur:** First of all, let me welcome into the House people from Community Living and the parents of those that we serve in Ontario.

My ministry's primary concern continues to be the health and safety of individuals in developmental services' residential accommodations. We have invested over \$500 million in new, ongoing funding for developmental services. That is a 51% increase since 2003. Over \$240 million of this went to creating and increasing services, as well as enhancing wages and salaries.

Since taking office, we have committed over \$175 million in funding to help adults with developmental disabilities live in communities, creating services and supports for more than 27—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Sylvia Jones:** I think there's a bit of a time warp between here and there. I asked you very specifically if you were going to be supporting Bill 83.

People from Quinte West, Kawartha Lakes, Walkerton, Chatham-Kent, London, Campbellford, Brighton, Prince Edward county, St. Catharines and Brampton are all coming to Queen's Park this afternoon to listen our debate and are looking for leadership from you on this issue. They've worked hard to break down barriers and create inclusive communities.

Minister, will you support Bill 83, the Protecting Vulnerable People Against Picketing Act?

**Hon. Madeleine Meilleur:** I will remind the member of the Tory party that her and her party voted against every investment that this government proposed for developmental services.

I will say to her that, on this side of the House, we respect very much the workers of Community Living. They get up every morning—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order.

**Ms. Sylvia Jones:** It's about human rights.

**The Speaker (Hon. Steve Peters):** The honourable member knows the rules. She can call a late show if she doesn't like the answer.

Minister?

**Hon. Madeleine Meilleur:** People on this side of the House respect the workers of Community Living. They get up in the morning and do a very good job for the most vulnerable that we serve.

This government here is not afraid of unions; we work very closely with the unions, contrary to those on the other side of the House.

I congratulate and thank every worker from Community Living today, and I wish that we will continue—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### PRESCRIPTION DRUG ABUSE

**Mr. Howard Hampton:** My question is for the Minister of Health. The chief and council of Eabametoong First Nation have declared a state of emergency in the community of Fort Hope. Since January of this year, there have been three murders, 61 assaults, 47 arsons and 73 drug-related incidents. I quote from the chief and council's emergency resolution:

"Whereas: the community and the people are at ... risk from the current prescription drug abuse epidemic...."

And: "Whereas: the threat posed by prescription drug abuse epidemic and community violence" requires "immediate intervention and direct measures...."

Can the Minister of Health tell us what the McGuinty government is doing to respond to this very clear state of emergency?

**Hon. Deborah Matthews:** To the Minister of Aboriginal Affairs.

**Hon. Christopher Bentley:** On Friday night, I spoke with Chief Nate, and on Saturday evening, I was in Eabametoong. I spoke with Chief Nate, met with the council and met with the acting chief of the NAPS police service. I spoke to the chief and council about their seven-point proposal.

It's a very difficult time, and what I committed to is that I would immediately contact my colleague ministers and ministries, including the Minister of Health and the Minister of Children and Youth Services—I had already been in contact with my colleague the Minister of Community Safety—and that we would work with the federal government, which I understood was trying to get in yesterday and wasn't able to because of the weather, and the chief and council on how we can support the council in moving forward on their seven-point plan and a better future for the community.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Howard Hampton:** I just spoke with one of the councillors, Councillor O'Keese, and I went through the emergency resolution with him. He is very clear, and the emergency resolution is very clear, that there is a real crisis in the community in terms of the abuse of prescription drugs. This community and other First Nations have asked this government repeatedly for the tools to deal with this crisis. They're very clear: You have many, many young people who are addicted to prescription drugs, and they are responsible for much of the violence.

I want to know, what has this government done on that front to help these communities in crisis deal with this very specific problem?

**Hon. Christopher Bentley:** That was one of the issues that we spoke about when I was there Saturday evening. It is a very serious issue in that and other communities.

I am very pleased that the Minister of Health has introduced legislation which will begin, with the tools that we have at our disposal, to start to get at the abuse of prescription drugs. We are coordinating, the Ministry of Health with the lead, with the federal government and with, as I say, my other colleague ministers on how to provide the tools to make sure that the community has the tools to address this very serious issue, which does not have easy answers, does not have simple answers—it has been here for some period of time—but does require our involvement at every level. It requires effective enforcement, community leadership and coordination with the federal government. We're going to work with the community to see how we can get them to a better place.

1120

## TAXATION

**Mr. David Zimmer:** My question is for the Minister of Revenue. Minister, I know you've been talking a lot lately about how the HST plan is going to help the economy by creating jobs and making Ontario more competitive, and I commend you for that, Minister.

Over the past year, our government has been out speaking in public about the HST tax plan and explaining what its various effects are, particularly on the real estate sector. But, Minister, I tell you that there is still confusion out there regarding what the HST is applied to and what it isn't applied to. Specifically in Willowdale, I've had a lot of questions from people confused about how HST applies to the purchase of a home.

Minister, will you clarify how HST affects Ontarians when they're purchasing a home?

**Hon. Sophia Aggelonitis:** I thank the member from Willowdale for his question. When it comes to buying a home, we know that buying a home is one of the largest investments that Ontarians will make.

*Interjections.*

**The Speaker (Hon. Steve Peters):** I'm having challenges to hear the honourable minister, and she is just to my right, so I would just—we've done so well this week. Minister.

**Hon. Sophia Aggelonitis:** Thank you, Mr. Speaker.

Again, like I said, buying a home is one of the largest investments that Ontarians will make in their lifetime. What I can say is that, simply put, HST is not on resale homes. That is the fact. There is no HST on resale homes and there is no HST on the sale of new homes up to \$400,000. That covers 93% of all homes that are sold in Ontario.

The previous Minister of Revenue and I myself will continue to travel the province and talk to Ontarians about the misconceptions and make sure they know what is and what isn't covered—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. David Zimmer:** The Ontario Real Estate Association put out a press release yesterday regarding misconceptions that still exist amongst Ontarians regarding HST and home purchases. The Ontario Real Estate Association has concerns that misinformation that exists in the public is actually hurting the housing industry, and they're calling on this government to clarify the information around HST and home purchases.

Minister, quite specifically, what are you going to do to get the correct information into the hands of Ontario home purchasers?

**Hon. Sophia Aggelonitis:** My office has been in touch, in fact, with both the Ontario Real Estate Association and the Toronto Real Estate Board to offer our support.

I want to assure this House that I will continue to travel the province and talk to Ontarians about the facts about the HST. But again, the simple truth is that there is no HST on the resale of homes, and in fact, there is no HST on any new homes up to \$400,000. That's 93% of the homes sold in Ontario.

The facts are clear. We will continue to go across the province and let everyone know about what is and what isn't covered under the HST.

## HIGHWAY CONSTRUCTION

**Mr. Jerry J. Ouellette:** My question is for the Minister of Transportation. We understand the phased approach to the 407 extension—we don't agree with it, but understand it. However, the previous extension that took the 407 into the region of Durham was designed much to resolve the province's responsibility for managing the end-of-line gridlock that was being created in Markham as a result of the 407 ending at Highway 48.

Minister, is the province committing to take on the tens or hundreds of millions of dollars of financial responsibility as a result of the end-of-line gridlock should the 407 temporarily end at Simcoe Street in Oshawa?

**Hon. Kathleen O. Wynne:** First of all, let me just say that I think it's wonderful that on this side of the House, we are pushing ahead with the 407 despite the economic downturn. I have to say that in spite of that—and we're building a road that will remain in the ownership of the provincial government—I think it's wonderful to be

answering this question from a member who is part of the party that actually gave away a valuable asset.

Having said that, Mr. Speaker, I want you to know that we are working very closely with the communities. I understand that the member opposite has concerns. We have done the full EA. He knows full well that this is the first stage and that we fully intend that the 407 will go to 35/115.

In the interim, at this first stage, we are working with the mayors and the communities on Simcoe road to make sure that we mitigate the impact of the traffic coming off the highway at that point. I understand it's a concern. I've spoken—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Jerry J. Ouellette:** Kevin Pask was the ministry lead on the 407 and made it abundantly clear that the 407 end-of-line gridlock at Highway 48 would have to be dealt with by the province. In light of the exorbitant cost to shore up the end-of-line gridlock, would it not be more financially responsible to extend the ending of the 407 to an area that will have a minimal financial impact, as opposed to Simcoe Street in Oshawa, which will cost millions of dollars?

**Hon. Kathleen O. Wynne:** I just want to say to the people who have been involved in advocating on this road, I want you to know that the member for Peterborough has been a huge advocate to get this right. He has worked with us consistently and tirelessly, and made the point that this road to the east needs to be completed. We've done the work. We've looked at the traffic patterns. The decision has been made to take it to Simcoe Street. We are working with the communities in that area to mitigate the impact of the traffic coming off the highway at that point.

But I go back to my original point. It is a huge boon to communities east of Toronto that we are extending the 407 east, even though the economic downturn could have dictated that we choose not to go ahead with that. We are honouring our commitment that was made as part of the Flow agreement. We're moving ahead on stage one, and we will continue to work with the communities to make sure that the impact of that road is mitigated—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### PRESCRIPTION DRUG ABUSE

**M<sup>me</sup> France Gélinas:** Ma question est pour la ministre de la Santé et des Soins de longue durée.

My colleague just told you the story of what's going on in Eabametoong in northwestern Ontario with the state of emergency. We're talking about three murders, 73 drug charges, 61 assaults, 47—let me put this in Toronto numbers: If that was happening in Toronto, we would have had 14,250 murders in the last 10 months. If that was happening in Toronto, we would have had 346,750 drug charges, and the list goes on.

When Bill 101 came, I said, "You have to go to the First Nations. Bill 101 won't work in the First Nations the way it is written now. It has to change." Why is it that the minister refused?

**Hon. Deborah Matthews:** I will refer the supplementary to the Minister of Aboriginal Affairs, but I do want to talk about Bill 101. I want to stress that I think one of the very first times I heard about the issue of the abuse of prescription drugs was from a First Nations chief who, in a very passionate and strong way, described the problem that was happening in his particular community.

Subsequently, I heard from many chiefs who described the devastating impact of prescription drug abuse in their communities. Those leaders in their communities have directly impacted our decision to move ahead with this very important legislation.

**The Speaker (Hon. Steve Peters):** Supplementary.

**M<sup>me</sup> France Gélinas:** Bill 101 is written in a way that is city-centric. It is written in a way that says that people double-doctor—they go to one, two, three, four, five different doctors and get all of those prescriptions—and go to one, two, three, four, five different pharmacies and get all of those dispensed.

None of this makes sense in the First Nations. None of this makes sense in northern Ontario. This bill is made for people who live in cities, and yes, they need help, but what about the rest of us who live in northern Ontario and the rest of us who care about the people in the First Nations? Why won't we slow down Bill 101 so that we include the needs of the First Nations and we include the needs of rural and northern Ontario, which is struggling with an epidemic of prescription drug abuse?

**Hon. Deborah Matthews:** I have nothing but respect for the passion of the member opposite. This is a devastating problem in all of our communities, but nowhere is this problem more profound and more damaging than in our First Nations communities. I am well aware of that.

What is very important is that we work together with the tools we are going to be creating to monitor the prescribing and the dispensing of these very powerful prescription narcotics. It will have an impact in First Nations communities. They do not manufacture those drugs in First Nations communities. I visited Moosonee this summer, where they no longer actually carry those prescription narcotics in the hospital there. People are getting the prescription drugs off reserve—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1130

#### WATER QUALITY

**Mr. Phil McNeely:** My question is for the Minister of the Environment. Minister, Ontario families know a sustainable water source is vital to our well-being and our way of life. A great deal of the world's fresh water is found right in our own backyard and in the Great Lakes. A key plank of the Open Ontario act is to ensure Ontario

becomes a centre of excellence in developing clean water technology. Ontario has already been identified as a leader in the emerging market of clean water, a key driver of economic prosperity.

Minister, protecting the environment by creating good green jobs seems to be a priority for the McGuinty government. But will becoming a leader in clean water technology actually help Ontario?

**Hon. John Wilkinson:** I want to thank my colleague for the question. On this side of the House, we do not believe that protecting the economy and protecting the environment are mutually exclusive. If we build an economy based on green technology, we are protecting the environment and we're creating great jobs today for our children and for our grandchildren.

Let me assure all Ontarians of one thing: The proposed Water Opportunities and Water Conservation Act before this House is about exporting our technology for clean water to a world that needs clean water. But it is not about exporting our amazing, vital resource, the clean water resources that we have right here in Ontario. It's about exporting our technology and creating jobs right here in Ontario.

It follows on a wonderful legacy of conservation. We're going to ensure that conservation of water becomes part of the way of life here in Ontario, and that also will lead to new—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Phil McNeely:** The world relies on these Ontario companies to provide the technology to keep them safe. My constituents in Ottawa–Orléans would be pleased to know that Ontario is creating green jobs and exporting our technologies around the world. Ontario's fresh water supply is a limited resource, one that must be cherished and protected for future generations. Some residents in my riding want to make sure that any economic development does not come at the expense of this valuable resource.

Minister, can you tell this House how the proposed Water Opportunities and Water Conservation Act will actually improve water conservation in Ontario?

**Hon. John Wilkinson:** First of all, I would say that the clean water technology market, globally, is \$400 billion and that that market is growing at 15% a year. Why? Because there are so many nations and so many communities that do not have what we have. We have been blessed with one of the greatest natural resources of clean water in the world. What we're focused on as a government has been to keep our water clean from source to tap. Because of those investments that we've made, we are global leaders. The world is looking for solutions that are made and invented here in Ontario, solutions that will lead to good, green jobs right here in Ontario, the jobs that we want for our children. There are some 22,000 people in the province of Ontario today already employed in that sector. We lead the world in ultraviolet disinfection, in membrane technology, in the design of compact sewage treatment plants. All of those things are

available now to a world that needs them. It's important for us to pass this act—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### MEMBER'S CONDUCT

**Mr. Garfield Dunlop:** To the Acting Premier: The Premier said, "When you enter public life, and particularly when you serve as minister of the crown, special standards apply." It says a lot about the pre-judgment of Premier McGuinty and the standards he sets for his ministers that he chose to add someone who attacks the police to be Minister of Research and Innovation. Before Premier McGuinty picked the minister over all the other long-serving and loyal Liberals in the backbenches, the minister made another public statement about the police via Twitter. He asked: "Why did you confine many of my constituents and friends for four hours in the pouring rain?"

Don't he and the Premier know that the answer to that question is because the McGuinty cabinet passed a secret law allowing it? Could you comment on that, Minister?

**Hon. Dwight Duncan:** This House, this Parliament, deals with tremendous issues all the time, and I have great respect for the integrity of all members. I believe all members do their very best, and I want to say to my colleague the Minister of Research and Innovation that I've rarely met a man in public life with his integrity and character.

This line of questioning demeans all of us. I believe it adds to what was already an unfortunate circumstance that was apologized for. I believe the Leader of the Opposition is a man of integrity. I believe the member opposite is a man of integrity. I've had the opportunity to work with him on many, many issues. I think we can all raise the level of public debate if we acknowledge mistakes, and we correct them when we're wrong. If I had a nickel for every misstep I've taken in my public life, I'd be—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Garfield Dunlop:** The issue is the Premier's judgment and the qualities he looks for in a cabinet minister. The OLG scandals prove he's not looking for accountability. Long service doesn't seem to matter. The pattern of the minister's attack emails must be it.

Why did Premier McGuinty pick the member from Toronto Centre when there are members of the Liberal caucus who don't have a record of ill-conceived attack messages?

**The Speaker (Hon. Steve Peters):** I'm not even going to allow that question. It's not for the Acting Premier to get inside the brain of the Premier as to his decision-making process.

**Mr. Garfield Dunlop:** He should be here, then.

**The Speaker (Hon. Steve Peters):** The member from Simcoe North as well knows the issue of dealing with the attendance of members.

The time for question period has ended.

## VISITORS

**Mr. Lorenzo Berardinetti:** It's my pleasure to have in the members' gallery here my parents, my father and my mother, Antonio and Italia Berardinetti. My father is 80 years old today. I just want to wish him a happy birthday. Between them is my beautiful wife, Michelle Berardinetti, who is the councillor-elect for ward 35 in Scarborough Southwest.

## CORRECTION OF RECORD

**Hon. Deborah Matthews:** I would like to correct some comments I made in this Legislature on October 26. I want to thank the member for Kitchener–Waterloo for bringing this to my attention this morning in debate on Bill 122. I did make an inaccurate statement about the member holding a ministerial portfolio in a certain year. I referred to four contracts single-sourced by hospitals during the Conservative government, attributing three to the member from Kitchener–Waterloo and one to the former member for Parry Sound–Muskoka. In fact, two of these contracts were handed out while the member for Kitchener–Waterloo was Minister of Health and two while the former member for Parry Sound–Muskoka was Minister of Health.

I do apologize for the mistake and appreciate the member for Kitchener–Waterloo for helping me to clarify that both Conservative Ministers of Health were equally involved with regard to hospital—

**The Speaker (Hon. Steve Peters):** I just remind the honourable members that, yes, it is a point of order to correct the record, but not to engage in additional debate in the course of correcting one's record.

There being no deferred votes, this House stands recessed until 1 p.m. this afternoon.

*The House recessed from 1138 to 1300.*

## INTRODUCTION OF VISITORS

**Mr. Bob Delaney:** I'd like to introduce Imran Chaudry, chairman, and Georgina Bencsik, adviser. Both are from the Benazir Bhutto Shaheed International Foundation and People's Human Rights Wing Canada and are seated in the members' east gallery. Welcome to Queen's Park.

**The Speaker (Hon. Steve Peters):** I would like to take this opportunity to welcome to the Speaker's gallery today, with my assistant Maggie Head, Mr. Ron Flemons. Ron is a defensive end with the Toronto Argonauts. Welcome to Queen's Park today, Ron.

## MEMBERS' STATEMENTS

## INGERSOLL PIPE BAND

**Mr. Ernie Hardeman:** It's with great pleasure that I rise today to recognize the 100th anniversary of the

Ingersoll Pipe Band. Recognized by many as Canada's oldest and largest independent pipe band, they have been a mainstay in Ingersoll since 1910.

The band was formed by brothers James and Jack Little, William Collins and Tom Johnston, who became the first pipe major. Under the leadership of Pipe Major Johnston, the band recruited talented drummers and players of the great highland bagpipe and began to cement their place in Canadian history.

With the beginning of the First World War, virtually the entire band joined the 168th Battalion and served overseas. However, Johnston kept the band going when the veteran members returned from war.

Since then, the Ingersoll Pipe Band has had hundreds of members and has played in countless parades, competitions and festivals all over Canada and the United States. In addition, the band has toured Taiwan on three different occasions.

While every small town has activities, clubs and traditions which keep citizens involved and connected to one another, the pipe band is a unique group. The band can often include all members of the family. As a result, the band has helped build strong family and community ties that go beyond music.

I wish the Ingersoll Pipe Band nothing but continued success and hope that the great people of Ingersoll will be able to hear the Bonnie Lass of Bon Accord, the band's signature tune, for many years to come.

## FOSTER FAMILIES

**Mr. Rick Johnson:** I am honoured to rise in the House today to further recognize an outstanding citizen of Haliburton–Kawartha Lakes–Brock. Just two weeks ago, Linda Barkey was honoured by the Kawartha-Haliburton Children's Aid Society with the Foster Parent of the Year award.

Many of us know that parenting is a big responsibility. Linda would tell you that foster parenting is not much different. Like any child, foster kids require warmth, acceptance, consistency, structure and guidance, and like any parent, Linda's rewards are immeasurable.

There are a lot of Linda Barkeys out there, people who provide stable and caring homes that encourage positive growth and development; people who counsel, drive, mentor and otherwise support our most vulnerable kids; people like Mary Benjamin, Kim and Carl Teeple, Lynda and John Amting, Marsha and Al Rennie, Karen Suggitt, Dan Gilbert, Pam Williams and Abby Ross, all recently honoured by the Kawartha-Haliburton Children's Aid Society.

Like these people, our government is committed to seeing that these kids have every opportunity to reach their potential. Over the last five years, we have done a lot to improve Ontario's child protection system. Fewer kids are coming into care, more kids are getting the chance to succeed in permanent homes, funding to children's aid societies has increased, and we continue working with our children's aid societies to ensure that those funds are spent on supporting better outcomes for kids.

I'm honoured to extend my appreciation to the volunteers and staff of the Kawartha-Haliburton Children's Aid Society, and my special congratulations to Linda Barkey.

#### MEMBER FOR KITCHENER-WATERLOO

**Mr. Ted Arnott:** All of us in this House would hope that our efforts make a positive difference in the lives of Ontarians, but one of our colleagues is literally a life-saver. The member for Kitchener-Waterloo was recently honoured by the Isaac Foundation. Elizabeth Witmer was given their Lifetime Impact Award for her outstanding and successful advocacy on behalf of Isaac McFadyen.

Isaac, a little boy from Campbellford, is afflicted by a rare and life-threatening disease called MPS VI. Upon learning of the almost hopeless prognosis, Isaac's parents discovered that a treatment exists, but the province was unwilling to cover its cost. Expensive in the extreme, it would be unaffordable for the vast majority of Ontario families.

When Elizabeth Witmer heard and learned of the McFadyen family's plight and the fact that the provincial government was unwilling to fund the life-saving treatment, she went to work. She brought the issue into this House and convinced the government to pay for the treatment Isaac needed.

In thanking Elizabeth, Isaac's father, Andrew McFadyen, said:

"Elizabeth Witmer was there for us when no one else was and our son is here today because of her tenacious work, her kind and caring nature, and steadfast refusal to accept no for an answer from our government.

"She worked tirelessly for our son, and I argue, he is here today because of her steadfast efforts," he added.

Thanks to the member for Kitchener-Waterloo, the McFadyen family have hope for Isaac's health and future. Elizabeth Witmer has restored their faith in the Legislature and the political process itself.

#### NAVAL CLUB OF TORONTO

**Mr. Michael Prue:** I rise today to salute the men and women of the Naval Club of Toronto. It is an old and venerable institution which many people will know was formally on Hayden Street, near the corner of Bloor and Yonge. It was decommissioned a few years ago and sold for condo redevelopment, which is still going to take place on that corner, I'm sure, one day.

When it was decommissioned, they had a plan to move to Danforth Avenue, which was going to be some three doors away from my constituency office. We were very excited about the prospect of the Naval Club moving there. But as you will remember, Mr. Speaker, there was an implosion of a building on Danforth one day during the construction, and the people who lived upstairs escaped with their very lives. That was to have been the Naval Club. It remains to this time a hole in the ground. It had to be taken down.

But the veterans of the navy were resilient people and they went out and purchased another property at 1910 Gerrard Street. It was formerly a restaurant. There was a recommissioning this past weekend. I was privileged to be one of the speakers, along with Senator Art Eggleton, to open it. It is absolutely beautiful, it is shipshape and it has all of the memorabilia from the former club.

Many thanks to the president, Alan Simpson, and congratulations to everyone for choosing Beaches-East York as the site of the new Naval Club of Toronto.

#### ST. CLAIR WEST SERVICES FOR SENIORS

**Mrs. Laura Albanese:** I am pleased to rise in the House to speak about St. Clair West Services for Seniors, an essential organization in my riding of York South-Weston that offers quality services and programs for our seniors.

**1310**

Thanks to a recent provincial investment, St. Clair West Services for Seniors will now be able to expand these important programs by becoming one of 13 new elderly persons' centres in Ontario, bringing the total to 273 across the province. These centres serve as vital community hubs helping seniors stay active, healthy and involved in their communities.

Many elderly persons' centres also have a strong ethnocultural component. For example, several centres in Toronto serve distinct cultural communities such as Russian, Italian, Portuguese and Chinese. In a riding such as York South-Weston, home to a significant population of seniors with diverse backgrounds, this is a very significant component.

This investment will benefit the community of York South-Weston tremendously and I look forward to seeing St. Clair West Services for Seniors continuing to play a vital role in providing access to quality programming for our seniors.

#### LITERACY FUNDING

**Mr. Garfield Dunlop:** I'd like to bring to the floor today in my statement some information about the community-based literacy groups across our province. Right now, I'm chairing the estimates committee, and the Ministry of Training, Colleges and Universities is at estimates. I've been contacted by some of these community-based groups in the province. Just two years ago, we fought hard to get increases in funding, after about a 12-year freeze on funding to most of the community-based groups in the province.

Now they are coming forward and telling me that they've been told by staff at the ministry and they've been told by their boards of directors etc. that they'll have to roll back next year, starting in 2011, to 2008 levels of literacy funding. This is going to have a dramatic effect or impact on the operations; basically, many of them will have to close their doors if their funding is rolled back.



I wanted to put that on the record today in the Legislature as part of a statement because I want to bring it up again next week to the minister during estimates. I think that we forget how important these community-based groups are—the very people who teach basic reading and writing skills to those people who have missed out over their lives.

I appreciate this opportunity to speak to this today and I look forward to speaking to the minister this week.

#### KARATE PROGRAM

**Mr. Vic Dhillon:** Last Saturday I was invited to participate at an awards recognition ceremony in the Sri Guru Nanak Sikh Centre for their annual karate award reception. I had the honour of presenting awards to athletes who have excelled in this great sport.

Hundreds of young people train at this facility and are hosted by the Goju Do Karate Club. These athletes spend countless hours perfecting their art. This past summer, seven members from the centre were selected to participate at the Ontario Summer Games, which were held in Sudbury. These athletes won six medals. That's a great accomplishment.

The karate program at the Sri Guru Nanak Sikh Centre is run by the community itself. Not only are the youth provided with karate guidance; they are provided with proper nutritional education. We all recognize how important it is for our youth to be active, and it is refreshing that a community-based program such as this is available in my riding.

Once again, I would like to congratulate all the athletes, coaches and organizers for their hard work, and I wish them all great success in the years to come.

#### OPTOMETRISTS

**Mr. David Zimmer:** It's my pleasure to introduce an important health care initiative by the Ontario Association of Optometrists. The Ontario Association of Optometrists, whose assistant executive director, Melissa Secord, is with us today—stand up—has launched four pilot programs called Eye See, Eye Learn in Halton, Hamilton-Wentworth, Peel and Windsor-Essex regions.

Junior kindergarten children are encouraged to take an OHIP-insured eye exam, and if required, they get a free pair of eyeglasses. The OAO is working alongside local school boards, public health units and other community stakeholders to reach out to 25,000 children on this important initiative.

As many as one in six children have a vision problem. Annual eye exams become an integral part of the regular health checkups that each child receives as a part of their overall health program.

October is Eye Health Month in Canada, and I'm pleased to recognize the work that our eye doctors are doing in providing access to timely, high-quality health care for the people of this province.

On behalf of the Ontario government, I would like to commend the Ontario Association of Optometrists and its members for helping our children to see their world better and, in particular, to see Ontario better.

#### OFFICIAL OPPOSITION'S RECORD

**Mr. Dave Levac:** Just in time for Halloween, when ghost stories are told, and the children tell of ghouls and the goblins, the member from Simcoe-Grey is trying to raise the failed policies of Mike Harris from the grave.

Last night, the member from Simcoe-Grey reminded a room of Conservative members, "I served as your first Minister of Health under Mike Harris [and] went on to serve as Minister of Energy, Science and Technology.... And I would like to get back to cabinet because it's been seven years in opposition, and I'll tell you, it's not much fun."

It's disappointing to learn that the member opposite doesn't see the value in serving his constituents and complains about not having enough fun.

But what's more interesting is the opposition's fixation on Mike Harris and the failed health and energy policies that left Ontario behind and in the dark. They slashed front-line health, closing 28 hospitals, and fired over 6,200 nurses. The list goes on and on.

While the opposition daydreams about Mike Harris and the fun they claim they're not having, Ontario families are served by the McGuinty government.

Boo.

**Mr. Frank Klees:** On a point of order, Mr. Speaker: If I might ask, I wonder if the member could tell us whose accent he was attempting to bring into the House.

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

I would just say to all members: I think it's one thing if we're going to, in a light-hearted way, maybe disguise our voices to a degree on something that all members of the House will not take offence to, but I sensed from the opposition side that there were some members who were not pleased with that. I would just remind all members that anything that we can do that causes disorder in the House is offensive to all of us.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Mr. Ernie Hardeman:** I beg leave to present a report on agencies, boards and commissions, the Human Rights Tribunal of Ontario, from the Standing Committee on Government Agencies and move the adoption of its recommendations.

**The Speaker (Hon. Steve Peters):** Mr. Hardeman presents the committee's report and moves the adoption of its recommendations. Does the member wish to make a brief statement?

**Mr. Ernie Hardeman:** As Chair of the Standing Committee on Government Agencies, I'm tabling today our report on the agency review of the Human Rights Tribunal of Ontario.

Our recommendations seek to improve the operations of the tribunal. I would also note that separate dissenting opinions have been appended to the report by the official opposition and the third party.

I would like to thank the chair, executive director and other staff of the Human Rights Tribunal for their assistance. I also wish to express our appreciation to those who made submissions to the committee, whether during our public hearings or in writing.

I thank the committee members for their contribution to the review process, as well as our legislative staff; our former clerk, Douglas Arnott; and our research officer, James Charlton.

With that, I move adjournment of the debate.

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

*Debate adjourned.*

#### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mrs. Laura Albanese:** I beg leave to present a report from the Standing Committee on Finance and Economic Affairs and move its adoption.

**The Clerk-at-the-Table (Ms. Tonia Grannum):** Your committee begs to report the following bill, without amendment:

Bill 99, An Act to amend the Taxation Act, 2007 to implement the children's activity tax credit / Projet de loi 99, Loi modifiant la Loi de 2007 sur les impôts pour mettre en oeuvre le crédit d'impôt pour les activités des enfants.

**The Speaker (Hon. Steve Peters):** Shall the report be received and adopted? Agreed? Agreed.

*Report adopted.*

**The Speaker (Hon. Steve Peters):** The bill is therefore ordered for third reading.

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#### INTRODUCTION OF BILLS

##### DUTCH HERITAGE MONTH ACT, 2010 LOI DE 2010 SUR LE MOIS DU PATRIMOINE NÉERLANDAIS

Mrs. Witmer moved first reading of the following bill:

Bill 124, An Act to proclaim May as Dutch Heritage Month / Projet de loi 124, Loi proclamant le mois de mai Mois du patrimoine néerlandais.

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

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mrs. Elizabeth Witmer:** Ontario is home today to about 500,000 Dutch-Canadians; in fact, we have at least four of us who serve in this Legislature. They've made significant contributions to our province since the 1800s.

I've selected May because on May 5, 1945, the Canadian Forces were instrumental in the liberation of the Netherlands from occupation, and that's when the Dutch celebrate their liberation day and, of course, they honour the heroic efforts of our forces.

#### PETITIONS

##### PROTECTION FOR PEOPLE WITH DISABILITIES

**Ms. Sylvia Jones:** My petition is to the Legislative Assembly of Ontario.

"Whereas the picketing of the homes of people with intellectual disabilities alienates people from their autonomy; security; privacy; relationships with staff, neighbours and community; and also causes discrimination and harm to citizens who should be free to enjoy their homes without harassment and intimidation;

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

"To support Bill 83 and prohibit the picketing of vulnerable people's residences during a strike."

I obviously support this petition and affix my name to it and give it to page Bridget.

##### HOME WARRANTY PROGRAM

**Ms. Cheri DiNovo:** This petition extends support for the Ombudsman of Ontario's jurisdiction to include the Tarion Warranty Corp.

"To the Legislative Assembly of Ontario:

"Whereas homeowners have purchased a newly built home in good faith and often soon find they are victims of construction defects, often including Ontario building code violations, such as faulty heating, ventilation and air conditioning (HVAC) systems, leaking roofs, cracked foundations etc.;

"Whereas often when homeowners seek restitution and repairs from the builder and the Tarion Warranty Corp., they encounter an unwieldy bureaucratic system that often fails to compensate them for the high cost of repairing these construction defects, while the builder often escapes with impunity;

"Whereas the Tarion Warranty Corp. is supposed to be an important part of the consumer protection system in Ontario related to newly built homes;

"Whereas the government to date has ignored calls to make its Tarion agency truly accountable to consumers;

"Be it resolved that we, the undersigned, support MPP Cheri DiNovo's private member's bill, which calls for the Ombudsman to be given oversight of Tarion and the power to deal with unresolved complaints;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to amend the Ontario New Home Warranties Plan Act to provide that the Ombudsman’s powers under the Ombudsman Act in respect of any governmental organization apply to the corporation established under the Ontario New Home Warranties Plan Act, and to provide for necessary modifications in the application of the Ombudsman Act.”

I couldn’t agree more. I’m going to affix my signature and send it with Nicholas to the table.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Ms. Sylvia Jones:** I have a petition regarding provincial oversight of the OSPCA.

“Whereas the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) recently and unilaterally announced that it would euthanize all animals in its care at its Newmarket shelter, citing a ringworm outbreak as justification;

“Whereas the euthanasia plan was stopped in the face of repeated calls for a stay in the Legislature and by the public, but not until 99 animals had been killed;

“Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA;

“Therefore we, the undersigned, petition the Parliament of Ontario to immediately implement the resolution tabled at Queen’s Park by Newmarket–Aurora MPP Frank Klees on June 1, 2010, which reads as follows:

“That, in the opinion of this House, the Ontario Legislature call on the government of Ontario to review the powers and authority granted to the OSPCA under the OSPCA Act and to make the necessary legislative changes to bring those powers under the authority of the Minister of Community Safety and Correctional Services to ensure that there is a clearly defined and effective provincial oversight of all animal shelter services in the province, and to separate the inspection and enforcement powers of the OSPCA from its functions as a charity providing animal shelter services.”

I am pleased to present and support this petition. I affix my name to it and give it to page Ffion.

#### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** I have this petition from the people of Nickel Belt, and it reads as follows:

“Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service available to cancer and cardiac patients...; and

“Whereas” since “October 2009, insured PET scans” are “performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

“Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury

Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

“We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario.”

I fully support this petition, will affix my name to it and send it to the Clerk with page Bridget.

#### PROTECTION FOR PEOPLE WITH DISABILITIES

**Mr. Ernie Hardeman:** I have a petition here signed by a great number of people from Tillsonburg, who are signing this petition in support of Community Living Tillsonburg and the residents.

“To the Legislative Assembly of Ontario:

“Whereas the picketing of the homes of people with intellectual disabilities alienates people from their autonomy; security; privacy; relationships with staff, neighbours and community; and also causes discrimination and harm to citizens who should be free to enjoy their homes without harassment and intimidation;

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

“To support Bill 83 and prohibit the picketing of vulnerable people’s residences during a strike.”

I affix my signature as I agree with all these people in Tillsonburg who signed this petition.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Ms. Cheri DiNovo:** This is a petition for provincial oversight of the OSPCA.

“Petition to the Parliament of Ontario:

“Whereas the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) recently and unilaterally announced that it would euthanize all animals in its care at its Newmarket shelter, citing a ringworm outbreak as justification;

“Whereas the euthanasia plan was stopped in the face of repeated calls for a stay in the Legislature and by the public, but not until 99 animals had been killed;

“Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA;

“Therefore we, the undersigned, petition the Parliament of Ontario to immediately implement the resolution tabled at Queen’s Park by Newmarket–Aurora MPP Frank Klees on June 1, 2010, which reads as follows:

“That, in the opinion of this House, the Ontario Legislature call on the government of Ontario to review the powers and authority granted to the OSPCA under the OSPCA Act and to make the necessary legislative changes to bring those powers under the authority of the Minister of Community Safety and Correctional Services

to ensure that there is a clearly defined and effective provincial oversight of all animal shelter services in the province, and to separate the inspection and enforcement powers of the OSPCA from its functions as a charity providing animal shelter services.”

I couldn't agree more, and I'm going to give it to Jayden to be delivered to the table.

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS

**Mr. Frank Klees:** I continue to receive literally hundreds of these petitions daily. It reads as follows:

“Whereas the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) recently and unilaterally announced that it would euthanize all animals in its care at its Newmarket shelter, citing a ringworm outbreak as justification;

“Whereas the euthanasia plan was stopped in the face of repeated calls for a stay in the Legislature and by the public, but not until 99 animals had been killed;

“Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA;

“Therefore we, the undersigned, petition the Parliament of Ontario to immediately implement the resolution tabled at Queen's Park ... on June 1, 2010, which reads as follows:

“That, in the opinion of this House, the Ontario Legislature call on the government of Ontario to review the powers and authority granted to the OSPCA under the OSPCA Act and to make the necessary legislative changes to bring those powers under the authority of the Minister of Community Safety and Correctional Services to ensure that there is a clearly defined and effective provincial oversight of all animal shelter services in the province, and to separate the inspection and enforcement powers of the OSPCA from its functions as a charity providing animal shelter services.”

I'm pleased to affix my signature. As you know, Speaker, this resolution will be debated in the Legislature on November 18.

1330

REPLACEMENT WORKERS

**M<sup>me</sup> France Gélinas:** I have this petition from the people of Nickel Belt.

“Whereas strikes and lockouts are rare: on average, 97% of collective agreements are negotiated without work disruption; and

“Whereas anti-temporary replacement workers laws have existed in Quebec since 1978; in British Columbia since 1993; and successive governments in those two provinces have never repealed those laws; and

“Whereas anti-temporary replacement workers legislation has reduced the length and divisiveness of labour disputes; and

“Whereas the use of temporary replacement workers during a strike or lockout is damaging to the social fabric of a community in the short and the long term as well as the well-being of its residents;

“We, the undersigned, petition the Legislative Assembly of Ontario to enact legislation banning the use of temporary replacement workers during a strike or lock-out.”

I fully support this petition, will affix my name to it and send it to the Clerk with page—you'll have to help me—

**Interjection:** Haadiyah.

**M<sup>me</sup> France Gélinas:** Haadiyah.

HEALTH CARE FUNDING

**Mr. Jim Wilson:** A petition to save the medical laboratory services in Stayner, Tottenham and Elmvale:

“To the Legislative Assembly of Ontario:

“Whereas the consolidation of medical laboratories in rural areas is causing people to travel further and wait longer for services; and

“Whereas it is the responsibility of the Ontario government to ensure that Ontarians have equal access to all health care services; and

“Whereas rural Ontario continues to get shortchanged when it comes to health care: doctor shortages, smaller hospitals, less pharmaceutical services, lack of transportation and now medical laboratory services; and

“Whereas the McGuinty government continues to increase taxes to make up for misspent tax dollars, collecting \$15 billion over the last six years from the Liberal health tax, ultimately forcing Ontarians to pay more while receiving less;

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

“That the McGuinty government stop the erosion of public health care services and ensure equal access to medical laboratories for all Ontarians.”

I agree with this petition, and I will sign it.

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS

**Mr. Ernie Hardeman:** I have a petition signed by good folks mostly of Ingersoll, I believe, and it is to the Parliament of Ontario.

“Whereas the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) recently and unilaterally announced that it would euthanize all animals in its care at its Newmarket shelter, citing a ringworm outbreak as justification;

“Whereas the euthanasia plan was stopped in the face of repeated calls for a stay in the Legislature and by the public, but not until 99 animals had been killed;

“Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA;

“Therefore we, the undersigned, petition the Parliament of Ontario to immediately implement the resolution tabled at Queen’s Park by Newmarket–Aurora MPP Frank Klees on June 1, 2010, which reads as follows:

“That, in the opinion of this House, the Ontario Legislature call on the government of Ontario to review the powers and authority granted to the OSPCA under the OSPCA Act and to make the necessary legislative changes to bring those powers under the authority of the Minister of Community Safety and Correctional Services to ensure that there is a clearly defined and effective provincial oversight of all animal shelter services in the province, and to separate the inspection and enforcement powers of the OSPCA from its functions as a charity providing animal shelter services.”

Thank you very much for allowing me to present this petition.

### CEMETERIES

**Mr. Jean-Marc Lalonde:** “To the Legislative Assembly of Ontario:

“Whereas members of the Ontario Genealogical Society are concerned about protecting and preserving Ontario’s cemeteries in their original locations; and

“Whereas protecting and preserving Ontario’s cemeteries is a shared responsibility and the foundation of a civilized society; and

“Whereas the Legislature failed to enact Bill 149, the Inactive Cemeteries Protection Act, 2009, which would have prohibited the relocation of inactive cemeteries in the province of Ontario; and

“Whereas the Cooley-Hatt Cemetery (circa 1786) is located in the Niagara Escarpment plan within Ontario’s greenbelt plan in Ancaster, city of Hamilton; and

“Whereas this is one of the earliest surviving pioneer cemeteries in Ontario, with approximately 99 burials including at least one veteran of the War of 1812;

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

“The government of Ontario must take whatever action is necessary to prevent the desecration of any part of this sacred burial ground for real estate development.”

### PRIVATE MEMBERS’ PUBLIC BUSINESS

#### ONTARIO AWARD FOR PARAMEDIC BRAVERY ACT, 2010

#### LOI DE 2010 SUR LE PRIX DE BRAVOURE DES AUXILIAIRES MÉDICAUX DE L’ONTARIO

Mrs. Van Bommel moved second reading of the following bill:

Bill 115, An Act to provide for the Ontario Award for Paramedic Bravery / Projet de loi 115, Loi prévoyant le Prix de bravoure des auxiliaires médicaux de l’Ontario.

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 98, the member has 12 minutes for her presentation.

*Applause.*

**Mrs. Maria Van Bommel:** Thank you very much. I’m pleased to rise today to speak to the second reading of Bill 115, the Ontario Award for Paramedic Bravery Act, 2010, which I introduced earlier this month.

Before I go further, I would like to recognize the work of Wayne and Clara Patterson of Kerwood, Ontario, in my riding of Lambton–Kent–Middlesex, who have been with me every step of the way since we first introduced it as Bill 136 in December 2008.

From the bill’s inception back in 2007 to today, the Patterson family has been at the forefront of promoting the need to recognize the role of paramedics in today’s emergency response and management.

My bill originated from a number of meetings that I had with Wayne and Clara. The Pattersons’ son, Paul, was a paramedic employed by Sun Parlour Emergency Services who was killed on February 25, 2007, while responding to a motor vehicle collision. Through Mr. and Mrs. Patterson’s strength and encouragement, this bill was created to recognize our province’s paramedics, who, by the very nature of their profession, often go above and beyond the call of duty to rescue and care for a fellow citizen, without giving consideration for their own safety.

February 25, 2007, was a stormy winter day in Chatham-Kent. The paramedics at Sun Parlour Emergency Services were busy responding to multiple emergency calls. Paul Patterson was attending an emergency medical call with two of his colleagues when another call was dispatched by the ambulance communications. The call involved a motor vehicle collision, and Paul was ready to respond with his emergency response unit. En route to the call, Paul’s emergency response vehicle left the icy, snow-covered road. Paul was killed in the line of duty while serving the residents of Chatham-Kent and, by extension, the citizens of Ontario.

This was not the first incident in which Paul acted selflessly. Wayne and Clara Patterson supplied me with a combination of news articles, letters of appreciation and award certificates. Paul received the Above and Beyond Award from Sun Parlour Emergency Services in 2005 after being involved in an attempt to save a farmer who had rolled his tractor and pesticide sprayer into a farm pond. Paul, along with a number of others, dove into the pond that had been contaminated by the pesticide sprayer. As the son of a farmer, Paul understood only too well the potential danger of the exposure to pesticides, but he went in anyway. Unfortunately, despite all their efforts, they were unable to save the farmer.

**1340**

Another individual that I would like to recognize is Bruce Krauter of Sun Parlour Emergency Services.

Bruce's involvement was invaluable during the research leading up to today's second reading of the bill.

Bruce is the operations manager of Sun Parlour Emergency Services, and, together with the Pattersons, was instrumental in assisting me to bring the importance of the paramedic profession to the attention of the Legislature and, more importantly, to the need for provincial and national recognition of the selfless acts of service that so many paramedics provide in exceptionally dangerous circumstances.

Back in May 2007, Mr. Krauter wrote a letter to the members for Essex and Chatham-Kent, Bruce Crozier and Pat Hoy, inquiring as to why there was not a provincial award for paramedic bravery. In his letter, Mr. Krauter wrote, "Paramedics in our community serve the citizens of these communities as well as persons from across this province and visitors from abroad during any condition, time of day, harmful situation, landscape or duration."

These paramedics are put at risk every day, whether it's environmental, biological, acts of violence or while in transit to a call. In Bruce's nearly 30 years of service, he has known two paramedics who have died in the line of duty, and knows numerous others who have performed their duties above and beyond the call or put themselves at risk, all in an act to save someone's life.

Bruce wrote about the N.H. McNally Award, which recognizes acts of bravery by pre-hospital professionals in the performance of their duties. The award has a rich history of honouring individuals who risk their lives to rescue and protect others from harm. The N.H. McNally Award is presented by emergency service peers but is not recognized either provincially or nationally.

An Ontario award for paramedic bravery is necessary in order to provide paramedics in our province the recognition they deserve.

A paramedic in my riding, Tony Metayer, shared with me procedures and medications he dispenses on the scene and en route to the Sydenham District Hospital in Wallaceburg, in the southwest corner of my riding of Lambton-Kent-Middlesex. Paramedics can do everything from defibrillation to intravenous fluid therapy and advanced airway management. They can administer seven drugs to treat conditions such as chest pain, hypoglycemia, allergic reactions, breathing difficulties, and severe nausea and vomiting. Depending on the circumstances, they have the ability to call for an air ambulance to respond at a scene where the traditional land ambulance will not provide the critical response time needed for the situation. Considering the wide range of patients that paramedics can see in a day, their skills as primary care providers have been very beneficial to the patients they treat. Over the more than 15 years that Tony has worked as a paramedic, he has seen the scope of practice for paramedics evolve significantly.

The role of paramedics is to respond to emergencies, provide medical services and transport patients to medical facilities. In many cases, the initial emergency care provided by paramedics will be the deciding factor

between life and death, temporary or permanent disability, a brief hospital stay or prolonged hospitalization. When responding to emergencies, paramedics may not always be given prior knowledge of the extent of the physical environment and issues that they will be exposed to. In a critical situation, paramedics often experience unexpected and shocking events for which most people would not be prepared. Paramedics are very often required to deliver their services in unregulated, uncontrolled, unpredictable and often hazardous environmental situations.

While identified with the health care community due to the medical scope of their practice, paramedics often serve alongside police and firefighters in attending to and dealing with emergency situations and settings. They must be prepared to respond to unfolding emergency settings beyond the medical situations to which they are initially responding. Examples of calls to which paramedics would attend include working fires, assaults, car accidents, drug overdoses and alcohol abuse, just to mention a few.

In Canada, it is estimated that one paramedic a year dies in the line of duty, with 18 losing their lives between 1995 and 2006.

A limited amount of data is available to assist in highlighting the dangers and injury risks to paramedics. However, an American study of occupational fatalities in emergency medical services identified a fatality rate for paramedics that exceeds that of the general population and is similar to that of other emergency public service workers, including police officers and firefighters.

The reality is that when an emergency arises, there is an expectation from the public that firefighters, police officers and paramedics will be there when they are needed most.

It is important that this bill be passed, because paramedics in the province of Ontario deserve praise and admiration when they go above and beyond their duties, protecting those citizens in need of emergency care. An Ontario award for paramedic bravery would provide that necessary recognition.

It has been 2000 years since the good Samaritan stopped and tended to an injured stranger at the roadside. The Bible did not record the name of the helper or his or her act of compassion, but we know that this is a symbol for all of us who care for another person.

It is my intention that Ontario's current good Samaritans, the nearly 6,000 paramedics across the province, are recognized appropriately for events which compel them to act selflessly to rescue or care for another without giving consideration for their own safety.

I ask all of my colleagues in the House today to give careful consideration to Bill 115, and honour all the paramedics who go well beyond what they need to do and the kinds of risks they take that need to be recognized, especially those who lose their life in the line of duty as they protect all of us.

**The Acting Speaker (Mr. Jim Wilson):** Further debate.

**Mr. Garfield Dunlop:** I'm very happy to rise today to support Bill 115, An Act to provide for the Ontario Award for Paramedic Bravery. The short title is the Ontario Award for Paramedic Bravery Act, 2010.

I'll read the explanatory note: "The bill creates the Ontario Award for Paramedic Bravery. The award is to be presented annually to paramedics, such as Paul Patterson of Kerwood, Ontario, who, in the opinion of the selection committee appointed by the Minister of Citizenship and Immigration, have performed an act of exceptional bravery to save or protect the life of another person. An award may recognize an act of bravery that occurred when the paramedic was off duty and may be made posthumously in certain circumstances."

To the member from Lambton-Kent-Middlesex: I don't imagine that we would have a lot of negative comments about your particular private member's bill. I think it's an excellent idea. You mentioned that there are over 6,000 paramedics in the province. You see these ambulances travelling and, in a lot of cases, helicopters flying 24 hours a day, 365 days a year. Accidents and the need for paramedics don't stop at a 9-to-5 job or anything like that.

As you know, we have a number of award ceremonies for police officers in the province of Ontario. I know that the Ontario Provincial Police, in each region, has an awards event, and they bring the families and anyone who's involved in some of these disasters or occurrences that require police, fire and paramedics, and a number of the police officers receive awards. I've been at a number of the ceremonies, and I've seen each year up to 20 or 30 medals of bravery for civilians and OPP officers for particular incidents. I can tell you that in a lot of those cases, there were paramedics available. Paramedics may have also been near the scene of whatever tragedy may or may not have occurred, and quite often, of course, there's not a specific award for those paramedics.

1350

I think they could get included in some of the civilian awards, along with the police officers. However, the idea of a specific award is a good idea. I think there can easily be a nomination process put in place that would be a benefit to our paramedics.

I think the intent of this is also good for morale in the health care field for our paramedics. The paramedics I know across the province, particularly the ladies and gentlemen who are members of the County of Simcoe Paramedic Services and serve Barrie, Orillia and all of Simcoe county, every time I meet any of them, they are very professional. They're people who want to learn. They're continually updating themselves through courses and improving themselves, and they're very, very committed.

There are a number of paramedics also—it's interesting—who have gone back to school and become registered nurses, and some have gone on to become doctors as well. I think that shows you the commitment paramedics have.

I would hope that every member of the House and the government would listen. I think this is something that's

fairly easy for the government to adopt. They don't even have to adopt Ms. Van Bommel's bill; they can make it part of the Ministry of Citizenship and Immigration and make it one of the awards that we present in some of our awards ceremonies here at Queen's Park or regionally in some of the areas.

When you look at the life of someone who is a paramedic, I think you'll find that they come across every kind of disaster, whether it's something involved in fire or road accidents etc. They see some of the messiest incidents you can imagine a human being seeing.

In driving, a couple of times, I've actually come across an accident myself, where I've tried to help a paramedic or a couple of paramedics with an accident that was bad, by directing traffic or trying to help them a little bit—with the little bit of knowledge that I have in the business, to provide some assistance.

So I think that if we in this Legislature start to look at private members' bills, this is one that we can't possibly turn down. It's something that we should look at in a very positive manner. It supports more people in our emergency services system, and it certainly is good for their morale and for the fact that Ontarians should pay special attention and appreciation to some of these guys who, again, are putting their lives on the line 365 days a year.

I will be supporting this, and I encourage all members of the House to do so as well.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Cheri DiNovo:** Likewise. It's a pleasure and a privilege to stand, and kudos to the member from Lambton-Kent-Middlesex for bringing this forward. She is a dignified, unique presence in this House on occasion, and this is one of them.

Certainly we support this in the New Democratic Party, and as my friend from Simcoe North would say, who would oppose it? It's the least we can do, and I would submit perhaps it is the very least we can do, because we need to do so much more. I would ask her, in turn, to perhaps lobby her own cabinet for the passage of a bill that I've tabled not once but twice here, which is to extend presumed diagnosis of post-traumatic stress disorder for front-line workers—inspired by paramedics.

I want to take this opportunity to talk about what inspired my bill and perhaps her bill, which is the bravery of our paramedics. Certainly our union representatives from CUPE, who represented my own particular paramedics, were here at Queen's Park, not once but twice, to support my bill. And let me explain what the bill said. It said that if you are a victim of post-traumatic stress disorder and a front-line worker, i.e., a paramedic, a police officer or a firefighter, that you, when dealing with the WSIB, should have a presumed diagnosis that your job gave you the post-traumatic stress disorder. Right now, the way it stands is that members who are paramedics have to fight their way through a bureaucratic system and try to prove—which is almost impossible to do—that their post-traumatic stress disorder diagnosis

came from their work, when in fact, all firefighters, police officers and paramedics can tell you of course it does.

The push-back is, “Well, it’s part of the job to rush into trauma.” It is, and they do. We ask them to do what we can’t or won’t do. But the reality is there is no screening that can tell you who will succumb and who will not succumb. This is in every way analogous to the firefighter legislation that was passed by the government here in this House—inspired by our own leader, Andrea Horwath, and her private member’s bill, but then taken up and passed by the government—to say that certain cancers should be presumed to have been caused by the job if you are a firefighter. Certainly firefighters are extremely appreciative of the fact that that has passed into law. Here is an analogous situation completely. Here’s a situation where, for example, a police officer or firefighter or paramedic comes down with post-traumatic stress disorder because of their work, couldn’t have foreseen that this would happen before it happened, needs the support of WSIB and finds it almost impossible to get that support.

Let me just share with you the stories of two paramedics who came to my office, because this developed out of constituency work. One paramedic came to my office who was the victim of a sexual assault while on the job. She’s still not back at work; she still suffers from post-traumatic stress disorder. She truly was the inspiration behind the bill. Once inspired by her, I had a meeting with a number of paramedics who told me their own tales of trauma. One paramedic told about going in to rescue a child who was in shock and trying to resuscitate that child and failing, and later being diagnosed with post-traumatic stress disorder with the usual symptoms: nightmares, inability to work, abuse of drugs or alcohol. These are all the side effects of a diagnosis of PTSD.

Another paramedic talked about how he rushed to a scene on a call, only to be ambushed by a group of young people who beat him senseless. He was, needless to say, a little more hesitant, and again became a victim of post-traumatic stress disorder with all of the signs and symptoms. We can’t have this. We cannot ask our front-line workers to do in effect what we ask our military personnel to do without the safety that we extend to our military personnel.

If you are fighting, for example, in Afghanistan and you have a diagnosis of post-traumatic stress disorder, we will look after you—maybe not well enough, granted, but we will look after you. We see that as the result of what we asked you to do on behalf of your community. But often for police officers, for firefighters and particularly for paramedics, we ask them to be the first on the scene in what could only be described in a small way as war-like conditions sometimes, yet we don’t extend to them what we extend to our military personnel.

It’s a bill that I’ve tabled not once, as I’ve said before, but twice. Certainly firefighters have spoken to me about this. Certainly police officers have spoken to me about this. They all see this as an issue that concerns them. It

may not be the front-of-the-line issue that they negotiate with the McGuinty government on, but it certainly is an issue that they want addressed.

Again, it happens to very few, thankfully, but it does happen, just as cancers from rushing into a fire happen to very few of our firefighters, thankfully. But it does happen, and when it does happen, that’s when we as a community and presumably we as a Legislature and certainly they as a government need to be on the side of those who are afflicted.

To get back to the member from Lambton–Kent–Middlesex’s bill, certainly we in the New Democratic Party support this bill; we do. An award for bravery to the brave—that’s really a no-brainer. But there’s so much more we need to do for our paramedics. A nurse friend of mine describes them as the lowest echelon of the front-line response team in terms of the way they get treated. That’s not good. That’s not fair. We need to raise them up, and we need to do what they ask us to do when they ask us to recognize that afflictions like post-traumatic stress disorder are a result of their jobs and to treat them accordingly. You can imagine what it looks like not to do that in the life of a paramedic. You can imagine the long lines, the long time it takes to get a diagnosis. It often takes months, sometimes years, and many days off, many days without pay, and sometimes the loss of your job itself. This all comes down to a critical incident or a series of critical incidents that are part of their job.

**1400**

I’m going to leave a few minutes for my colleague from Beaches–East York to speak about this issue as well. But suffice to say, just in conclusion, absolutely I support this bill. It is a wonderful and necessary bill. I ask in return that members of the House support my bill or lobby their own cabinet across the aisle to bring in a bill, as they did in the case of the firefighters, for presumed diagnosis. I know that many workers at WSIB, even, would like to see such a bill because it makes their job easier in terms of helping paramedics.

To all the paramedics in my riding and across Ontario who do so much and really receive not much—and certainly haven’t received this yet, despite years of tabling the bill—I say, yes, let’s reward you for your bravery, but let’s also look after you when you fall in the line of duty.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Helena Jaczek:** I’m very pleased to rise in support of Bill 110, introduced by our colleague from Lambton–Kent–Middlesex. Certainly, I am fully in support of this.

In the late 1990s, the former government here in Ontario downloaded land ambulance services to upper-tier municipalities. In my capacity as commissioner of health services for York region, I was charged with amalgamating the six ambulance services that existed in York region into one publicly owned and, I’m proud to say, publicly delivered service. At the time, that was fairly controversial, and I came to know extremely well what was entailed in the work that paramedics actually do.



They certainly, as has been said already, put themselves into emergency situations. They are first responders. By their very nature, emergency situations are full of risk, so they certainly are put at risk every day. Whether these risks are environmental or biological or even when they respond to situations where there may be violence—they accompany the police quite often in emergency situations—they are certainly putting themselves at risk. Although, and certainly I can speak for York region, the type of training the paramedics receive in order to deal with these situations and also the personal protective equipment they receive is, I think, quite excellent, inevitably they put themselves at risk, and often, as we've heard already, show how brave they are in those particular situations.

During the time I was the commissioner of health services, we had a situation where a car left Highway 9 near Newmarket and went into a stormwater detention pond. Our paramedics were the first on the scene. Three of them actually went straight into that stormwater detention pond because the vehicle was sinking and the occupants were inside. They extracted the two occupants successfully. Unfortunately, one did pass away, but the other was saved. Those three paramedics were honoured. In fact, they received the McNally Award of Bravery. They were and are good friends of mine: Ian Phythian, Shawn McLeish and Mark Hinton. At the time, we felt that even though the McNally award is very prestigious—it's only offered, obviously, when there is a particular act of bravery that has occurred. It's not an automatic annual type of award. It is one that is judged to have been earned in particular situations. Even though they did receive the McNally award, we wanted to do something more, so our York Regional Police also honoured these three individuals.

A provincial award makes sense. We have it for the other first responders—police and fire—and paramedics should be considered exactly the same way in terms of first responders.

I was happy to see that in 2009 another York region paramedic, Jamie Luz, received the McNally award. He was on his last shift when he and his partner came across a fire in a nurses' lounge at Scarborough Grace Hospital. They went straight into action, put the fire out and prevented harm to the dozens of patients and staff in the department at the time.

It's long overdue that we have a provincial award for bravery for paramedics. I fully support the member's bill.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Elizabeth Witmer:** I certainly would echo the words that have already been said about Bill 115, An Act to provide for the Ontario Award for Paramedic Bravery, and I do want to congratulate the member for Lambton–Kent–Middlesex for bringing the bill forward. I think it is a very important bill, and I think it's certainly the least we can do to honour our hard-working and very brave paramedics in the province of Ontario.

I'm pleased that this bill would create an annual award administered by the Ministry of Citizenship and Immi-

gration that would recognize outstanding acts of bravery performed by our paramedics, whether they are on or off duty.

It appears that everybody will be supporting this excellent bill. I think it's an opportunity for us to recognize annually, and certainly more often, the incredibly important work that is carried out by paramedics throughout the province of Ontario. I think it's also a recognition of the fact that the work they do can often be dangerous. They can find themselves in very risky situations, and certainly there are threats to their own lives as a result of the work they do. Through this bill that the member has put forward, we can demonstrate the support of the public—of all the people in the province of Ontario—for our paramedics.

I understand this bill has been introduced before. Unfortunately, it has never been able to go to committee. I really hope that this time we can send it to committee and deal with any outstanding issues, and that we will see this provincial annual award established in the very near future.

I know there are other awards that are currently administered by the Ministry of Citizenship and Immigration that do recognize the bravery of some of our other first responders such as our police officers and our firefighters, but of course we don't currently have any award or recognition at the provincial level to recognize the same bravery and the same contributions of our first responders: our paramedics. As the third vital component of public safety services, I do believe very strongly that the work of emergency medical services should be and must be recognized as well.

I think it is important to note that the Association of Municipal Emergency Medical Services of Ontario does present the N.H. McNally Award, which was named after the founder of the integrated system of ambulance services in this province, to honour paramedics in the province who have risked their lives to rescue or protect other people from harm. This award is, in fact, administered by an outstanding leader and member of my community, John Prno, the director of emergency medical services for the region of Waterloo. So we have an award. Obviously it's not an official provincial award, but we have already recognized that these paramedics do receive recognition.

Paramedics, I think everybody would agree, play a vitally important role in our lives. I know that the member for Lambton–Kent–Middlesex was inspired to propose the establishment of this award by a young man from her community who tragically lost his life in 2007 while responding to a motor vehicle accident during an ice storm. Paul Wayne Patterson died in the line of duty while serving the residents of Chatham-Kent.

#### 1410

We know that, more recently, four Ottawa paramedics—Craig MacInnes, Patricia St. Denis, Amanda Walkowiak and Virginia Walker—risked their lives to disarm a man wielding a knife and came to the aid of a police officer who had been fatally wounded.

These are just a few of the outstanding examples of bravery that have been demonstrated by our paramedics who go above and beyond the call of duty every day. It's obvious they are deserving of our recognition and this award, and also of our highest respect and sincere appreciation.

I certainly know that, as a former Minister of Health, I would have contact with our paramedics. I was able to see first-hand the work that they did undertake as they provided the timely first aid to so many seriously ill and injured people, and what a crucial role they play each and every day in saving the lives of people in this province.

So I congratulate the member and I thank her for bringing this bill forward. It's my sincere hope that we can pass this bill, that it will become law and that we can start to recognize our paramedics and honour them with this provincial award.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Michael Prue:** I rise in support of this bill. I think it's an important bill and I've had an opportunity over the last number of months to speak to paramedics and others who are emergency first responders. They feel kind of left out of the entire process, and they ought not to feel left out, because they are very much a part of what the public has come to expect in terms of service. If there is an automobile accident, if there is a fire, if there is any necessity, of course we expect the police to arrive and of course we expect the firefighters to arrive, but right hot on their tails, and sometimes in advance of them, the paramedics are there as well. They deal with very difficult circumstances. They deal with life-threatening circumstances. Their lives can often, as has been said, be put at risk, and we need to recognize those men and women in the same way that we recognize our firefighters and police.

I draw no lines between them. It is not appropriate to reward one set of people who do an exemplary job on behalf of the public and to leave the other ones out. If we are going to continue—and I believe we need to continue—to recognize firefighters and police officers for the work that they do, for the bravery that they show, for the exemplary service they provide to our community, then we can do no less for the third group.

That is why I'm here to speak to the bill. I commend the member for bringing it forward. There is scant opportunity around here for private members to bring bills forward as it is. You get one every year or year and a half that actually comes forward for debate, and I encourage all members to vote for this bill. But what I also encourage the member to do, as I have done for the last number of bills that have passed in this House—and I'm sure this one will as well—is to lobby your colleagues to have it brought forward into committee and for third reading. I certainly know that in the committee of which I am the Chair, which is regulations and private bills, we have tried, with considerable difficulty, to bring bills forward so that they can be heard. All that is required in that particular committee is that two out of

the three members of the subcommittee, one from each party, have to agree to bring a bill forward. It is very difficult when government members, sitting on that committee and others, continually block the passage of all bills from being heard without the express say-so of the House leader for the government party.

It's time for the members in this place to rise up. It's time for the members in this place to stand up and to say that they want an opportunity to have these good ideas discussed beyond this Legislature. They want them heard in the committee. They want them brought back for third reading and they don't want this to be some kind of academic exercise.

On behalf of the people who would be the recipients of the bravery awards, I'm asking the member to take that next step. Thank you for the idea, but make sure your colleagues will allow it to go forward to committee. Make sure that they will stand up to the government House leader. Make sure that they will have the courage of their own convictions, if they believe this is a good bill, to allow it to go through the committee process, to allow any amendments that need to be made, to hear any deputants who need to be heard. In the end we can pass it as a House, because I'm sure members on all sides of the House will allow this bill to go forward, want it to go forward. We don't need any further roadblocks for things that are good like this, that are going to get unanimous approval and will be appreciated by everyone in this province.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Mike Colle:** I was just reminded of a bill I had about 10 years ago. I introduced a bill recognizing the use of automated external defibrillators. I remember when it was at committee, they even stripped the title off my bill, and they wouldn't even bring it back to the House. I remember the Ontario Medical Association coming to the committee, speaking against the use of these defibrillators, saying, "These don't work. They're very dangerous." As you know now, luckily, we've got them in the province.

Sometimes these new ideas or bills take time and they take a lot of educating. A lot of information has to pass through the hands of members and the general public, because I think we have to get the public onside. This bill here before us is part of that process. In some cases, members have brought bills four or five times, but it's all part of educating and getting people to be better informed.

I think this bill will eventually pass in one form or another. I know that the paramedics in this case are to be recognized. I think the member from Simcoe North made a good suggestion that there might be an opportunity to bring this forward even without a bill.

As you know, we do recognize our incredible front-line officers and firefighters. I just wanted to put in a good word for some of our real-life heroes who are paramedics. Here are a couple of examples.

A very unfortunate example: Back in December 2009, outside Ottawa's Civic hospital, early in the morning, a

couple of paramedics saw a police officer wrestling with a man in a parking lot. The paramedics ran outside. One reportedly grabbed the knife-wielding man from behind and wrestled him into a headlock. A female paramedic grabbed the man's arm and kicked the assailant in the groin, sending him to the ground. The paramedics then pinned the man as a colleague went to the aid of Constable Czapnik, who had been slashed in the throat. As you know, unfortunately, Constable Czapnik, a father of four, died from his wounds later on in Ottawa.

This was above and beyond the call of duty, with the paramedics, who were in the hospital, obviously—they'd just brought a patient in—then running out into the parking lot to help the officer who was being attacked. That's the type of thing we want to, I think, recognize with the member from Lambton–Kent–Middlesex.

Another very good example I found is a couple of paramedics who were in Brampton. They were also recognized. What happened with them was paramedic Sutherland demonstrated exceptional courage when she witnessed a collision where a van was wedged under a tractor-trailer. When the van burst into flames, trapping the driver, Sheri Sutherland grabbed a fire extinguisher and instructed a bystander to fight the fire. Disregarding her own personal safety and exposing herself to thick, black smoke and fire, she broke the passenger-side window, climbed into the burning vehicle and removed the unconscious person. There's another example of a paramedic going above and beyond the call of duty. That's Sheri Sutherland, who has received the McNally award from Brampton, along with her colleagues in Brampton.

Anyway, this is a bill that I think, again, will come to fruition. But I think it's upon all of us to try and work and make this a reality. That's why we've got to support the member from Lambton–Kent–Middlesex in this good work.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Dave Levac:** I appreciate the opportunity to address the House on the bill before us, Bill 115, An Act to provide for the Ontario Award for Paramedic Bravery.

The member from Lambton–Kent–Middlesex has done her homework. I want to make sure the House realizes that she has received letters of support from EMS, the police, fire services and individuals all across the province of Ontario. I compliment her on doing that homework and receiving some information that shows that the communities at large, those who are the first responders' group—that's what the group's called, the first responders. The paramedics are part and parcel of that first responders' group. Collectively, we have made advancements in equipment, we've made advancements in standards and best practices, but it's the people, the paramedics, whom she is talking about.

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I've worked locally with our paramedics. I've done the ride-alongs. I've spoken to our base commanders and the individuals and watched them work. I can tell you

that the Brant ambulance service that takes care of Brantford and Brant county—and they have an agreement in Paris, Ontario. They also have an agreement with Six Nations to go back and forth. They've got 65 primary and advanced care paramedics to support. That's one of the 6,000 groups of people the member's talking about. They cover 924 square kilometres in response time, and they've got 116,000 citizens that they take care of. They've got five ambulances and one emergency response unit on daytime hours; 14,700 calls for assistance in 2005. From 1996 to 2005 they saw an increase in services of 80%. That tells you how hard they work, but what they don't tell you is that it's about the families of these heroes as well. Yes, their families know that they're going to work every day and that they could lose their lives providing that service, just as any other of our first responders do.

So we're asking for support. They've asked for our support to support their own. That's another important aspect, because it speaks highly of how they care about their colleagues. They are not always successful. They carry that with them, along with the families who are in grief. So they carry those spots on their hearts of the people they can't save. They're doing us another favour that doesn't often get talked about.

The bill talks to us; it speaks loud and clear to us that it's another way in which we, as legislators, can move forward and continue to honour those who put it on the line for us. I believe that the member's intent is simply that. That's all it is. It's not anything else compounded. It's not anything political. It's not to do anything else than to honour those people she's told us about.

We have in each of our ridings stories that could be shared by the paramedics of the things they've had to see and the things they've done. The fact is, they don't want to be heroes. That's another misconception. They didn't take the job thinking, "Some day I'm going to be a hero." They put themselves behind all of that.

What we want to do is to elevate that so that we honour them, their service, the service itself and their families. What's important to point out here is that their families, every single day when their loved one goes to work, carry that burden as well. If we can do one small thing to honour them, then I say let's go for it. I support this bill wholeheartedly, and I thank the member for bringing it forward.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Ernie Hardeman:** I, too, want to rise and speak in favour of this bill, and thank the member from Lambton–Kent–Middlesex, Ms. Van Bommel, for presenting it.

Having spent 25 years in the fire service, I want to say that when I went to the accidents and the places where these types of acts would take place, there was no distinction, whether you were a policeman, a firefighter or a medical attendant, as to what you had to do. So I would commend her for doing that and point out my support for this piece of legislation.

I gather by that, Mr. Speaker, that my time's gone. In fact, according to the clock, there never was any time, but thank you very much for allowing me to speak.

**The Acting Speaker (Mr. Jim Wilson):** I think you had about 40 seconds, but thank you.

Mrs. Van Bommel has up to two minutes for her response.

**Mrs. Maria Van Bommel:** I would like to thank the members from Simcoe North, Parkdale–High Park, Oak Ridges–Markham, Kitchener–Waterloo, Beaches–East York, Eglinton–Lawrence, Brant and Oxford, even for the quick moment that he spoke, for their very supportive words.

Since first introducing this bill in 2009, I have received numerous letters, emails and phone calls of support, as the member from Brant noted, and I would like to thank those groups and individuals for their support of this bill.

Paul Patterson paid the ultimate sacrifice. He was a hero, but first and foremost, he was a paramedic. On behalf of Paul Patterson and countless other paramedics, including Bruce Krauter, Tony Metayer and my own nephew Jeff Millar, who is a paramedic in the Renfrew area, I urge all members of the House to join me in support of this bill and honour these courageous people.

Before I finish, I would like to read the prayer of the Association of Municipal Emergency Medical Services of Ontario. The prayer goes:

“God grant me the strength to deliver emergency medical care with skilful hands and a compassionate heart. Give me the courage and ability to render my professional skills when called upon and lives are on the line. Help to guide these hands with love and care as I bring new life into this world. Let me ease the suffering of others from day to day.

“And finally, to help me accept my fate and the fate of others with a clear mind and an open heart.”

**The Acting Speaker (Mr. Jim Wilson):** Thank you. For those visitors in the gallery today and those watching at home, we will vote on Mrs. Van Bommel's ballot item in about 100 minutes.

PROTECTING VULNERABLE PEOPLE  
AGAINST PICKETING ACT, 2010  
LOI DE 2010 VISANT À PROTÉGER  
LES GENS VULNÉRABLES  
CONTRE LE PIQUETAGE

Ms. Jones moved second reading of the following bill:

Bill 83, An Act to prevent picketing of supported group living residences / Projet de loi 83, Loi visant à empêcher le piquetage devant les résidences de groupe avec services de soutien.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 98, the member has 12 minutes for her presentation.

**Ms. Sylvia Jones:** I'm pleased today to speak on Bill 83, an issue that I feel strongly about, and I know, from

speaking to a number of members in this House, that I share that view with many others.

I first want to take the opportunity to thank some of the many organizations and individuals for their support for this bill: from Community Living Ontario, executive Keith Powell, Rozalyn Werner-Arce and Gordon Kyle, who actually gave me the idea in the first place; from the People First organization, Kory Earle; and from the Respect our Homes Coalition, Melissa Abrams and Kim Gavan—those three individuals did an incredible job this morning at their press conference, and I thank you for that.

I also need to thank the many organizations that came down to Queen's Park today to support this bill. I'm going to go fairly quickly, because there is quite a list: Community Living Ontario, Community Living Quinte West, Community Living Kawartha Lakes, Community Living Walkerton and District, Community Living Chatham-Kent, Community Living London, Community Living Campbellford/Brighton, Community Living Prince Edward County, Community Living Durham North, Community Living Tillsonburg, Community Living Welland Pelham, Community Living North Halton and Community Living Brampton Caledon.

I also want to thank the individuals and organizations from all over Ontario who sent me letters of support and I know have had conversations with their own MPPs to educate them on the importance of this bill.

During the summer of 2007, a strike was happening across southwestern Ontario. That summer, staff working at seven supported living agencies were part of a labour dispute that continued for nine weeks. During this time, homes for individuals with intellectual disabilities were picketed by workers. Supported individuals felt trapped inside their homes, and some were forced to leave altogether. Many residential neighbourhoods were disrupted by picket lines, porta-potties, megaphones and whistles, 24 hours a day. Shouting occurred at all hours of the day and night, disturbing the neighbourhoods and scaring the residents.

Community Living and other organizations that support individuals with intellectual disabilities have worked very hard to incorporate supported living residents into our neighbourhoods. Gone are the days of institutions for those with intellectual disabilities. As a society, we understand that it's important for us to live together in our homes in a community close to family and friends.

Neighbourhoods should not have to fear that having a supportive living residence in their neighbourhood will mean, during times of labour unrest, that they will be subjected to porta-potties occupying their streets, picket lines obstructing traffic, and noise at all hours of the day and night.

Imagine this from the perspective of someone with an intellectual disability. You live in a supported living residence with your friends. You have a part-time job, and a family that comes often to visit. You enjoy the company of your support workers and have a wonderful relationship with them. They help take you to work, on day trips and play games with you at the end of the day.

## 1430

What happens when, the next morning, you wake up and these same people that you trust are outside of your home with picket signs, shouting into megaphones? And when the strike is over, everyone is expected to go back to normal; they're your friend again. But it's not that easy. This is their home, and they did not feel safe or secure in their home, and it was a violation of their human rights.

The book *Behind Closed Curtains*, which is a record of experiences from individuals whose homes were picketed in Ontario in 2007, has many quotes describing first-hand the feelings and emotions during the nine-week strike. Some quotes were:

"Picketing centred us out. Everyone now knows where we live. We are supposed to be fitting in. I ask you: How is this helpful? What about our confidentiality?"

"It's hard to discuss my feelings of what it feels like to cancel your life."

"I had to move."

"I was trapped in my own home."

During the summer of 2008, I had the opportunity to travel the province with the Standing Committee on Social Policy for Bill 77, the Services for Persons with Developmental Disabilities Act. It was actually my first bill as critic for community and social services. The strikes of 2007 were still very fresh in the minds of Community Living organizations across the province, and they came to the committee with suggestions on how to make this legislation stronger. The one thing that was clear throughout committee deputations was that these organizations did not want to see the actions taken in 2007 to be repeated if there were going to be future labour disruptions.

A representative from Community Living Tillsonburg said during the committee hearings, "The rightful entitlement to enjoy the peace, tranquility and security of their homes, as deserved by any Ontarian, was taken away. Their relationships with their neighbours were affected significantly. We believe that no other citizens in Ontario are subject to having strikes occur at their home, whether they are owners or tenants. People who are supported by Community Living need to have their rights respected as well."

As I mentioned earlier, since this bill was introduced I've received widespread support from individuals and organizations across the province. I want to share with you some letters that I've received. From Larry Leonard, who's the president of Community Living Durham North: "We are not calling into question labour's right to strike, or its right to lawfully picket our administration building, or other public buildings. But we cannot accept that vulnerable people should be subjected to aggressive picketing, in their homes, by their own support staff."

From David Spencer at Community Living Manitoulin: "You would not want striking workers picketing in front of your house, so please demonstrate the same respect to people with intellectual disabilities and support Bill 83."

From Kira, a support worker in the central west region: "To the member of Northumberland-Quinte

West, I support Bill 83. Individuals that live in supported homes deserve to live in peace and quiet, without the threat of picketing in their front yards. Imagine the impression that this practice makes on the neighbours and businesses in the neighbourhood."

I think Mary Munnoch, the president of the Community Living Association for South Simcoe, put it very well when she said, "If the picketing of group homes continues to be allowed, it may very well set back much of the work done by agencies, parents, community advocates and the government itself that was intended to meaningfully integrate people with disabilities into our communities. The 'not in my backyard' mentality is still visible in many communities."

From Bob Butella, Community Living Guelph Wellington: "If they were taken out of their home for a medical appointment or another activity, they were often harassed by striking workers—despite having established picket line protocols that were put in place to prevent these actions. This is an unfortunate and preventable event that, in effect, undermined years of community building by these agencies. Vulnerable persons deserve better!"

From Rick Tutt, Community Living, Lanark: "This issue is not about the right to strike ... it is about a person's right to enjoy his or her home and not to be subject to the disruption of picketers demonstrating in front of their home and causing undue disruption and pain."

From Sheryl Chandler, Community Living Dufferin: "How can we say on one hand your worker must respect you and on the other allow workers to strike in front of people's homes, dictating to them when they can leave the property? Does that make sense? You would think that picketing in front of someone's home would simply be against the law."

I want to read to you an email I received after the introduction of this bill. They've asked that their names be held in confidence, but it is from Kimberley, a support worker and her friend.

"JT is nearing 65 and has had a life that many others would not have survived, starting at the age of five, when she was institutionalized for about 30 to 35 years. Her family has all since passed, and she is alone. The only people in her life are paid to be there. I once was one of those people, approximately 15 years ago, and am now proud to be able to call JT my friend.

"Each day, JT struggles to feel safe in the world; it's complicated and not overly welcoming to her. She is confused often by the rhythms of her day and the expectations of others that she has little control over. She relies on her staff for almost everything: all her meals, her meds, to keep those around her from hurting her, to protect her from the world on the other side of her front door, for her health and the place in the world. I believe JT's support staff care deeply for her and have a sense of obligation to her. But I also know that her needs will also come second to theirs when push comes to shove. I am troubled by the fact that her right to a peaceful home

currently comes after the staff's right to picket and go on strike.

"JT is a tiny, 65-year-old woman with frail health ... who has lived a life of abuse, neglect [and] profound loneliness, and whose rights have always come after others'. She needs us to recognize that and to say no. JT needs us to say no so that she can hold on to the only thing in her life that she can trust—that her staff are people trying to create a place where she can feel safe. JT has little to nothing in her life like that—the view from her front window needs to be protected from a battle on her driveway between the people that she believes are there to keep her safe. We promised her that—we promised her deceased parents that they could trust us—that she should move into [the] community and she would be safe. Our government promised her that" too.

I think Kimberley said this very well.

I want to encourage everyone to visit a website called [www.respectourhomes.ca](http://www.respectourhomes.ca). If you need a compelling argument as to why you should support this bill, the website by the Respect Our Homes Coalition lays it out admirably. In one instance, a picketer tried to provoke a resident into having a seizure by flashing a red laser into their room. This disturbing act was caught on video and can be seen on the site. The video describes one picketer trying to lure residents out with a box of chocolates.

I could go on and on, but the bottom line is, we have an opportunity with Bill 83 to say, "You have the right to strike; just don't do it in front of people's homes, in front of supportive living residents." I urge people to actually take the high road. Think about what we're trying to do when we use words like "inclusion" and talk about how we want to shut down institutions. We've done that, but you also have to protect people when they're in the community.

I hope that we can set the partisanship aside for a few hours this afternoon and actually get this to committee.

*Interruption.*

**The Acting Speaker (Mr. Jim Wilson):** I just have to remind visitors in the gallery that we have a very strict rule. We are really happy you're at Queen's Park today, but you're not allowed to participate in the debate, and that includes clapping. But welcome to Queen's Park.

Further debate?

**Mrs. Elizabeth Witmer:** I really do want to congratulate the member from Dufferin-Caledon for bringing this bill forward and for the passionate presentation that she made. I hope that people have paid very close attention to the comments she made and the passion with which she presented those arguments. I hope that, at the end of the day, they will support her in this endeavour and vote for Bill 83, the Protecting Vulnerable People Against Picketing Act, 2010.

It's wonderful to see so many people here today, and again, I think it speaks to the fact that this bill is important to many people throughout the province of Ontario.

1440

I also want to thank the member for her ongoing, steadfast commitment to promoting and advancing the

rights of all intellectually disabled individuals. They are our citizens, and I would say to you that this member repeatedly, time and time again, has done her very best to ensure the well-being of many vulnerable citizens in the province of Ontario.

We all know that, for a very long time, intellectually disabled adults were forced to live in large group homes, away from their families and their communities. Now, we have made progress. We have rectified that situation. Through the very good work of Community Living Ontario, these same people now have the opportunity that we do to live within their own homes, with their loved ones and within their communities.

I believe it's critical that, as a society, we provide these people with the means to live with dignity. I can tell you that that's what Community Living Ontario is working hard to achieve every day. Unfortunately, we've heard from the member and we know ourselves that these people have found themselves caught in the middle of labour disputes, and as a result, they have been put at risk by picketing and striking workers during times of labour unrest. We've heard some very shocking stories and I think we need to remember them.

We need to also remember that if we're going to be picketing, let's do it in front of the management offices and let's not do it in front of the people whom we're supposed to be tasked with looking after and caring for.

We've heard stories about strikers barring people's way in and out of their homes. Think of what you would feel like if that happened to you. We've heard of picketers shouting instructions on bullhorns, blowing whistles and screaming "Scab." I can't imagine somebody doing it outside my own home. We've heard of portable toilets being installed on their front lawns. We've heard of lasers and flashing lights being shone into group homes to induce seizures. We've heard of fights. There are some other stories that we have heard.

It is simply not fair to target these individuals and to use them as pawns in the negotiating process. Collective bargaining ought to remain between management and the unions. We should not be using these people, harassing them and intimidating them. This is abhorrent behaviour, and I think all of us in the province of Ontario have a responsibility to make sure that it does not happen. As I just said before, we wouldn't want it happening outside of our own homes.

I believe that unions have the right to peacefully protest and picket during contract negotiations. However, I don't believe that they should be allowed to torment these citizens in their own homes. Supported independent living is a healthy and inclusive way for individuals to live within and contribute to their communities.

I congratulate the member for Dufferin-Caledon for bringing forward this bill, and I believe very strongly that everyone should support it.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Ernie Hardeman:** It is with great pleasure today that I rise to support Bill 83, the Protecting Vulnerable

People Against Picketing Act, presented for debate here today by the member from Dufferin–Caledon, who introduced this bill. It's important to speak to such an important issue. I've been speaking about this a number of times as I visit Community Living residences in my riding.

This bill addresses the problem that happened during the summer of 2007 in many places in southwestern Ontario, including my riding. At the time, the staff working at a number of supported community living residences were part of a labour dispute that went on for over two months. During the strike, a number of homes for individuals with intellectual disabilities were picketed by workers.

I want to point out that those are their private homes. It's not an institution; it's a private home. Services come in to help them and meet the needs of their day, but it's their home.

For residents and their families, some of the picketing was frightening and disruptive and left them feeling trapped. It took away their right to enjoy the peace and security of their homes.

It was a tough situation for everyone. It was difficult for the residents and their families, but also tough for the support workers.

I've been to Community Livings often and have seen the good work that the staff does. I also visited during the strike in 2007. I spoke with the staff members and the residents, and I know this was not the situation that either group wanted. The staff were not happy being there, and of course, as we all have heard from the member presenting the bill, the residents were very concerned about what was happening outside their homes.

People with intellectual disabilities who are supported by Community Living need to have their rights respected, and that is what this bill does. The bill prohibits the picketing of supported group living residences where people with developmental disabilities live. It ensures that during labour disputes, people participating in supported living will have their comfort and safety protected in their homes, and I think that's very important.

When the government passed Bill 77, the Services for Persons with Developmental Disabilities Act, in 2008, it did not prohibit picketing at the homes, despite calls for an amendment by supported living representatives.

Bill 83 fills a loophole that still exists in the supportive care system and protects Ontarians involved in supportive living from a repeat of what happened in 2007.

One of the supported living residences where this unfortunate situation happened was Community Living Tillsonburg, in my riding of Oxford. With us at Queen's Park today, we have representatives from Community Living Tillsonburg, including Marty Graf, the executive director; Lisa Francke; Sandra Bray; and some good friends of mine, Dave and Carolyn Streefkerk. I want to thank them, and all the others who came from Community Living Tillsonburg, for being here today. I commend them all for their commitment to helping people in need and for working to make Ontario a better place for all to live.

I think that's what's very important about this: that it's for all people. These are special residences for people who have special needs—but they are people and it's their home, just like everyone else's.

Community Living Tillsonburg is a non-profit organization that works with people with intellectual disabilities. Founded in 1955, the centre has gone from a school for developmentally disabled children to a full-fledged Community Living establishment, but has always been a place which promotes public awareness of the needs of the intellectually disabled.

The staff at the centre does a great job of ensuring that residents are included in their community and that they enjoy active and productive lives. The staff also provides services to children and families to help them manage and overcome the challenges of living with a disability. One of these initiatives is the family support program, which helps about 40 families a year with referrals, government forms, school issues, recreation and leisure planning, and other family needs.

Bill 83, the Protecting Vulnerable People Against Picketing Act, is an important piece of legislation that ensures that all individuals living with an intellectual disability will be able to feel safe, secure and comfortable in their own home, regardless of the labour activities that go on outside of their house and around their community. I strongly recommend that everyone in this House support this piece of legislation today.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Kormos:** I commend the author of this bill for bringing it forward. It permits a discussion around a very important issue that we have.

Like everybody else in this chamber—I trust that everybody else believes in the constitutional right of any working woman or man to belong to a trade union and to freely collectively bargain. I know that the Liberal government doesn't want to extend that right to agricultural workers, but they have to live with that.

I also believe very, very strongly that the right to withdraw labour is a critical part of living in a democratic society. Again, it's another right that's a constitutional right. It's a right that's protected by the Charter of Rights and Freedoms, and so is the right to picket.

I understand that group living residences, as described in the bill, are people's homes. They're also people's workplaces. I also understand, I hope all of us do, that people working in those supported group living residences are among the lowest-paid workers in Ontario.

**1450**

I was impressed with the material put together by Community Living Ontario, Behind Closed Curtains. I read the commentaries of people whose first names are referred to, and I'm concerned about some of the upset that these people endured. I am concerned that there are reports of presumably a worker on a picket line striking a strobe into someone's bedroom. I find that deplorable behaviour.

That's the sort of thing a former criminal lawyer—I suppose one is never a former criminal lawyer. Once a criminal lawyer, always a criminal lawyer, which is an appropriate profession for entering politics, of course. I recall, as a criminal lawyer, that the charge of mischief—which is not a trivial charge, although it sounds trivial—would be an appropriate criminal charge for somebody who did something like that, flashing a strobe into somebody's bedroom, disrupting their sleep, interfering with their use of their home.

I also know that no worker anywhere in this province ever goes on strike willingly or with any delight or pleasure, especially low-wage workers, because a low-wage worker suffers even more when they lose a week, two weeks, three weeks or four weeks of wages.

I'm also touched by the comment and the material in *Behind Closed Curtains* about how little some of our friends who are living in group living residences receive by way of ODSP. There is one comment, here—again, I find it quite sympathetic—that says, “These guys are going on strike for better wages. I live on \$32 a week.” I understand that.

People should know that we've been in this Legislature aggressively addressing this government about its failure to allow people, some of them living in supported group living residences, the dignity of decent incomes, the dignity of decent and real work, the dignity of being included in all facets of the community's life. It's for all of those reasons that I can't support the legislation. It's for all of those reasons that I can't. Our friends who live in supported group living residences aren't “those people.” They're our neighbours. They're our sisters and brothers. They're our children. They're our parents.

You see, one of the realities of living in the community—heck, I can tell you that nothing is more inconvenient than being in Winnipeg and expecting to get a flight home and finding airline pilots on strike. I found that a serious inconvenience, so I took the train, and I wished the airline pilots well.

You see, one of the questions here is, why are there strikes in the first instance? No worker wants to walk a picket line when that worker would far sooner negotiate a collective bargaining agreement at the bargaining table.

So I say that all of the players here aren't laid out on the table. If we had anti-scab legislation in this province, like we used to until it was repealed, picket lines would be few and far between, and labour disputes would be far more quickly settled and resolved. If we had adequate funding—adequate funding—for programs run by ACL, Association for Community Living, amongst others, then you wouldn't have the tensions that inevitably are going to occur every time collective bargaining comes around because those lowest-paid workers of the province could expect to have their plea for a modest 2% a year, or whatever it might be, increase in their salary or wages accommodated.

We New Democrats believe in collective bargaining. We believe in the right to withdraw labour. We believe in the right of people not to be harassed or intimidated.

That's why I don't understand, for the life of me, why we haven't heard stories about applications for civil injunctions enjoining people on picket lines from doing any number of these things that have been complained about, screaming at people who live in homes that are group living residences, flashing lasers—I really wish they'd be named and outed right here in this chamber, because they deserve to be, if in fact they exist.

I respect the author of this bill, and I am well aware of her good intentions when it comes to caring for people in her community. As a Canadian who very much believes in the Charter of Rights and Freedoms, as a Canadian who believes in the rule of law, as a Canadian who believes in free collective bargaining, as a Canadian who believes in the right of labour to withdraw their labour and as a Canadian who believes in the power and the right of courts to intervene when public harm is being done by way of injunctions, I say that this does not address the problem. It certainly doesn't solve the problem. I'm afraid that it, in and of itself, as an issue, will aggravate and inflame rather than encourage accord.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Dave Levac:** I appreciate the opportunity to speak on Bill 83, An Act to prevent picketing of supported group living residences.

Let me get to the point. I believe the stories that I've been told in my riding. I believe the residences when they tell me that things happened at their home that they didn't want to have happen and they didn't like. It threw them off, it confused them and they were disappointed. I believe those stories.

I want to say to the member opposite who's introducing the bill, the spirit in which you're providing it is laudable. The spirit in which you are providing it is a statement to who we are and how we treat each other. I don't want to make a distinction between anyone who needs special help and how we treat each other.

The member from Welland offers some sound advice when it comes to outing the individuals who perpetrated some of these things that happened to the constituents in my riding and ridings across the province that had the same experiences during that strike. I want to stand firmly by saying to you that I honestly believe the stories that I heard.

I also want to provide you with a concern that I have about the wording of the bill, and I'll be very specific. If we turn to page 1 and look at section 3 on prohibiting picketing, “Despite any other act, a person shall not, in connection with a labour dispute, engage in picketing of a supported group living residence,” the first part is what I will be, and I believe you will be, having trouble with in court: “Despite any other act.”

What I'd offer you, maybe in amendment, is the labour law challenges that took place previously when a section similar to that was used to describe that “no other bill can supersede this one”—it turned out it was the other way around. The labour law can't be superseded by somebody who's trying to circumvent what labour law



already states. So I offer that as friendly guidance to find out if there's a way to get that clarified.

The Ontario Labour Relations Act, 1995—the LRA—neither defines nor expressly authorizes or regulates picketing in the context of a legal strike. Picketing is lawful at common law but may be limited if it involves criminal or quasi-criminal activity, such as trespassing, or tortious activity, such as nuisance, intimidation, inducing breach of contract or defamation.

Generally, picketing in Ontario is regulated through three means. Court injunctions: Courts have the power to regulate picketing through injunctions issued under sections 101 and 102 of the Courts of Justice Act, the CJA. Injunctions may be sought by workplace parties or even third parties. Injunctions in the context of labour disputes are addressed explicitly in section 102.

Section 102 of the CJA requires that, prior to issuing an injunction, the court must be satisfied that reasonable efforts to obtain police assistance with respect to alleged danger of damage to property, injury to persons, obstruction to “lawful entry or exit from the premises ... or breach of the peace have been unsuccessful.”

#### 1500

Labour board orders, which is the third option: Under sections 100 and 101 of the LRA, the Ontario Labour Relations Board has the jurisdiction to regulate picketing activity in the context of a legal strike or lockout. Board remedies may be sought by the employer or the unions involved in the workplace dispute.

I wanted to make sure that we are on record as to what I think is the practical application of our discussion this afternoon. The focus is always on getting the parties back to the table to reach a negotiated settlement. For the record, 97% of all labour disputes were successfully worked out without a work stoppage. We are talking specifically about the context of this bill, specific to Community Living.

I've been a volunteer and worked with Community Living Brant even before I was elected, and indicate to you that, right off the bat, a very important issue that needs to be raised today is the value we must place on those who have provided the service for those who need our help. I do not in any way, shape or form believe that the workers under these circumstances should collectively be painted with any brush that these pickets have brought attention to. I want to make it clear, on the workers' behalf, that I want to be on the record as indicating that I have seen, since 1992, exemplary work being done by the citizens who are employed by Community Living. I also want to thank the staff and supervisors of Community Living for the exemplary work they do.

In terms of what we're trying to accomplish, which is to eradicate that percentage of problems that took place during a time in which these stories were told, I agree with the member. I agree that these things should not have happened, and I believe that we should be doing something to stop that from happening.

I'm going to continue to listen carefully to the debate that's going on today. I, for one, will use my right to

choose which way I want to vote during private members' time, and I will share that vote when it comes time for that.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Garfield Dunlop:** I'm going to be very brief. I want to give a bit of extra time to the member from Newmarket–Aurora.

I fully support the bill. I support my colleague Sylvia Jones in her private member's time. I know that as the critic for community and social services and children's services, she's done an exceptional job. She continually brings forward to our caucus the issues that she faces and that the government faces, and reports on them well. This is obviously an issue that was a great deal of concern to her.

I think there's just so much common sense to this. The reality is that if there are any labour disruptions at any of the Community Living organizations, they all have central offices and those demonstrations can take place there. They can rally in large groups against the Community Living organization or against the funding that the government may not have come up with or whatever it may be that is causing the disruption. But the reality is that I think it makes so much common sense that we don't disrupt the lives of the people we are working so hard to protect.

We've been through a lot over the last few years with Community Living organizations and with the closing of the three regional centres. It's been a huge issue in my riding, and I think that if there were any kinds of labour disruptions, I would rather see those labour disruptions and rallies taking place at the centres that are run by Simcoe services and Community Living Huronia in Midland—have those rallies and demonstrations take place there and not at the group homes that the people call their residences.

It's great to see so many people here today, hopefully supporting this legislation. I hope all members of the House support it as well and look out for the people who are so vulnerable in our society.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Michael Prue:** In my office I proudly have a plaque that says, “The end of an era.” Many of us got that when Community Living came here. It's right inside the front door, so the first thing you see when you come into my office is that plaque. Above my desk, I have a little plaque with a key on it that they also gave me that day. The key is to signify the closing of the institutions. I have that proudly on my wall right by my desk so that I can see it every day.

That was a momentous day for Ontario. That was the day that every person who was formerly in an institution became a full citizen with all the rights and responsibilities of all of us. They are our friends and our neighbours. They are the people of the community. They are us, and they need to be treated like us. But they have to be treated in a way that has the same responsibilities and freedoms and joys and sorrows as all of us.

We know that in this province, from time to time, there are strikes. I certainly am inconvenienced. I know they happen. I don't like them but I have to live with them. I sometimes have to live with the garbage not being picked up—and that cost a would-be mayor his job—in Toronto. You have to live with when the TTC doesn't operate. You have to live with a great many circumstances, and I want people who are full members of our society to understand that, and I think in time they will.

I also want to thank the friends and the families and the agencies and the workers for making all of our people citizens and giving them all the rights and responsibilities.

I want to especially talk about the workers, because I know those workers do very hard work. They work extremely hard, and they are trying to do the very best within their capacity to look after the people whom they are charged to help. They work so hard that they often invite them home, they take them out to places. On holidays, if they don't have family, they invite them home for Christmas. I, too, have heard those stories, so let's be real about who we're talking about here.

Those workers were on strike for decent wages. In almost every case, the altercations that are being described here today were a result of the hiring of replacement workers. New Democrats call them scabs; other people call them replacement workers. I looked at the little book and I looked at this very brilliant photo that was used as a backdrop today: Every one of the signs talk about replacement workers and scabs. That's why the picketing was going on in front of those homes: because those lines were being crossed. Let's be real. If anti-scab legislation was the law in this province, then the picketing would not have to be in front of the home, and I would agree with the honourable member. But as long as this province continues to allow for replacement workers, then the picketers have to be there to stop those replacement workers from crossing the line. That's one of the rules of a picket. You can't do that by picketing a head office. You have to picket the place where the scabs are working or crossing the line.

I question, too, the constitutionality of this bill. My colleague from Welland has talked about it. There is the right to association. There is the right to assembly in public places. The Labour Relations Act quite clearly says that if a home is the workplace, then it is a workplace. As I said, the chief goal of picketing is not so much to draw attention, not so much to make publicity, but to ensure that people are not replacing the workers while a strike takes place. This can all be resolved by bringing in anti-scab legislation, or in the alternative—the government doesn't seem to want to do that—by calling for a negotiation and a protocol signed between all the parties before a labour dispute actually gets as far as it does, so that full collective bargaining takes place and a guarantee is made that no scab labour will be hired. I'm sure the unions would agree, if that is the case, that they would find alternate places to picket.

In the meantime, let us be real. Workers have the right. People who are full citizens have to understand that right. We need to deal with this in a very mature way, which I do not find at the present time in the body of this bill.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** Before I start, I want to welcome all the Community Livings from London and our region. I see people from Tillsonburg, from Chatham and many different areas of southwest Ontario. Also, I want to welcome the staff and administrators from Community Living across the province of Ontario, and also the residents, who came to listen to this important debate.

No doubt about it, this debate is not new and has been talked about many different times. During our committee travel across the province of Ontario, many staff and residents of those group homes came to us and spoke about that dramatic and sad time when their homes had been invaded.

**1510**

Also, I listened to many different employees who work for Community Living. I want to state to this House that I worked for Community Living London for quite some time. I also worked for the Ministry of Community and Social Services as an employee for many years at the Oxford Regional Centre. I was a member of OPSEU. During that time, I never thought, as the member from Welland—I don't think any employee wants to protest or go on strike, because that salary, the money they make, is important to support their families. They do it as a last resort to get their rights established or to be listened to.

In the meantime, the residents in those group homes have a right to live in peace and tranquillity. I think we are obligated, as citizens, as a government, as employees and as administrators, to provide that peace for them. They choose to live in certain areas and also choose to be supported by certain people, and they deserve respect and the right to live in tranquillity and peace.

In the meantime, when the incidents happened in 2007, many staff, many employees who belong to OPSEU and CUPE, came to my office and expressed their regrets about the incidents. Bad things happened in different parts of the province of Ontario, especially in southwest Ontario. They regretted the action of their fellow employees and members and for what they did to the residents.

I want to assure the House and all the people listening that none of the employees want to do that; none of the employees want to do anything bad to harm those residents. When we work for Community Living, when we work for people with special needs, we work because we believe in this cause. We believe in our responsibility, as citizens, as workers, to give the best of our talent and skills to give them the support they need, because they deserve it. That's why, as a province, as a community collectively, we support those activities. That's why we, as a province, as the Ministry of Community and Social Services, as a government, as workers, do our best to

provide, to the best of our knowledge, support to people with special needs.

Therefore, to the member from Dufferin–Caledon: I read the bill and I also sought advice from the Ministry of Labour. If we pass the bill here—and maybe I have no problem to pass it—it will be doing something against the labour law, against the rights of workers in the province of Ontario to strike and protest.

I think the best venue is to create some kind of mechanism to sit down with the unions, the families and the stakeholders to create a way to protect the rights of workers across the province of Ontario. Do you know what? It's a slippery slope. I respect the people from my riding and across the province of Ontario. Everyone has a right to live in respect and dignity and to be protected. But in the meantime, we don't want to open a can of worms that we cannot control.

I want to listen to the rest of the debate and hopefully, in the end, we can find a solution to protect the residents who live across the province of Ontario and also protect the rights of people to continue to work and have the rights that have been granted by society in general.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Ted McMeekin:** This is the kind of issue where some would advise you to sit on your hands and not say anything, but I find it difficult to do that.

Growing up, mom used to say that decisions between good and evil are easy. Unless you're the Oklahoma bomber, we all want to be on the side of the angels. It's decisions between competing goods that are tough.

I'm going to suggest, as one who has volunteered from time to time, that the whole issue of normalization and some of the disorientation that I've seen around labour disruptions in residential communities, coupled with the rights that were articulated well by the member from Welland—that the appropriate thing to do is to pass this bill and get it into committee so that that discussion can continue. So if I'm able to be back from my meeting at 4 o'clock, I'll stand in my place and vote in favour of the bill.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Frank Klees:** In the time that I have available to me, I want to say very clearly that I strongly believe in the right to collective bargaining. I also believe in the right to withdraw labour services. What I do not believe is that in this particular case it is appropriate for people to picket in front of homes of people who are vulnerable.

With reference to the scab labour, I simply have this question: Who should be looking after the people who are living in those homes, if not replacement workers? Are we to leave those people on their own? Surely, there is a place and a time for everything.

Picketing in front of these homes is inappropriate.

**The Acting Speaker (Mr. Jim Wilson):** Ms. Jones, you have two minutes for your response.

**Ms. Sylvia Jones:** I'm happy to accept any kind of amendment, friendly or otherwise, if you allow Bill 83 to move forward in committee and we can discuss it there.

To the honourable member from Welland, I understand that there is a balance between this is a workplace and it is a home. I guess where you and I disagree is that I believe it is first and foremost a home. This has never been about the right to strike. It has always been a human rights issue.

On one final note, I spoke in members' statements a number of weeks ago about Karen Gledhill of Cambridge. She was the president of Community Living Ontario. Until she passed away this summer after a battle with cancer, she was a proud voice for social inclusion, human rights and dignity for those with intellectual disabilities. Karen was passionate and often spoke about this issue. I think it would be a nice acknowledgment of the work and the years that she spent heading up Community Living Ontario to finally acknowledge that we need to talk about this issue, that it's not going away.

We had the problem in 2007. We had the problem again in 2009 in Lanark and Smiths Falls. Let's stop burying our heads in the sand and assuming that it will go away if we don't talk about it. Bring it forward in committee. Bring forward some recommendations for amendments that you believe will actually pass the labour code—the civil issues that we want to talk about. But if you do not allow Bill 83 to move any further today, you are continuing to assume that there is not a problem, and we know there is.

I ask that members think for the next 50 minutes about how they want to deal with this and allow Bill 83 to go forward.

**The Acting Speaker (Mr. Jim Wilson):** We'll vote on Ms. Jones's ballot item at 4:05 today.

## PROTECTING EMPLOYEES' TIPS ACT, 2010

### LOI DE 2010 SUR LA PROTECTION DU POURBOIRE DES EMPLOYÉS

Mr. Prue moved second reading of the following bill:

Bill 114, An Act to amend the Employment Standards Act, 2000 with respect to tips and other gratuities / *Projet de loi 114, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne les pourboires et autres gratifications.*

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 98, the honourable member has 12 minutes for his presentation. Mr. Prue.

**Mr. Michael Prue:** Every day, people in this province—and, I daresay, probably most of the members of this Legislature—eat a meal in a restaurant. If not every day, at least once a week or fairly often, they go out and have a meal in a restaurant. Usually, at the end of that meal, it involves leaving a little gratuity for a server. Every day, people believe—including people, I think, in this Legislature—that the tip and the money that they give to the server goes to the server. The reason for this bill is that this is not what is happening in this province.

People understand that servers in many establishments are generally encouraged or are required to share their

tips with other people with whom they work. It is not uncommon for a server, a waiter or a waitress, to give a certain percentage to the cook, to the busboy, to the hostess, to the barman, to the wine steward, depending on the type of restaurant that it is—to share those tips with other people with whom they work. That is not uncommon.

**1520**

It is not the intent or the purport of this bill to change that in any way. What this bill intends to do is to make sure that the tips are not required to be shared with the owners of the restaurants themselves. This, in the industry, is called a tip-out. The employees are taking a huge hit as a result of the tip-out.

Last night, I had the opportunity to meet two friends in a little restaurant on the Danforth called the Athens. It's not an expensive place, but the guy does cook very good lamb. We were sitting there talking about a number of issues, nothing to do with the tip-out, when I told my friends that I had to leave because I wanted to go to bed early. I wanted to stand up today. I had a private member's bill that would end servers being required to give the management monies for the privilege of serving in the first place. They were in disbelief. I explained to them what the bill was. They were in disbelief.

I called over, because I know the store guy and so did the others, the guy who runs the Athens restaurant. He came and sat down with us, and he started to chronicle what is happening in literally almost all of the restaurants on the Danforth—some Greek, some other nationalities, some very expensive pubs, all of the places that people like to go to in that remarkable corner of the city. He talked about what was happening, and I could see the wide-eyed amazement of my two friends, who were very generous tippers and who had thought throughout their lives that the monies they gave went to the server.

He, in great detail, talked about what happened on a \$10 tip in most of the restaurants around him. Three dollars went to the house, in the majority of restaurants; that is, to the management. Three dollars was shared around to kitchen staff and others, which, again, I have no problem with. One dollar went to a breakage and/or uniform fee so that that would cover the breakage of any glasses or anything so the management wasn't responsible for that. Some restaurants would take money for Visa so that the employees who were serving the food had to pay the 1.5% charge that Visa charges when you use a Visa or debit card instead of cash, and the balance was given to the server, often less than \$3. The server would have to wait, if it was on Visa, until the end of the month to actually get that money, and oftentimes did not get it and could not dispute what the amount was.

After he said that, he called over a gentleman I did not know, who was a server in a more upscale restaurant further along the street, who was eating his dinner. He verified that, in fact, that is the case; that he, out of a 15% tip, would, more often than not, get less than 3% that would come to him. So it verified everything that I knew about this.

As I said, there is no difficulty and no intent in this bill to stop the sharing of tips for workers in a restaurant. That needs to continue and has to be done. This bill, though, will stop the practice of forcing people who wait tables to pay their employers to keep their jobs. The reality out there is that people earn \$8.90 to work in almost literally every restaurant in this province. It is the minimum wage. It is what is paid because it is anticipated that servers, bartenders and kitchen staff will participate and get a portion of the 15% to 20% most of us want to leave at the end of a good meal, well served. They get \$8.90, and they're expected to make up the balance of a living wage by getting a tip. That's the reality: \$8.90.

The reality today, though, is that there is a payment called a tip-out. If you do not give the money to your place of employment, you do not keep your job. If you say, "No, I'm not giving you a percentage of the tip-out," I will guarantee you that you don't have a job at the end of the night.

The reality, too, is that the monies remitted to the owners are not subject to any type of tax. Does everybody know that? So when the owner takes the money off the waiter or waitress, they do not claim it as their income and they do not claim it as a business income. It's not personal income. It's not business income. It's money that they take straight and put in their pocket, for which they are not required by law to indicate in any way to Revenue Canada.

**Mr. Ted McMeekin:** How do they get away with that?

**Mr. Michael Prue:** This is why I'm standing up here. I want you all to know what this is all about.

I was unaware of this practice until I read a very small but good article in the Toronto Star by Raveena Aulakh. I sent all members a copy of that article. It was last April. Since then, we started to do some research and I started to look at things. There is a Toronto Servers Review Restaurants blog. If you go on that, you'll see that there are many stories. Some restaurants in the city of Toronto take 100% of all tips. "If you don't want to pay 100% of all the tips that are given and turn them over to management, then don't come to work tomorrow." There is a whole list of those on the blog. There are stories where people have been fired for challenging the tip-out. There is a request by some of the people to treat the tips as wages because they are required, and Revenue Canada requires them to pay taxes on the anticipation of a 12% to 15% average tip on the food that they sell.

On that blog, there are a number of great stories, if I could read just a couple of them, concerning a group of restaurants called FAB Concepts, which is behind many successful places. They posted the following: "Effective Monday, April 5"—this is following the last increase in the minimum wage—"the current tip-out policy will be modified. The bar staff will now be tipping out 2.5% and serving staff, 4%." Then it goes on to say, "The calculation will be based on total sales." So right away, up that goes, and it's on total sales. If you think the service was lousy, and leave no tip, then the server ends up paying 4% to management for the privilege of having served

you. They got no tip and they still have to pay out the 4%. That's one big place.

The next one was Verdi Trattoria, on the other side of Bayview Avenue, not quite in East York, but the other side of the street on Bayview, in Toronto. Somebody writes, "Essy"—I guess that's the manager—"demands a 2% tip-out to the house. For that I get no deal on food, no support staff and am expected to pay from my own pocket if I make a mistake or have a walk-out. After all that I am forced to wait for my pay and my tips! What a guy!"

Somebody writes about Bocca on Baldwin, a couple of blocks from here, where I've eaten before and I'm sure members of this Legislature have: "I worked for Bocca on Baldwin.

"They wanted a 4% tip-out, all of which went to the house. When I was hired I was told that this money went to the 'Manager' (the owners' son), for his help with bussing and seating, food running etc. However, I soon discovered that most of my shifts were to be worked on my own, with no support staff at all. Nonetheless, tip-out was mandatory." The manager's son, I guess, needed a job and some money.

This is not what the restaurant industry intends. The restaurant industry itself does not tell the people to do tip-outs. I think some greedy owners are looking at this as a way of making easy money, easy tax-free money, on the backs of their workers. We simply want to end this. I think this is one of the shortest bills that has ever been before this House. It only has one operative sentence. This is a change to the Employment Standards Act. The sentence says: "14.1 An employer shall not take any portion of an employee's tips or other gratuities." That's it; that's all it says.

What this would do is it would ensure that when people, patrons, go into a restaurant, if they feel the service was a good service and want to reward the staff, that the money goes to the staff. If the restaurateurs believe that more money ought to be made, then please make it legally. If you're going to make money, then you're subject to corporate tax and all the other things—business tax. If you think that you deserve more money, then you should be willing to claim that on your income tax as well. The poor server has to, so I think the managers, if they are going to take the money, should as well.

I do know that the restaurant association—and I have a quote here. This is taken from the Toronto Star article near the bottom. Peter Adams, director of communications at the Ontario Restaurant Hotel and Motel Association, is quoted as saying, "It's certainly unusual. Sharing (tips) with management is not something we promote."

**1530**

I know that some think that restaurateurs are struggling, and I agree that some of them are, but restaurants, ever since I was a young lad, have a shelf life. We know that many restaurants do not last more than four or five years. They become cachet, they're the place to be, and then, all of a sudden, they're not there anymore. They

change hands; they change décor; they change ownership; they change staff. That's something that restaurateurs have to know.

I am simply asking for fairness for the hard-working men and women of this province: those who sling the food, who carry the beer, who bring the wine, who have a smile on their faces every night. They deserve a decent wage. They deserve to keep the tips that they have been given. They deserve some kind of respect.

I'm asking that you support this bill. I'm looking forward to the debate, but support this bill knowing that there are 50,000 or 100,000 servers out there who are waiting and hoping that you do the right thing.

**The Acting Speaker (Mr. Ernie Hardeman):** Further debate?

**Mr. Kevin Daniel Flynn:** It's a pleasure to rise and speak to Bill 114, because I think it really embodies what private members' time should be all about, and I know that gets tossed around here on a regular basis.

With this, I think the member has identified what may be a potential gap in the legislation. As politicians, we often put ourselves in the shoes of consumers or in the shoes of stakeholders. As somebody who goes out to eat on a fairly regular basis, either for business or just for the social pleasure of it, I've always assumed that when I gave a tip, it went to the people who were doing the serving. I didn't expect it all to go to the person or to the waiter or waitress who was serving me; I expected that it would be shared amongst the staff. I didn't think it would go to the owner of the restaurant; I didn't think that it would be shared. I thought that was included in the price. If the meal was \$10, I expected \$10 to go to the house and what I left behind to go to the people who had served me. In this case, it appears that the member has brought forward some evidence that that may not be the way that it's happening in practice today.

I think you can look at some of the great things that we've done as a government and as a Legislature in trying to improve the working conditions of people within the province, especially those in some of the lower-income areas. Servers' wages, for example, have increased by about 50%, from about \$6 to approaching \$9 today.

You can also look at this two ways: Currently in Canada, nine out of 13 jurisdictions do not have any legislation that affects the provision of tips, so you can look at that and say that Ontario is with the majority and perhaps it's doing the right thing by not having it today. But that's not how I look at this. I think we should be looking at it the other way, that perhaps when the member uncovers evidence such as he has uncovered, it may be time, despite the good things we've been able to do for those with lower income—we expect that employers will treat their employees with respect, but we would also expect that those consumer expectations that we all have, which I think are held in common by members of all parties, are exactly the expectations that are met when you do that exchange of money. It appears that that's not having the intended outcome.

When you look at the service and hospitality industry in Ontario, the people who are employed in that may be young people who are going to university. It may be a part-time job. It may be people who do it on a full-time basis; it may be their career. There are a number of people employed in this industry, and I think they do a great job for the province of Ontario. By and large, when people come to Ontario, I think they are treated with the respect that people anticipate they should be treated with as a guest.

When you go to other jurisdictions, that doesn't happen. In other jurisdictions, you'll see people of a lower income who don't get the same sort of treatment that is received currently under the Employment Standards Act in the province of Ontario today and some of the improvements that we've seen to that.

I don't think we need to say that the sky is falling, but certainly this is a bill that is worthy of further discussion. It's a bill that should be moved forward. The evidence that the member has provided, that the association itself is concerned about these practices, should be instructive to all members as they vote.

When you look at what we've been able to do as a government to enforce the Employment Standards Act, I think we've had a multi-pronged approach that, by and large, is working quite well. If you look at the facts and figures between 1989 and 2000, there were 97 prosecutions initiated under the Employment Standards Act. Since 2004, there have been over 1,800 prosecutions initiated.

We're starting to recover the money that is owed to people whose employment was terminated and they ended up having to chase the employer for that money. We've recovered more than \$50 million for those people. Often, they are the most vulnerable employees: people who don't know how the system works, people who can't avail themselves of legal advice.

We're handling way more claims than we did before: 16,000 claims in 2003, and today in Ontario, there are 20,000 claims being handled. We're increasing our staff, obviously, at the Ministry of Labour.

The Employment Standards Act covers restaurant employees. However, getting back to my initial point: The point of private members' time, I think, is to have this type of discussion, where you're able to identify a gap or identify something about a situation that exists in the province of Ontario that, as a private member, you can bring forward some good legislation to do something about.

I certainly am prepared to stand in the House today as a proud member of the McGuinty government but also as the MPP for my riding of Oakville representing my constituents. I believe my constituents would agree with the intent of the member from Beaches–East York's Bill 114, which is before us today.

I will be standing in support of this bill; I would like to see it discussed further. I would hope that most restaurants in the province of Ontario understand that the consumer's expectation is that when a tip is given, that tip is

shared among the employees and does not go into their hands. I think it's just common courtesy; it's common decency. If it's something that needs to be enshrined in legislation, then this discussion should continue further.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Randy Hillier:** It's my pleasure to rise and speak to Bill 114, introduced by the member from Beaches–East York.

I think it truly is unfortunate that some of these unsavoury business practices that the member was speaking about, which were the motivation behind this bill, are indeed increasing and have become commonplace in Toronto. Thankfully—and I have talked with many servers and restaurateurs in my riding—these practices have not gained favour throughout Ontario, but they are increasing.

This bill is probably in the Guinness Book of Records as the shortest bill; it is one sentence. I think that although it offers a lot of clarity for many people, it also doesn't reflect some of the very important nuances that should be addressed. I support this bill, but I do believe that it ought to go to committee and have some of those subtle nuances talked about, where it may have some shortcomings. I don't believe those shortcomings can't be overcome in a full and complete discussion in committee.

I will say that I have a family friend who lives in Toronto and works at a good local restaurant here. His name is Aldo Pescatore-Tardioli, and his tips are taken by his employer. When he makes a 10% tip, his employer gives him back 3%; 7% of the tip goes to the restaurant. When he makes a 15% tip, he gets 3%. That's the maximum he is going to get as a server.

Now, you might say why would you want to perform better, do a better job, give better quality service? You are capped in that restaurant. Really, our Employment Standards Act—our labour laws—recognize the need for gratuities in the service industry. That's why we have a lower minimum wage for servers, with the expectation that good-quality service will be rewarded with gratuities, only to find that there are an increasing number of establishments that are clawing back and taking that money under many, many guises. But it still comes down to it not being right that these people are facing a double jeopardy of working for a lower hourly rate, and then having management clawing back and taking their gratuities. I think that's totally wrong. It's unfortunate that it's happening. Now that we do know it is happening, we ought to do something to limit and prevent that unsavoury business practice.

**1540**

I know that my colleague from Newmarket–Aurora will also speak on this bill because there are some of those other details, such as that the Canada Revenue Agency is now looking at restaurants. The amount that is tipped out under their control—these restaurateurs are having to pay employment insurance and CPP premiums on those tips. That's one of those significant details that

needs to be talked about in committee and how we can address that. But that is a failing of the Canada Revenue Agency, and I think we need to look at that and include some mechanism in this bill that limits the Canada Revenue Agency in doing this to restaurateurs and having that negative consequence on our servers.

I have seen it. These tip outs come in many, many guises: breakage fees, uniform fees, walkout fees. In speaking with a number of servers down here, it has gone to the point where in some establishments, the tip out is 100% of the tip; 100% of the tip is off to management. We all know that that is not acceptable; it's unsavoury.

I have to commend the member from Beaches–East York for bringing this bill forward. I do hope that all parties support this initiative and that all parties will work together in committee to make sure that we have it right, that we aren't creating a double jeopardy for restaurants in the way the CRA is attacking them, but strengthening and protecting those people in the service industry and ensuring that they continue to have that incentive to deliver good-quality, high-quality service, and that they are remunerated for their good-quality service.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Cheri DiNovo:** It's a pleasure to rise in support of my benchmate's bill. It's an excellent bill, a small bill, but a necessary bill, clearly, because this practice is becoming widespread in Toronto.

It's a practice I only began to hear about a couple of years ago. My daughter is actually in the trade and now has a bar-restaurant of her own, but she used to work as a bartender. If anybody wants a sort of black laugh, they should check *The Bartender Hates You* on YouTube, because you will see there very clearly what some bartenders have to live with and through, and servers as well. It's not a pretty picture.

This bill points to the very creaky old truck that is the Employment Standards Act, which is desperately in need of a tune-up. This bill is part of that tune-up. Let me remind you that this is a province where you can fire a woman while she is on mat leave. This is a province where people who work cleaning ministry buildings are called not employees, but independent contractors, hence, they make less than minimum wage. This is a province where employers get away with breaking the existent employment standards laws with impunity because there are very few inspections of places of employment. That's the big picture into which this piece fits.

I know for a fact, because I have been told by recent immigrants in my riding, that many of their employers do not pay them minimum wage, even though it's illegal. They tell me that if they complain, they have been told that they will be fired. I have explained, and so have my constituency staff, their rights under our laws in Ontario, but they're not going to complain because they're going to lose their job, and where are they going to go? This is the situation. We need an employment standards structure that will investigate these breaches and that will bring them into the light of day without jeopardizing the

employees who work there. That's simply not happening in any place of employment.

To reiterate what has been said, the minimum wage for servers and bartenders is \$8.90 an hour right now in Ontario. I remember the huge fight that it took to raise the minimum wage across this province. This \$8.90 an hour is far less than the poverty rate in Ontario. If you're making \$8.90 and that's all you're making, you're not able to feed yourself, pay your rent and live with any kind of dignity in this province unless you use a food bank or get help from somewhere else etc.

Clearly, this is set up knowing or expecting that the people who work and receive this wage on an hourly basis also get some other income. The income is called tips. That's what it is set up to do. It's set up to be a buffer. One of the major sources of income if you're a server or a bartender is your tips.

I read in the *Star* article the Minister of Labour's very anemic—very anemic—response to my benchmate the member from Beaches–East York's good bill. His response was sad because it's sort of like Pontius Pilate wiping his hands. He said, "Well, you know, tips aren't wages, so they have nothing to do with the Ministry of Labour." Please. The reason that servers and bartenders get such a pathetic hourly rate is because we expect that they will be tipped and that they will keep their tips.

I know that the member from Beaches–East York's bill has come as a surprise to many people in this city and in this province. Most people go into a restaurant or a bar thinking that the tip, yes, helps to alleviate the poverty of the busboys and other staff, but never that the tip goes in any way, shape or form to the owner of the establishment. Presumably, they're making enough money that they don't have to rely on somebody making less than the poverty rate to subsidize their own income.

Having said that, my portfolio is small business. I know that there are many establishments out there that are hanging on by their fingernails; there's no question about it. There are many establishments I know where the servers make more than the owner of the establishment just with their tips. I know that's the case. Usually, they're not the ones that are practising this tip-out process. Really, when you look at the list of the restaurants that are practising tipping out to management or the owners, they tend to be the larger establishments, the well-established establishments, the chain restaurants—again, a picture of the economy in Ontario in a snapshot here.

I want to also point out that, ultimately, what would be really wonderful in this province is to have our servers and our bartenders make a living wage like they do in other jurisdictions. In Sweden, when my husband and I were there, the living wage paid in a McDonald's was the equivalent of around \$13 or \$14 dollars an hour here because the staff at McDonald's were unionized. Imagine that: a McDonald's that's unionized. Who would have ever thunk it? There's no tipping in Sweden and other Scandinavian countries—and Australia. People who have been to Australia and New Zealand will experience this

as well. Why? Because the staff are unionized and they make a decent living wage. That's interesting.

I remember an Ontario where bartenders used to be unionized. Is anybody else old enough to remember that? I remember that there was a bartenders' union, that they made a living wage, that they went on strike occasionally and that they had the rights that the union afforded. Again, that's maybe a destination that we might want to get to in the province instead of making the servers dependent upon what we will give them.

Having said that, one of the points that's also important to note is that many establishments in Toronto and other places in Ontario, if you have a large group, levy a tip automatically on your bill. It's usually about 15% for large groups. Imagine if that tip-out is levied automatically and still goes to the owner and manager. The server gets not a penny of it in many instances, quite frankly.

**1550**

The other egregious action that many establishments take is that if the patron walks away and doesn't pay their bill, the server or the bartender is liable for the entire bill. That's outrageous as well—another practice that should be investigated.

I have a motion on the order paper calling for a 25% inspection rate of all places of employment in Ontario, because breaches of employment standards are becoming the norm. They're not the exception anymore. I've lost track of the number of complaints that come into our constituency office about very basic issues having to do with employment standards—minimum wage, for example. Minimum wage is often not paid to new immigrants, to students and to others.

By the way, the student minimum wage, extremely unfairly, we in the New Democratic Party believe, is less than the stated minimum wage of \$10.25, because they're students. That makes no sense to me. Students in Ontario carry some of the highest debt loads across the country right now. Why should they be paid less, as a minimum wage, than any other worker?

Again, there is a huge problem in the province of Ontario with employment standards. What my benchmark, the member from Beaches–East York, has done is to attack the portion of that that has to do with servers and bartenders in the restaurant and bar industry and this horrendous practice called tipping out.

Many establishments estimate the tip and take a percentage of it. Some take the entire thing, forcing their servers or bartenders to work for \$8.90 an hour, significantly below the minimum wage and significantly below the poverty rate. This is simply unethical. It's simply wrong. It should be stopped. It's a no-brainer. It needs to be passed, and it needs to go to committee.

I warrant that what we really need to do is start to look at employment in general in this province and what passes as employment standards in this province, because there's a great deal of work to do to renovate the old truck before it runs completely aground.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Charles Sousa:** I appreciate the intent of the member from Beaches–East York to protect workers' rights and to bring forward this bill to amend the Employment Standards Act to avoid tip-out.

Let me say from the outset that I do not oppose what the member is trying to do. In many establishments throughout Ontario, waiters, waitresses, bussers and so forth share their tips, as already acknowledged. Those tip agreements are at times now between owners and staff, and it varies between restaurants. I'm actually quite surprised that the activity takes place.

Our government, as mentioned already, has increased the minimum wage by 50%, but we didn't increase wages all the way for waiters, specifically because of tips. Now, if we are to acknowledge that tip-outs are occurring, then we have to question the degree of the minimum wage.

The NDP called on us to raise the minimum wage to \$10 an hour. They talked about it when they were in government. They didn't do it completely. But in this case, we have surpassed it. As mentioned already by my colleague, nine out of 13 jurisdictions in Canada do not even have tips included in their legislation. So I commend the member for bringing it forward.

We expect that employers treat their employees with respect. Managers and owners understand that success depends on a service staff that is competent, caring and compensated appropriately. Good service is good for not only the business owner, but certainly for the sector entirely, the tourism industry and for the employee.

All of us, I would say, but our government specifically, are on the side of the workers, and we recognize that the challenges they face in businesses also have an effect during these uncertain times, as acknowledged by the member from Beaches–East York already. It occurred to me that the things he discussed in terms of the cost of doing business, be it breakage fees or walkouts or even, for that matter, chargebacks on Visa transactions, that it does have an impact on the businesses. It appears to me that changing the tip out factor would, in fact, make an impact on the cost of goods and services and food, in this case, by which the pricing on those dinners is being charged. In order for the financial impact to be appropriate, we compensate it.

I sympathize with the workers, and I also recognize the demands on businesses to survive in this highly competitive hospitality industry. All need to be protected and all need to work together.

The member from Parkdale–High Park talked about the Employment Standards Act. It's important to recognize that we have, in fact, done more in regard to supporting workers over the last while as opposed to during the previous two governments combined. We've adopted a multi-pronged approach that consists of increased outreach, education and enforcement and prosecution, along with more employment standards officers than ever before. We've prosecuted—between 1989 and 2003, there were only 97 prosecutions initiated; since 2004, there have been over 1,800 prosecutions. We've re-



covered more than \$15 million in wages and other monies owing to vulnerable employees through inspections, claims and collections.

One of the main policy rationales—and in introducing an increase—to the lower minimum wage for liquor services is the fact that these employees, as already stated, receive a portion of their income through tips. If there are further reports of businesses demanding part of the tips from these employees, then it may be more difficult for the government to justify a lower wage for liquor servers. A lower wage for liquor servers is also intended to balance the need to keep Ontario's hospitality industry financially stable and competitive.

With that said, I appreciate the member from Beaches–East York for bringing forward this issue. It does deserve further consideration.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Paul Miller:** I'd like to commend my colleague from Beaches–East York for his aggressive bill, which is going to hopefully change the lives of some of the people in our society that are at the low end of the wage scale.

Going back, I can remember in 1965, when I was a busboy at the then Pines restaurant, which was quite the upscale restaurant in Stoney Creek at the time, the day they hired me. They said, "Paul, you're going to work and do this, clean the tables, do all this, and you're going to get a cut of the tips that we get." The maître d' said that and the head waiters. "You're going to get a cut at the end."

I worked there for about two years and I think I saw a tip maybe twice in two years. It was always at the end of the night, after I was running around doing the dishes, cleaning up everything, doing anything, that the waiter would say, "You know, Paul, we had a slow night tonight. There's nothing there," which was total nonsense because the place was packed. So the kids got ripped off. These guys pocketed the money, the owners took their share and the busboys and some of the people in the kitchen staff got nothing, except their little wage, which was—I don't even want to tell you how much they worked for in those days.

*Interjection.*

**Mr. Paul Miller:** I don't know; 35 cents an hour or some 50 cents an hour or something. It was ridiculous—two bucks an hour; I can't remember.

**Mr. Michael Prue:** Not that high.

**Mr. Paul Miller:** It wasn't even that high. I think it was \$1.30.

But the bottom line is, these people are in our society, working hard day in and day out in the service industry, and, like the member said, they're friendly and they're cordial. They have to come to work with a positive attitude. They cannot be moody, because the owner will be all over them. Believe me, in the cost of meals in restaurants in this province, the owner takes in all considerations of possible—for the chef, for the cost of lighting it, for the utilities. Believe me, that's built into your costs when you pay that bill.

I personally like to see the money go directly to the server, so I personally charge it on my charge card to the restaurant and I give cash to the waiter, as much as I can, when possible, because I know it's going into their pocket. These people deserve a lot better treatment.

**1600**

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Frank Klees:** I'm pleased to participate in this debate. This is a disturbing topic and one really very near and dear to me. I have a daughter who entered the hospitality industry; in fact, she worked her way through university as wait staff. I heard many stories from her about what she thought she would get and what she ended up getting.

I have a son who thought he wanted to be a chef, went to culinary school and found it virtually impossible to continue. In fact, he did change careers at my advice, because it seemed that regardless of who the employer was, there was always a shortage at the end of the week in terms of what his expectations were in terms of remuneration.

It's a difficult, difficult business. So I'm not surprised that a piece of legislation like this has come forward. At some point, someone was going to raise the issue as to what actually is going on in this industry.

I do, however, want to read into the record some aspects of this whole business of tipping. I think my colleague made reference earlier to something that perhaps should bring us closer to where we need to be in this province.

I have always questioned the disparity in the minimum wage between everyone else and those in the hospitality industry. I understand the rationale in terms of the tipping policy, but when we see what is actually going on and who gets those tips, I really think it's something that should be looked at, and that at the very least we level the playing field on the issue of the minimum wage.

I want, just for the record, to provide some information to my colleagues in terms of how the Canada Revenue Agency views this whole issue of tipping. I have an interesting article here from James Rhodes, who is an associate with Miller Thomson, a specialist on the issue of taxation particularly relative to the hospitality industry:

"The CRA splits tip amounts received by servers ... into two categories. The first category is referred to as 'controlled tips.' These are gratuities received by the servers ... over which the restaurant has exercised sufficient 'control' before payout to servers. The second category is referred to as 'direct tips.' These are tips received by servers ... over which the restaurant did not exercise sufficient 'control' before payout to servers."

Now, here's the interesting part: "Where direct tips are paid to servers, the restaurant is not required to account for what each server receives...."

"However"—and this accounts for about 95% of all tips that are actually paid on credit cards, because those are considered where the restaurateur has total control—

“where controlled trips are paid to servers, the restaurant is required to record this on their T4 slips, and to take payroll deductions for income tax, EI and CPP. Further, the restaurant has to pay its employer contribution of EI and CPP on controlled tips.”

Now, here is the issue from the standpoint of the owner of a restaurant. If he is obligated to pay his portion of contributions for the various deductions, and if he is required to disclose those, then quite frankly I think we're talking about a situation where restaurant owners are not complying with the law. If they were, then all of this would be fully disclosed. We would also recognize that there are, in fact, some costs such as contributions from the restaurant owner to these various deductions and of course the cost of processing those tips through the credit card process.

So I do think there are some legitimate costs that are inherent for restaurant owners. I'm concerned about the bill before us, because it is so very simplistic, as has already been admitted. True, we're trying to get at an issue. I am not personally convinced that this particular bill, in its simplicity, is going to get us where we need to be. I do think it has raised our caution on something that is going on in this industry that needs to be dealt with. I am simply saying that I think, first of all, what we need is disclosure and transparency. I think it's only fair that people who read a menu have full disclosure as to where the tip is going to go. If it's determined that the restaurant is going to take 10% or 20% to cover costs, whether that be for employee deductions or other aspects of doing business, that should be disclosed. The fact that it's not being disclosed—

**Mr. Paul Miller:** Ripped off.

**Mr. Frank Klees:** —and the fact that there are employees who are being ripped off by restaurant owners is wrong. We have a responsibility, I believe, to do something about that. The actual result I don't believe necessarily lies in this bill, but it does behoove to us look at what the answer is.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? If not, Mr. Prue has up to two minutes for his response.

**Mr. Michael Prue:** I thank the members from Oakville, Lanark–Frontenac–Lennox and Addington, Parkdale–High Park, Mississauga South, Hamilton East–Stoney Creek and Newmarket–Aurora for your comments.

I've only got two minutes. The member from Lanark–Frontenac–Lennox and Addington said something which I had not heard before, and that is that a restaurant that he is aware of remits back to the server 3%. It doesn't matter whether the server got a 10% tip, a 15% tip or a 20% tip; the most they could possibly get would be 3% in terms of the gratuity. That says a lot in terms of a restaurant's practice but also gives, as he quite correctly says, no incentive for people to try to do a good job, to try to put that extra little personal touch. After all, when tips were established at the turn of the century, that's what they were for. The acronym, whether it's true or

not, meant “to improve service” or something to that effect. But if all the employee can get is 3%, that says that something is very wrong with the system.

The member from Newmarket–Aurora raises some very real issues around Canada Revenue. We do know that servers are required to declare their tips. I am not naive enough to think that every single tip has been declared, but overall, the Canada Revenue Agency, for a generation or two generations, has estimated the tips, and servers are required to pay taxes on them. The new phenomenon is that some of the owners are pocketing that tip money and keeping it and they are not paying their share of the income tax.

The bill is simplistic: Yes, it is. The law now today, under the labour code, is that tips are not wages. What we're saying is that tips are wages, and the owners ought to keep their hands off them, as required with real wages.

**The Acting Speaker (Mr. Jim Wilson):** The time provided for private members' public business has now expired. Time to vote.

#### ONTARIO AWARD FOR PARAMEDIC BRAVERY ACT, 2010

#### LOI DE 2010 SUR LE PRIX DE BRAVOURE DES AUXILIAIRES MÉDICAUX DE L'ONTARIO

**The Acting Speaker (Mr. Jim Wilson):** We will first deal with ballot item number 43, standing in the name of Mrs. Van Bommel.

Mrs. Van Bommel has moved second reading of Bill 115, An Act to provide for the Ontario Award for Paramedic Bravery. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Mrs. Van Bommel?

**Mrs. Maria Van Bommel:** I ask that it be brought to the committee on social policy, please.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that it go to the committee on social policy? So ordered.

#### PROTECTING VULNERABLE PEOPLE AGAINST PICKETING ACT, 2010

#### LOI DE 2010 VISANT À PROTÉGER LES GENS VULNÉRABLES CONTRE LE PIQUETAGE

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with ballot item number 44.

Mrs. Jones has moved second reading of Bill 83, An Act to prevent picketing of supportive group living residences. Is it the pleasure of the House that the motion—

**Mr. Peter Kormos:** On division.

**The Acting Speaker (Mr. Jim Wilson):** On division, noted.

Is it the pleasure of the House that the motion carry?

I heard a no.

All those in favour of the motion will please say “aye.”

**Mr. Peter Kormos:** On division.

**The Acting Speaker (Mr. Jim Wilson):** On division, noted.

All those opposed, please say “nay.”

In my opinion, the ayes have it.

We will call in the members after we deal with the next ballot item.

PROTECTING EMPLOYEES’  
TIPS ACT, 2010

LOI DE 2010 SUR LA PROTECTION  
DU POURBOIRE DES EMPLOYÉS

**The Acting Speaker (Mr. Jim Wilson):** We’ll now deal with ballot item number 45.

Mr. Prue has moved second reading of Bill 114, An Act to amend the Employment Standards Act, 2000 with respect to tips and other gratuities. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Prue.

**Mr. Michael Prue:** I would like to move this to the regulations and private bills committee.

**The Acting Speaker (Mr. Jim Wilson):** I will refer the bill to the regulations and private bills committee. Agreed? So ordered.

We will call in the members. This will be a five-minute bell.

*The division bells rang from 1610 to 1615.*

PROTECTING VULNERABLE PEOPLE  
AGAINST PICKETING ACT, 2010

LOI DE 2010 VISANT À PROTÉGER  
LES GENS VULNÉRABLES  
CONTRE LE PIQUETAGE

**The Acting Speaker (Mr. Jim Wilson):** Ms. Jones has moved second reading of Bill 83. All those in favour of the motion will please rise and remain standing until counted by the Clerk.

**Ayes**

Balkissoon, Bas	Hillier, Randy	Sandals, Liz
Cansfield, Donna H.	Jaczek, Helena	Sergio, Mario
Chudleigh, Ted	Jones, Sylvia	Sousa, Charles
Colle, Mike	Klees, Frank	Sterling, Norman W.
Dhillon, Vic	Levac, Dave	Van Bommel, Maria
Dickson, Joe	Moridi, Reza	Witmer, Elizabeth
Dunlop, Garfield	Pendergast, Leeanna	Zimmer, David
Flynn, Kevin Daniel	Qaadri, Shafiq	
Hardeman, Ernie	Rinaldi, Lou	

**The Acting Speaker (Mr. Jim Wilson):** All those opposed to the motion will please rise and remain standing until recognized by the Clerk.

**Nays**

DiNovo, Cheri	Marchese, Rosario	Tabuns, Peter
Hampton, Howard	Miller, Paul	
Kormos, Peter	Prue, Michael	

**The Deputy Clerk (Mr. Todd Decker):** The ayes are 25; the nays are 7.

**The Acting Speaker (Mr. Jim Wilson):** I declare the motion carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Ms. Jones.

**Ms. Sylvia Jones:** I ask that Bill 83 be referred to the Legislative Assembly committee.

**The Acting Speaker (Mr. Jim Wilson):** Agreed that the bill be referred to the Legislative Assembly committee? So ordered.

All matters relating to private members’ public business have now been completed. I do now call orders of the day.

**ORDERS OF THE DAY**

GOOD GOVERNMENT ACT, 2010

LOI DE 2010 SUR LA SAINE  
GESTION PUBLIQUE

Resuming the debate adjourned on October 21, 2010, on the motion for second reading of Bill 110, An Act to promote good government by amending or repealing certain Acts / Projet de loi 110, Loi visant à promouvoir une saine gestion publique en modifiant ou en abrogeant certaines lois.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Frank Klees:** I’m pleased to rise and debate on Bill 110, which is entitled An Act to promote good government by amending or repealing certain Acts.

When this bill was tabled, it was the title of the act that grabbed my attention, because for the McGuinty government to claim good government is really quite bizarre.

We have had a litany of legislation, taxation, red tape and regulations imposed by this government, which has resulted, quite frankly, in the undermining of the quality of life of people in this province. Rather than encouraging enterprise and encouraging economic development, one piece of legislation after another, one regulation after the other, has done nothing but stifle the economy of this province.

**1620**

I want to take just a minute to read into the record some correspondence that I have received from my constituents over the last number of months. I refer to an email from Mr. Eric Smith from Newmarket. I quote him as saying that he has no faith in this government. He speaks about government and its role. He says this:

“The government’s primary role is to protect us from predators. Instead, it has become one.

“I am tired by being bled dry by tax after tax and watching stupid projects wasting more and more of my money by all levels of government.”

Mr. Eric Smith is someone who is active in our community, and he doesn't take criticism of government lightly. What he has appealed to me to do is to just draw the attention of this government to the fact that it's becoming more and more difficult for him as a senior in our province to make ends meet.

I quote him again:

"I see a large move towards Big Brother politics.

"Please pass this on to other members of your party."

I'm pleased to do so. In fact, I'm passing it on to members of the government so that they can hear what this individual is saying.

I quote again:

"As a 60-year-old, I have been a Liberal supporter, as were my children, my parents, and my grandparents before me. No longer.

"Your party, during its tenure, has done more damage to Ontario than any that have gone before you"—he's speaking to the Liberal Party—"and is plagued with lies, broken promises, and wasteful spending.

"You have made Ontario a haven for ... drunk drivers, and murderers that get two-for-one deals. Spend a day in a criminal courthouse where every case is remanded over and over.

"I have served jury duty three times in my life.

"I turn on the TV, and see a commercial for 'I lost my life savings gambling,' and the next commercial says 'Casino Rama, we build excitement,' and now, another lottery scandal. Fix it or get out of it."

This is a frustrated constituent, who, I believe, is reflective of many in this province who are frustrated with the taxes, frustrated with the regulations, the increased costs and the difficulties they're having to make ends meet.

In the midst of that, we have yet another bill from this government, and they have the nerve to call it an act to promote good government. What they simply are doing with this legislation is laying on additional regulations and additional red tape. In the end, they are constricting Ontarians further from doing business.

I have another letter from a business person in the riding. He writes this—and it's interesting that the bill before us, Bill 110, deals with a number of ministries. Ironically, this letter from my constituent also deals with a number of constituencies, and he starts off with the Ministry of Revenue. Here's what he says:

"I own and operate a general insurance brokerage ... in Aurora with 13 employees. While I know you are not part of the governing party, I must write to convey to you the incredible amount of time, energy and expense our business is experiencing simply trying to keep up with new legislation the McGuinty government is throwing at us.

"After months of inquiring about whether there was anything my company needed do with respect to preparing for implementation of the HST, we get advised today in a letter dated June 14 from the Ministry of Revenue that we have to contact the government to get ourselves re-registered for the RST...."

He goes on to talk about inability of complying with the timelines that the government, at the last minute, is laying on this business.

He goes on to talk about the MTO: "[T]he MTO conducted an audit in February of the motor vehicle records ... we've ordered. We use the MVRs to provide sales and services to our customers. While we could produce all of the information the MTO asked for during the audit, the information was not assembled in the list format they tell us they now prefer."

He goes on to talk about the complications that the MTO has imposed upon their business, simply a matter of not accepting the information that they've asked for as they're able to provide it, but now it has to be provided in the order and listings according to the MTO. No one is asking how much cost this is imposing on small business; no one is asking about the frustrations; no one is asking about the effect on the bottom line.

He goes on to talk about the Attorney General, who presented this bill before us. He talks about Bill 168, which he says "seems to have come out of nowhere for something that can have such large ramifications on small business owners." We raised these concerns during debate of that particular bill many times. "There was very little publicity or awareness about this bill until a few months before it became effective. It seems to have been a stealth effort to slide it in under the cover of all the HST confusion."

Again, the appeal of this business person to this government is to say, "Look, understand that we have a business to run, and at least deal with us in a responsible and respectful way. Don't impose on us, at the last minute, impositions and regulatory requirements that are virtually impossible for to us cope with, certainly within the timelines that you're imposing on us."

He speaks about finance. He says, "Lastly, with regards to the changes to auto insurance legislation, it has been drafted with good intent and something obviously needed to be done to keep auto insurance affordable. But once again, its execution is poorly planned. We will have to start dealing with affected policyholders starting July 1, yet FSCO hasn't approved new insurance rates for most insurance companies I've spoken with, the definition of what institutes a minor injury has just been released, and I am told that the definition of a catastrophic injury will not likely be released until the end of the year...." Once again, good intentions, but the way this government is rolling out regulation after regulation on businesses in this province is causing them great angst and great cost.

At the end of the day, if this government wants to talk about good government, all they have do is listen to the people of this province, who are willing to give them advice in terms of how to roll out these regulations. Provide them with some time, treat them with respect, treat them in the way that they deserve to be treated as contributing members of our society, as contributing businesses.

The issue that I have had more complaints about in my constituency office—more than anything else—is the

disrespect with which this government is treating businesses across the province. I'm hopeful that they're at least listening to some degree and will do something to ensure that the businesses in this province that create the jobs will get the co-operation of the people in the field working for the various ministries, who should be working for the taxpayers, not against them.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Ms. Cheri DiNovo:** It's always impressive to listen to the member from Newmarket–Aurora. He's an eloquent speaker, and he makes his points forcefully. Certainly I look forward to some time to speak on this bill as well, which is really—let's face it—a housekeeping bill, but with a title like good government, one can't help but jump in and debate the very title of the bill, which is a debatable subject, like everything else in the bill, and really take the opportunity to comment on whether this is good government in the province of Ontario or not, and why not, if not. I look forward to doing that.

The member for Newmarket–Aurora has started off the discussion by talking about the devastating impact this government has had on small business. I certainly witness that everywhere in my riding. Certainly this is a government of the mall and not Main Street. It's a government of big business, not small business.

**1630**

Small business is hurting; small business came here to lead with this government before they imposed the HST, and this government would not listen, would not take a meeting, ignored them, and that's sad. It's arrogant, and certainly that is not good government at the end of the day. In terms of the regulations, most are fairly minor housekeeping items. Some have some problems, and I don't want to ignore those problems; I'll speak about them. But the title “good government” forces the opposition—this is pretty obvious—to vote against or for a bill that describes the McGuinty government as good, which many of us would of course have a hard time doing.

At any rate, I look forward to speaking to it. I always look forward to hearing the comments of the member from Newmarket–Aurora, especially his work around the OSPCA, another act of bad government on behalf of the McGuintys.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Lou Rinaldi:** It's a pleasure to speak for a couple of minutes to this bill, the Good Government Act. It's worth repeating again that the majority of the content of this particular piece of legislation is to bring up to date some of the regulatory process we have in this province. Most people frankly ask us to do that. I think we're just doing a process that needs to be done every once in a while. I know that sometimes governments of all stripes get somewhat behind, but this is something that's needed.

You know, the opposition talks about all the challenges with businesses and all the hindrances, but they don't talk about how we have one of the lowest business

tax rates in province of Ontario. They don't talk about the advantage that I know businesses in my riding tell me. I've been self-employed all my life. I know the benefit to business from the HST. Now we have inputs that give us more advantages to compete. They don't talk about those things. That's part of good government sending out a message, sending out those signals that Ontario is open for investment.

I understand their views questioning government decisions, but I think that once in a while it's worthwhile for them to recognize and to give the message that government is listening, government is doing the right thing. Do we always get things perfectly right? Maybe not. But in the majority, when it comes to business, I think we've made huge strides in the right direction.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Ted Chudleigh:** If the member from Northumberland really believes that, he should hold a town hall meeting on the HST in his riding and explain to his constituents what a good thing it's going to be for them and how many jobs it's going to create. The fact that we've lost jobs in this province every month since July, and we're losing more and more ever since the HST has been introduced in this province—of course, that's an actual fact, something that doesn't actually concern or come into the consideration of this particular government.

Another interesting thing here: We're now in about the 10th hour of debate on this bill, and every other bill that has come before this Legislature at least for the last year gets time-allocated after about six or seven hours, long before we get to the 10-minute rotation, but this bill has not. It has not been time-allocated, and one has to wonder why. How can you time-allocate a bill that is called the Good Government Act? Is good government time allocation? I think not. But every other contentious bill that comes before the House gets time-allocated. So this bill isn't going to be time-allocated. Here we are Thursday afternoon, and normally the House rises at this point in the week, but not this week. We're going to talk this bill out, and we'll see how the people of Ontario believe this is good government for the province of Ontario, or perhaps they will believe that it's not-so-good government for the people of Ontario. That will be an interesting debate that we'll have about a year from now. Between now and then, of course, there will be lots of examples that we see every day, every week, of how this government is performing, whether it's good government or whether it's not.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Mike Colle:** Just to put this bill into perspective, as you know, governments of all levels have a huge responsibility in terms of the everyday running of the government. Every now and then, governments have to clarify and modernize a number of the complex regulations, systems and provincial statutes. I know that, provincially, not only have we passed a number of pieces

of legislation this year, but there are also so many others existing on the books that sometimes they're not copacetic.

This is something that has to be done to update legislation so that we can better deliver the intent of the laws that have been passed. It is a very, you might say, behind-the-scenes type of legislation, but it's got to be done to ensure that the people of Ontario get the services that they require and to make sure the people of Ontario have laws that are not, at times, contradictory or impossible to interpret.

Many laws, many statutes and many regulations can be extremely complex, especially if you look at regulations attached to legislation. People look at a bill, and there could be volumes of regs, as they call them, attached to it.

This is done periodically, as I said. It's being done by our government and past governments. It's important to get on with people's business, and that's what we're trying to do here today with this Good Government Act, 2010. Essentially, that's what it is. It's taking care of the mechanics of government. That is not in the headlines of the newspapers, but it's something behind the scenes that is essential and is required for government to do from time to time. So I'd just urge all members to support this.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Newmarket–Aurora has two minutes for his response.

**Mr. Frank Klees:** I want to thank the members from Parkdale–High Park, Northumberland–Quinte West, Halton and Eglinton–Lawrence for their comments.

To the member from Eglinton–Lawrence: We know that there's nothing to this bill. It is, in fact, merely housekeeping. What is the most offensive aspect of this bill is the title, and that is good government, which is a total contradiction of anything that we've seen since this government came into office: one bill after another, one tax after another, one regulation after another, anything but good government.

So here we are debating a bill entitled good government. There should be, quite frankly, a law against that. There should be truth in titling in this place, and that's not what we have. What we have, quite frankly, is a government that, day in and day out, does its level best to deflect attention from what it's really doing.

What it's really doing is overtaxing people, making it impossible for people to make ends meet day in and day out. They have absolutely misplaced priorities. You can spend \$1 billion on failed eHealth projects, but you can't look after children who need speech-language pathology. We can't look after people with complex disabilities, we can't address the priorities in education, but we can go out of our way to spend money in areas that are unjustifiable in anyone's rational mind.

That is not good government, and they can call bills what they want. The people of Ontario see through it. What they will do is pass judgment on the bad government that this government has been providing them over a number of years. Fortunately, that day is soon to come.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

1640

**Ms. Cheri DiNovo:** It's a pleasure to rise in this House to give voice to the voiceless across Ontario, always. There are more and more of them who would like to be heard but are not heard by this government.

Here, of course, for those who are watching at home, we're debating a bill called "good government" that has nothing to do with good government. It's very Orwellian, actually. It's a bill that changes some regulations and makes some slight amendments to various laws. It's a housekeeping bill and could be called just about anything but good government.

**Mr. Michael Prue:** Much ado about nothing.

**Ms. Cheri DiNovo:** As my benchmate from Beaches–East York says, a much-ado-about-nothing bill. That's what we've got in front of us.

Why do we say this over here in the New Democratic Party? Why do we talk about the lack of good government from the other side of the aisle, from the McGuinty side? We're not alone in talking about that, of course. There is a wind of change across this province. I'm hearing it in my own riding. I'm speaking to people day in and day out who are stretched, seniors who cannot afford to pay the HST on their hydro. That extra \$100 or \$200 a month will force them to lose their homes, possibly. I'm talking to young couples who would like to be able to get into the housing market and can't. I'm talking to those who have lost good, middle-class jobs, a dying phenomenon across Ontario, and are forced to take jobs at slightly over minimum wage, and they can't pay the rent and feed their children.

For the first time, really, on a generalized basis, our children are going to do worse than we do, and we, in many instances, have done worse than our parents did. This was not the immigrant dream that this country and this province were founded on, but that's the reality in which we live in Dalton McGuinty's Ontario. There's no question about that. That's quantifiable. So that's not good government.

It's not good government when your priorities are to give billions of dollars in tax cuts to large corporations while small business, Main Street, is barely hanging on for dear life; where the Toronto Association of Business Improvement Areas comes, representing 30,000 small businesses, and does a press conference here demanding that the HST not be passed because 85% of their members don't want it, and this government doesn't listen. In fact, this government doesn't even have a portfolio for small business anymore. That's how little regard they have for small business, which provides, let us not forget, 90% of the jobs across this province.

Let's think about what this government hasn't done in the way of good government for women. We do represent, still, last time I checked, about half of the population, yet women still make about 71 cents for every dollar that men make, and there's no money put into equity anymore. They're struggling. Certainly, daycare is

not a phenomenon that is happening across Ontario. Only one in 10 families can find a daycare space for their child, and if they do, if they're one of the lucky one in 10, they'll pay, usually, on average, over \$1,000 a month; whereas we're bordered by Quebec, which has \$7-a-day daycare; Manitoba, \$17-a-day daycare. What happened? I would say that for women, that's not good government.

What other groups are we looking at? For seniors, I've just talked about the impact of HST on anybody with a fixed income. We've been talking about pensions a lot in this House lately. We don't have them in Ontario; 65% of us don't have a pension in Ontario. This is a tsunami of trouble waiting, and yet the government has been happy not bringing in the Arthurs recommendations but tinkering around the edges with a bill that does the most minute possible changes here, another bill that does minute changes there, avoiding the real meat of the Arthurs recommendations and not putting that into law.

This is a government also that, of course, is not collaborative in any way, which I would assert is one of the hallmarks of good government. Good government takes ideas from opposition, runs with them, allows opposition its day in committee. Yet we saw yesterday in committee an inclusionary zoning bill, my bill, which makes a very small change, a change that has to be made if municipalities are going to be able to bring in inclusionary zoning, and that's a change to the Planning Act so that developers can't appeal to the OMB. This government wouldn't even allow it the time of day, even though they say they agree with it and passed it not once but twice in this House. That's not collaborative government. That's not government that listens to new ideas or allows an opposition its day.

Quite frankly, the people of Ontario are sick to death of the partisan nonsense that happens in this place. They're sick to death of it. They come and watch the goings-on of this House in question period and in debate, and they shake their heads. They say, "Why can't we get together and actually make some significant changes on behalf of the people of Ontario in times of trouble?" And we're in times of trouble. Why can't we work together?

A good example of working together, actually, was the committee that worked on mental health. They brought in 23 recommendations but, again, they fell on deaf ears—not good government. This government's not going to implement them.

They try to bring in the recommendations that force them to spend as little money and do as little as possible. That's essentially what they've done with this piece of very good committee work. That's not collaborative government.

Labour: We have seen labour in freefall in this province, in part because of the actions of the McGuinty government. We have proposed anti-scab legislation. That's kind of minimal. I mean, it's minimum labour standards, the kind of thing that Europeans would laugh at us about, that we don't have. And this government ignores it.

We demand that places of employment be inspected, that employment standards that allow an employee to be

called a contractor when they're really not, that would fire a woman when she's on maternity leave—that those kinds of regulations be tightened up. This government will have none of it. This government is not a government for labour. It's not a pro-labour government. That's not good government, as far as we're concerned in the New Democratic Party.

This is, again, a government that refuses to use even the tools at its own disposal. We have a wonderful Ombudsman in the province of Ontario. We want to extend his jurisdiction to the MUSH factor. He wants to extend his jurisdiction. We're the only province in Canada where the Ombudsman does not have oversight over hospitals, and perhaps this lobbyist scandal would have come to light earlier if he had.

Again, that's not good government. That doesn't provide good oversight of government agencies and tax dollars and the way they're spent, and we see the results of this in scandal after scandal after scandal.

'Tis to laugh at the Minister of Health, who acts surprised about lobbyists. Who did she think those men sitting on the other side of her desk were, with the shiny shoes and the briefcases? Who did she think they were? Who did she think were phoning up her office and trying to get appointments, if not lobbyists? Come on.

The people of Ontario are tired of that. They would actually like a government that stood on principle and that told them what was really going on. A government that doesn't is not good government.

Citizenship and immigration: I'm trying to cover my portfolios very quickly. This is a government, that has not made it easier for immigrants in Ontario. Talk to an immigrant in Ontario and find out if their life is what they expected when they came here. Usually, the answer is: No, it's not. This is not good government that's not a government for new immigrants.

It's not a government that provides any housing, despite their screaming and yelling. Most of the money they talk about is federal dollars that they've spent. They promised 20,000 new units of housing in their first term. We got about 4,000 in seven years.

A government that hasn't closed coal-fired plants, on the environmental front; a government that's going nuclear all the way; a government that's broken just about every promise that was made in 2003—none of this adds up to good government. This is not a legacy to be proud of. This is a legacy to be ashamed of. This is not good government.

When we look at this bill, which really is a house-keeping bill that tinkers with many regulations, makes amendments to many laws—which is fine; all governments have to do that—why in the world would they call it a good government bill? This is, for the opposition, like the caged animal and you poke a stick at it. Come on. What are we going to say when they force us to vote on or against a bill that describes the McGuinty government as good government when we know and the people of Ontario know—certainly, the polls show 76% know—that what the McGuinty government has delivered is not good government?

I'll leave it at that. I look forward to the comments.

It's a sad day in Ontario—luckily, a day that will not last much longer, I don't think—a sad day when we're forced to debate a bill with such little content but, luckily, that allows us to talk about an entire history with the McGuinty government, the cabinet's—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Questions and comments.

1650

**Mr. Bob Delaney:** I will remind viewers once again that these types of housekeeping bills that make routine amendments to many acts are normally called good government bills, this being no exception.

Let's talk about the impact on ordinary Ontarians. Let's talk about some real good-government issues. What are your taxes like today? The fact of the matter is that your taxes today are lower than they were on the last day of the Harris-Eves regime. The fact is, your energy system is better, more robust, more diversified today than it was on the last day of the Harris-Eves regime.

What is good government? Is good government having to bring diesel generators into your cities in the hopes that your electricity system, which is bordering on the verge of collapse—that's not good government, but that's the government we replaced.

**Mr. Randy Hillier:** On a point of order, Mr. Speaker: The member should keep within the realm of reality here a little bit.

**The Acting Speaker (Mr. Jim Wilson):** That is not a point of order.

The honourable member for Mississauga—Streetsville.

**Mr. Bob Delaney:** A blacker pot hath never cast such aspersions upon a kettle.

One of the signature accomplishments of our government is the complete elimination of the most regressive, duplicative, inefficient, stupid taxes in Ontario history, and that's the provincial sales tax. It's gone. It's over. It's history. It's been repealed, abolished. Today, an example of good government is that the cost of doing business in Ontario is falling, and falling fast.

I'm sure others will pick up from where I've left off. I thank you for the time.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments.

**Mr. Randy Hillier:** It was a pleasure listening to the member from the third party speak on this bill that would more appropriately be named the poor government bill, that goes hand in hand with their other bill that they have in front of the House called the no-accountability act.

There's one thing that puzzled me with the member from the third party. She was disappointed because she was expecting to get the government to stand up on principles. I really have to say to the member of the third party, who should know by now, that in order to stand up on anything, you need to have a backbone, and these guys on the Liberal side have no backbone whatsoever. Principles are just one of those other things that they lost with their backbone a long time ago.

Let's put it on the record here: Ontario has a higher unemployment rate than the rest of the country, and Toronto has a higher unemployment rate than Ontario. That's a result of your bad government.

Energy costs: Hydro costs in September alone have gone up 7.7%. Does this bill do anything about that? Absolutely zero. Gas costs have gone up 5.6%—and this we can attribute, of course, to the member's glowing endorsement of the HST.

Energy costs are going up, hydro costs are going up, unemployment is going up, and the member from the Liberal side thinks this is all wonderful.

Let's be honest here. There's nothing about housekeeping in this bill. This bill is about more bureaucracy, more red tape and delegating more authority of this House to the unelected, the unaccountable, so the Liberal Party can hide behind their inaction and their laziness.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments.

**Mr. Michael Prue:** I listened intently, as I always do, to my friend from Parkdale—High Park. She speaks with conviction, she speaks well, and she speaks eloquently. She rhymed off a whole litany of things about where she thinks this government has failed, and I have to tell you that I agree with her.

The main problem with this bill is in its title. For a government such as this one to pretend that this is good government and what they are doing in the body of this bill is, as has been said, a bit of an oxymoron. This is a housekeeping bill. This is a bill that probably not one member of this House would have any umbrage had you called it for what it is—housekeeping bill number 436 or something, the much ado about nothing act, or anything else.

There probably would not have even been a speech made here. Nobody really cares what's in the content of the bill; it causes no one any great grief.

I do take some exception, though, to my friend when she said that the government should act on principle. A long time ago, when I was a mayor, and I was at Metro Hall, the person who sat beside me in the adjacent desk was a gentleman by the name of Dennis Fortinos. Dennis was a very good Liberal. One day, he got to talking to me and he asked me, "What do you know about Liberals?" I told him everything I thought I knew about Liberals from textbooks. I grew up in my life knowing about that stuff. He told me I had it all wrong. He said, "If you know this one thing, you'll know everything about Liberals." I listened to him intently, and he said, "We are a party of many principles. If you don't like those, we have others."

I see that almost every day in this House when principles are talked about. So I have to tell my colleague from Parkdale—High Park, if you want to know about Liberal principles, just listen because today there will be one set; the next day, there will be others. They will do them until they know that somebody, somewhere, is satisfied in what is being done.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments.



**Mr. Lou Rinaldi:** The opposition member from Parkdale–High Park, initially when she started speaking, I was listening to her. She really didn't refer to the bill.

She tried to talk about the economy, and all the challenges that the economy faces in Ontario. If one were just to isolate and listen to her comments, it's only in Ontario. It's only in Ontario; the rest of the world is in this rosy cloud.

**Mr. Randy Hillier:** Face the facts.

**Mr. Lou Rinaldi:** The facts are that there have been some huge economic challenges, but what she's forgetting to tell us, though, and I want to be fair, is that because of the position of Canada, through its banking system and so forth, Canada's one of the more fortunate countries that is ahead of the curve in the recovery, as low as it is. Let me just say—

**Mr. Frank Klees:** We had nothing to do with that.

**Mr. Lou Rinaldi:** Well, we do have something to say. The member opposite seemed to be saying we have nothing to say.

Ontario, out of all of the provinces, is a very industrialized province; it got hit one of the hardest. It's also ahead of the curve when you compare it to the other provinces of Canada.

**Mr. Frank Klees:** That's not true.

**Mr. Lou Rinaldi:** You might not want to believe it. The fact of the matter is those things she's not talking about.

They're saying that prices are skyrocketing in hydro. Yes, rates are going up. What did the opposition do during their legacy here? They froze those hydro rates. That's why we have stranded debt today, because you froze them. You either pay them when it happens, or you pay later with interest. They hid those costs, and we have to face reality today.

Let's not kid ourselves. People do understand that we have to face reality. Either you want to hide things, and somewhere down—like the over \$5-billion deficit that never existed in 2003. The auditor found it.

**The Acting Speaker (Mr. Jim Wilson):** The member for Parkdale–High Park has two minutes for her response.

**Ms. Cheri DiNovo:** Thank you to all of those who weighed in on this debate.

I love the line about the principles; I would have used it had my benchmate from Beaches–East York not. Certainly, the Liberal government is famous for standing firmly on all sides of an issue. We saw evidence of that this afternoon in private members' public business.

You know what's sad, really sad, is that this is a majority government. This is an overwhelming majority government. How many political parties have the privilege and the advantage of being an overwhelming majority in any House? They have it. That's the true test of political will. When you have an overwhelming majority, you might as well have an oligarchy. Let's face it: You can do anything you want.

What have they done? What is their legacy? We couldn't have stopped it, whatever they did. What did

they do? They have left Ontario far worse than when they found it. That's what they've done. That is their legacy, and they cannot pawn that legacy off on the world.

Yes, the world suffered a recession, but other jurisdictions took some action around that, did something about it. What have we done here that has shown any significant mark? What has this government left as its legacy economically, for women, for children? Name any file, and what has this government done? I put to you that that's sad because who knows when they'll have that chance again? I think the people of Ontario say not any time soon. That's what the polls are showing, because the people have wisdom, and they finally can see what's actually being delivered. It comes in the mail every month with their hydro bill. A higher cost of living, less opportunity, less hope for the future and a huge deficit—that's what this government calls good government. It's not good, and it's not true government.

**1700**

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Randy Hillier:** We're talking about Bill 110, with this inappropriate title: An Act to promote good government by amending or repealing certain Acts. It really is an inappropriate title, but I think what we can all agree on in this House—all members of this House can agree—is that more and more of the government's business is being decided and influenced and conducted outside of this Legislature, that the role of members in this House is really being diminished. When that happens, of course, that is not good government.

The members may recall that years ago, a noted British legislator and jurist, Lord Hewart, wrote an interesting book—back in the 1940s, I believe it was—called *The New Despotism*, and in that book he talked about how in the Westminster system, the governments of the day were handing off and delegating their authorities and their influences to others in the bureaucracy and others who were unelected and unaccountable. And really, that's what this Bill 110 does. Bill 110 further diminishes the role of not just the members on the opposition side, but it diminishes the role of the government members as well.

Throughout this bill, you will find reference after reference where—here's one in 271.2 under schedule 5. "The director may make regulations prescribing forms and providing for their use." Now we're handing off the regulatory power, not for the executive, not for cabinet, not for the minister; we're actually handing over regulatory authority to a director. Now, that is not good government when an employee of the ministry, an employee of the bureaucracy, can make regulations. Again, I would think all members would agree with that.

But it's not just once. It happens in a multitude of places in this bill, like 21.3 in schedule 5: "The director appointed under section 278 of the Business Corporations Act may make regulations." Once again, another unelected, unaccountable person, an employee—and really it's becoming just about any employee of the ministries who can make regulations.

I know that all members in this House, and indeed all our constituents, expect and demand that we be aware of what laws are being created that they're going to have to live by. We saw that this summer with the G20 regulation, where another regulation that was passed outside, in secret—nobody knew—had significant ramifications for many people, and even all the members on the opposite side were unaware of what happened.

How do you respond to your constituents when they ask you, the member from Northumberland or the member from Willowdale, "How come you passed that regulation?" and the only thing that you can say in truth is, "I didn't know what happened. Somebody else did it, some director. Some lowly bureaucrat created this law that you have to live by"? That's because the Liberal Party abdicates its authority and transfers its authority onto those others, who aren't here. It is a sad day for all of the Legislature and all of our democracy when we can't stand in front of our constituents and explain how that regulation came to be. This is what this bill does throughout.

Here's another one, under subsection 4(2): "designating officers of the ministry for the purposes of endorsing licences and issuing certificates...." Throughout this bill they're handing off our legislative authority and giving it to the unelected, to the unaccountable. I ask the members: Do you think that is good government? Do you think that is good government when we are not the authors of our own responsibilities?

I had a case this week where I had an owner of a private career college call me up. He sent me a letter, and he asked me to raise a question with the Minister of Training, Colleges and Universities. He wanted to know about this authority that they have that the superintendent of career colleges can shut down a college arbitrarily and ruin a business, disrupt the lives of the students and throw this business into chaos.

What was interesting about that letter from the owner of this private career college was he said, "Don't use my name. Don't use my name, because I don't want to end up like the Niagara-on-the-Lake Culinary School," which was shut down and thrown out of business by the arbitrary actions of a bureaucrat in the MTCU.

Now, isn't that a scary thought for all of us, when our citizens, our business owners, are fearful of their government? Isn't that a scary, atrocious, disgusting way that people feel in this province, because of the actions of the unelected and the unaccountable? And now, under Bill 110, that authority, that arbitrary authority, is going to increase and increase.

We know Ontario now is the most highly regulated province in this confederation and the least performing economy in our confederation. We've gone from the engine to the caboose of Confederation. What is the government's answer to this? "Well, we are going to do more of the same. We are going to put more and more of the authority off to others."

Here's another one, section 24.2: "The director may make regulations...." Throughout this—this is nothing about good government. This is nothing about house-

keeping, as the member from Northumberland suggested. This is not housekeeping. This is dirtying our House, dirtying our Legislative Assembly, because they are neutering and castrating the role and the authority of members of this House, as they keep devolving more and more decision-making over to others.

We've seen the results of this Liberal government: last place in Confederation, highest unemployment rates, high and skyrocketing energy rates, scandals such as eHealth and eHealth 2.0, OLG. We have scandals, spending abuses and increasing costs to business, increasing unemployment. And what is their priority? Their priority is to hand off more of our decision-making to others who are not accountable to anybody in this House.

That's why Lord Hewart called it the growing despotism with that novel, as legislators removed themselves from the decision-making.

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I know that members of the third party and members on this side want to stand up and defend our constituents. We want to be able to say to our constituents when they come in, this is why that legislation is there, not that it was some little cobble in the Liberal government who gave the authority to the chief of police to make regulations. The chief of police in Toronto can make regulations, apparently. Every director in these ministries can make regulations, and we won't even know about it. It will just end up in that big, big book of half a million regulations that nobody on the Liberal side has ever looked at or understands what's in there.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Michael Prue:** Yes. I would like to commend the member from Lennox-Addington—

**Mr. Randy Hillier:** Lanark and Frontenac.

**Mr. Michael Prue:** —Lanark and Frontenac—that's it; I think that's the longest title in the entire Legislature—for his informed speech. He's always interesting to listen to, and I thank him for his comments.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate.

I think we all look, as politicians here in the House, at what's happening in our own communities at various points in time. I can tell you what was happening in Oakville in the early part of this decade. We had auto plants and truck plants closing. We had the Magna budget. We had hospital closures throughout the province. We had crumbling schools in my own community. We had neighbourhood fighting neighbourhood over which school would close and which school would be kept open. We had laid-off nurses. We had a government that preferred to fight teachers as opposed to working with them.

What do we have today? Oakville Ford: thriving—fantastic profits there. We've got the highest rates of post-secondary participation in the world, some of the highest rates right here in this province. We've got full-

day learning for four- and five-year-olds. You didn't mention that. We've got some of the lowest provincial income taxes in the country. I didn't hear that. We've got some of the lowest corporate taxes in the country—didn't hear that. Right in Oakville, what are we doing? Building a brand new hospital with over a billion dollars from the provincial government—didn't get that in 2003 or before. St. Thomas Aquinas high school is almost complete. St. Ignatius of Loyola high school is starting an incredible facelift. An extra lane on the QEW right through Oakville—you guys couldn't do that. Sheridan College is doing fantastic work, leading the world in animation. Graduation rates are up in this province; dropout rates are down.

You couldn't do any of those things, so instead of supporting the Good Government Act, you try to hide. You try to pretend those days never happened, that you weren't fighting with everybody in this province. You forget the protests on the lawn at Queen's Park.

There will be a good government next October; it will be this government.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Norman W. Sterling:** It's almost humorous to hear the member from Oakville talk about all of these things that they have built. They haven't paid one thin dime on any of the buildings that he has named. What they have done is they have mortgaged the future of people like our pages, our kids and our future for building those assets now. Instead, they have been spendthrifts and have spent all of what has come in over the last seven years of their mandate when times were good. Instead of paying off the debt at that time, what they have done is incur more debt for our children to pay off in the future—not one thin dime of the investments that he talked about. The billion-dollar hospital? He didn't pay for it. We're not paying for it now. Those young people are going to have to pay for it in the future.

Shame on you for creating huge debt for our future generations. You have doubled the debt of the province of Ontario in seven short years. You've taken it from \$130 billion to \$260 billion. They have to pay the interest on that loan. That's going to come out of their health care. That's going to come out of their education in the future.

This is a bad, bad government, and this member doesn't even know it.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Ms. Cheri DiNovo:** It's late in the day, for sure.

I just wanted to comment on the member from Lanark–Frontenac–Lennox and Addington. He was talking about regulations. I think for us, the most egregious dusted-off regulation that the government had in its back pocket is the one that was used on the G20 weekend. I just wanted to say for those who are watching—and I know many, many of my constituents were absolutely horrified by what happened here and what this government did on that weekend—we will be debating that and talking about it on Monday, so tune in for that. It'll be an

excellent debate on a regulation dusted off and, quite frankly, one of the worst assaults on democracy since the War Measures Act. Tune in Monday.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Lanark–Frontenac–Lennox and Addington has two minutes for his response.

**Mr. Randy Hillier:** There's an old saying about spending like a drunken sailor. The Liberals, unlike the drunken sailor—the drunken sailor knows when he's out of money. These guys just keep spending and spending and spending. They have doubled our debt in their seven years.

**Mr. Ted Chudleigh:** Doubled the budget, too.

**Mr. Randy Hillier:** And doubled the budget. They have been a train wreck on our economy. We understand there's a recession out there, but what they don't understand is that Ontario has performed the worst in that economy through that recession. Other provinces have not become have-not provinces, but Ontario has under their leadership. Their leadership is a world of nannyism, a nanny state, the nanny Premier, the half a million regulations that they have on the books now in this province. Those half a million regulations are killing our economy. They're strangling and suffocating our employers, and these guys keep spending like drunken sailors.

What's their priority? Two weeks ago it was, "Well, maybe we should ban chocolate milk in the classrooms." Last week it was, "Maybe we should ban KFC sandwiches in society." They'll let our economy go down the drain, raise unemployment, raise the cost to the future generations of this province, and they want to talk about chocolate milk and good government.

These guys are a disaster. Seventy-six per cent of the people in this province want change. I'll tell you, watching these guys, I understand—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further debate?

**Mr. Reza Moridi:** I listened to the speeches by the members who spoke prior to me about this bill. In fact, this bill is about streamlining the government's regulations and laws, but they were talking about good government and bad government.

I must tell you that the name of this bill should be excellent government because this is an excellent government governing in this province. This government is an excellent government in comparison to previous governments—particularly under the Conservatives, where they closed down schools. They closed down hospitals; we built hospitals. They fired 6,500 nurses; we hired 10,000 nurses. They fired doctors; we hired 2,300 doctors. Now one million more Ontarians have family doctors.

They treated the teachers badly. Our students lost millions of hours of school time. Under the McGuinty government, not one single minute of our students was wasted in schools.

In addition, we have introduced free kindergarten to our kids. That's what we have done for the future of this province.

Under this government, we have allowed the Auditor General to audit every government institution and

agency, while they kept Ontario Hydro and Hydro One away from the Auditor General's audit.

This government is an excellent government, and that's what we have been doing. This bill is about streamlining government regulations and the rules.

**The Acting Speaker (Mr. Ted Chudleigh):** Questions and comments?

1720

**Mr. Norman W. Sterling:** I didn't know that full-time kindergarten in our schools was going to be free. I didn't realize that, all of a sudden, the taxpayer wasn't going to be called upon to pay for yet another program introduced in this province. I love the idea that we could have full-day kindergarten, but I would have introduced that five years ago when I had a budget surplus of \$5 billion.

Instead, what this government did was flush the \$5 billion out the door the last day of the financial year, on March 31, and didn't keep any of the money or pay down the debt as they could have then and made those kinds of investments that are so important and there for the taking. Talk about a lousy government.

Haven't you heard what the people said in the city of Toronto? They're fed up with you guys. They're fed up. They don't believe that you can continue to spend this money and borrow more money every year, year after year. That's what you guys have done. You changed the accounting system in 2005. If you had stuck to the cash basis of accounting, you wouldn't have balanced the budget in any years, save and except perhaps 2004-05, and that was because of the previous government, because we put you in such good stead.

It's unbelievable that these guys are talking about good government. They're bragging about what they've done. They haven't done anything.

Mr. Speaker, you know I sit as the public accounts chairman, and we see this spending wastefulness on a daily basis.

**The Acting Speaker (Mr. Ted Chudleigh):** Further questions and comments? The member for Beaches-Woodbine.

**Mr. Michael Prue:** Beaches-East York, but historically you're accurate. My predecessor was from Beaches-Woodbine.

I listened to the member from Richmond Hill. I was actually quite surprised when he stood up because I didn't think that was the plan, and from the shocked looks on the colleagues from the other side I think perhaps it was not. But I listened intently and just as I was starting to get into his speech on how good it was, he stopped. I don't think it was much more than one would expect in a two-minute hit, but he started to talk about things—that he's proud of this government, and I think a backbencher should be proud of his government.

He talked about all-day kindergarten, which we in the New Democratic Party support, but the sad thing about the all-day kindergarten is, it is so sporadic. There are so many places in this province where people don't have an opportunity to send their kids to all-day kindergarten.

**Mr. Lou Rinaldi:** Oh, Michael.

**Mr. Michael Prue:** As for the member from Northumberland over there, I would remind him, if you ask the people from the ministry, there is not a single all-day kindergarten space in the east part of Toronto. There is none in Beaches-East York. There is not a single place this year or next year where anyone can send their kids.

I do acknowledge that this is a good idea, but the unfolding of this plan is not universal and it is not fair. So if the government wants to talk about being fair, if the government wants to be talking about fair and doing the right thing, then I think the government had an obligation to—because I know that the member who was heckling me, there are eight or 10 schools that are offering that in his riding.

*Interjection.*

**Mr. Michael Prue:** Okay, five; in my riding there's zero. There's zero in the Catholic board; there's zero in the public board. There are none for next year scheduled in either of those, and we're going to have to wait for the year after that to see whether that's a possibility.

I think the member from Richmond Hill ought not to be really proud of the way this is unfolding.

**The Acting Speaker (Mr. Ted Chudleigh):** Further questions or comments?

**Mr. Frank Klees:** I can't help but rise in support of the eloquent words by my colleague from Carleton-Mississippi Mills. He's passionate; he knows this place. He is in fact the dean of the Legislature.

The member has seen good government in his day, and he knows good government when he sees it. So his condemnation of this bill, with the title of good government, and his condemnation of the conduct of this government should be listened to, because good government is government that stands and makes decisions based on principle, that actually has the ability to announce policy and then implement it.

What we have had from this government, as the member so rightly tells us, is a pronouncement of policy and then a bungling of the implementation; a taxation of people beyond their capacity, and then an abuse of those tax dollars by spending it on people who have no intention of providing public service, but rather to consume it themselves. If members of this government can stand up and take credit for that and call that good government, that, at the end of the day, is the absolute greatest foist on the people of this province that we have ever seen.

The member for Richmond Hill—I was observing him as he began his eloquent speech and then was shut down by his own whip, who said, "You're not allowed to speak." So he had to shut it down, just in time before I'm sure he was himself about to say, "Yes, all-day kindergarten is a good idea, but our people in York region, our boards, were actually stifled because they had no idea how to implement it." They weren't given the funds, they don't have the resources—another example of bad government on the part of this government. Good thing they stopped the member in time, because he would have condemned his own government.

**The Acting Speaker (Mr. Ted Chudleigh):** Further questions and comments?

**Ms. Cheri DiNovo:** Since we are on the topic that the member from Richmond Hill raised, about education, and we are talking about a bill that's called good government but is about a government that we in the New Democratic Party don't think is good government, let me take a couple of seconds just to talk about the educational status of Ontario.

First of all, we are 10th out of 10 in terms of per capita student spending for post-secondary—10th out of 10. We are the worst in Confederation. That's sad.

We still have not fixed the funding formula in our public schools. When I was first elected, in a by-election, I was talking about that. It's still not fixed.

Certainly, if you speak to those who are engaged day-to-day in the educational system, they will complain about the lack of supervision in the lunchrooms and the schoolyards, the lack of social workers, the lack of ESL programming—the list goes on. Education is certainly not better, from the so-called “education Premier.” It is not better.

Do we support full-day learning, the kindergarten program that goes on all day? Yes, we do, but we would also like to see a daycare program, and this is not it. You heard the member from Beaches–East York speak about how sporadically it's being implemented. That's not fair. It's simply not fair. Why should one riding get more than another riding? Is it because the member happens to be on that side of the aisle? Again, not fair.

Yes, I do agree with the member from Newmarket–Aurora. Perhaps if he had gone on, he would have outlined all of this and more, about the inadequacies of our educational system in Ontario under this government's watch.

We wait and we listen for more about the good government bill pointing to a government that's anything but.

**The Acting Speaker (Mr. Jim Wilson):** The member for Richmond Hill has two minutes for his response.

**Mr. Michael Prue:** Tell them you can do it. Don't let them stop you.

**Mr. Reza Moridi:** Thank you.

This bill is all about good government, and this government, as I said in my earlier remarks, is an excellent government. This is a government that has hired doctors in the past seven years, in contrast to the previous government, where they fired doctors. This is the government that hired about 10,000 nurses. The previous government fired 6,500 nurses. This is the government which is building hospitals. The previous government was closing down hospitals. That is the meaning of good government. That is the meaning of excellent government.

**1730**

This is a government that opened the hands of the Auditor General to audit every government agency, every government department. The previous government separated Ontario Hydro and Hydro One from the Auditor General's jurisdiction. This is the government that

brought in legislation so that the government's books, before the end of the term, are audited by the Auditor General. The previous government basically hid the \$5.6-billion deficit, which we inherited from the previous government.

That is all about good government, and that's what this government has been doing. By bringing in this Bill 110, basically, what the government intends is to streamline the rules and regulation and the laws of this province. That's what we have been doing, and nothing more than that.

It's a straightforward bill, and I hope all the members will vote for this bill. I am rather surprised that the opposition parties, instead of dealing with the bill, have stuck to the name of the bill. That is not fair.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Norman W. Sterling:** On a point of order, Mr. Speaker: Do you have any information about whether or not this bill is going to committee? Has there been any indication from the government in that regard?

**The Acting Speaker (Mr. Jim Wilson):** I appreciate the question, but it's not a point of order.

Further debate?

**Mr. Frank Klees:** On a point of order, Mr. Speaker, and the reason that I'm raising this point of order at this point is, I don't want to run out of time. This is very important to me. It relates specifically to standing order 99, the topic of written questions. This is something that I know has been raised on a number of occasions in this House before. Standing order 99 reads as follows:

“(a) Questions seeking information from the ministry relating to the public affairs of the province may be placed by notice on the Orders and Notices paper.

“(b) Such notices shall be dated and, where a member repeats an unanswered question in the ensuing session, the date of the original notice shall be shown.

“(c) In putting any written question, no argument or opinion shall be offered nor any facts stated, except so far as may be necessary to explain the question.”

I have tabled with the clerk a series of these questions that are very relevant to a number of ministries, and they're relevant because the information that I have requested is important for me to carry on my business and to respond to my constituents.

The standing order is very specific in terms of the responsibility that the ministers of the crown have to respond. I refer you, Speaker, to 99(d), which states as follows:

“The minister shall answer such written questions within 24 sessional days, unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be.”

The standing orders are very specific in terms of what the obligations are on the part of the minister. It goes on

to say, "The answers to such written questions shall be given to the member who asked the question and to the Clerk of the House who shall print a notation in the Votes and Proceedings that the question has been answered.

"(f) If a minister is of the opinion that any written question under this standing order requires by way of reply any statement of facts, or records, or statistics of a lengthy or a voluminous nature, the minister may require it to be made a motion for a return."

Finally, it says, "No member shall have more than"—

**The Acting Speaker (Mr. Jim Wilson):** Order.

**Mr. Frank Klees:** Speaker, I'd like to get to the point.

**The Acting Speaker (Mr. Jim Wilson):** Please do.

**Mr. Frank Klees:** If I could get to the point of my point of order, it is that time and time again, ministers of this government have essentially ignored the timeline requirements for written questions.

I would ask you to undertake to do a review of the number of questions that have been put on the table and report to the House the timelines and the number of questions that are outside the standing order requirements, and in doing so, that you would direct the ministers to comply with the standing orders as they are written for the benefit of members.

Thank you, Speaker.

**Mr. Norman W. Sterling:** On the same point of order, Mr. Speaker, I give credit to my colleague for raising this issue, because it has been a long-standing issue with this Legislature.

What the members of the opposition have been experiencing with regard to questions of the ministries is answers that are very similar to the kinds of answers we are getting in question period. Prior to perhaps two or three years ago, members of this Legislature could ask a question on the order paper and get a fairly specific response—a response to the actual question. Now, we are getting the same kind of non-answer back from the ministry.

Our only opportunity as members of the opposition is to ask questions during question period, during estimates and on the order paper. My question to you, Mr. Speaker, is: When can we get real answers to questions we have put forward to the government of the day? Is there no obligation on the ministry or on the minister to respond with some kind of definitive answer to the questions we ask? We ask questions that ask for a yes or no response. We ask questions for statistics with regard to a particular ministry, and we get back responses that do not answer the question. Is there no obligation on the minister or the ministry to provide us with clear answers to our written questions?

**The Acting Speaker (Mr. Jim Wilson):** I get the gist of the point of order—and it is a point of order. I've been informed by the deputy clerk that there are a number of order paper questions that have not been answered within the 24-day period per the standing orders, and I would look to the government if they have any comments on this matter.

**Hon. Gerry Phillips:** I would certainly undertake to expedite the answers. I would say, having been in opposi-

tion, that sometimes when you get an answer, you may not like the answer, but nonetheless it's an answer. I think our ministers are accurate and comprehensive in their responses, but if we are outside the standing orders, I'll encourage our ministers to get the responses in.

**Mr. Frank Klees:** If I might, Mr. Speaker.

**The Acting Speaker (Mr. Jim Wilson):** I just want to respond to the minister for a moment. On the same point of order?

**Mr. Frank Klees:** Yes, the same point of order.

**The Acting Speaker (Mr. Jim Wilson):** All right. I'll give one more shot.

**Mr. Frank Klees:** Thank you. Speaker, I listened with great interest to the government's response to the point of order, and what is disappointing to me—I have a great deal of respect for the honourable member; however, his response did not in any way answer your question and your appeal to the government to respond.

My issue was not the kind of answer I got. My concern, quite frankly, is that time and time again questions are placed on the table and there is absolute disregard on the part of cabinet ministers to respond in accordance with the standing orders in terms of its timing.

I was hoping that what I would hear from the government side is not, "Well, when we were in opposition," and "I empathize with the opposition members." I was hoping that what I would hear is that the message would be taken back to the cabinet table and that cabinet ministers would be implored to, in fact, answer those questions within—

**The Acting Speaker (Mr. Jim Wilson):** Order.

1740

**Mr. Ted Chudleigh:** Speaker, on the same point of order—

**The Acting Speaker (Mr. Jim Wilson):** I've heard quite a lot on the point of order. Do you have anything new to add?

**Mr. Ted Chudleigh:** I'm just going to ask for a point of clarity.

**The Acting Speaker (Mr. Jim Wilson):** The member for Halton.

**Mr. Ted Chudleigh:** Perhaps, because the table has all the information concerning the questions that are being asked and the ones that are past 24 days of House business, they could provide a list to the government as to the ones that are outstanding and to ensure that those—and you could perhaps let the House know what that list was on the next day of sitting.

**The Acting Speaker (Mr. Jim Wilson):** Thank you. I'm sure the table officers would be happy to provide the government with a list. I'm satisfied that the minister without portfolio, Mr. Phillips, has given an undertaking to talk to his colleagues and to get you the responses as soon as possible.

Further debate?

**Mr. Norman W. Sterling:** I speak to Bill 110. I don't want to use the title of this because it's surely a misnomer to say that anything with regard to this government could be a good government act. We have seen over the past number of months and days this government struggle

with the whole concept of governing this province. Who could have imagined the incompetence of a government that would allow the HST and eco fees to hit down on the same day?

I'll give them credit that that wasn't planned. I can't believe anybody who was involved in the political field could possibly say, "We're going to bring down the HST and eco fees on the same day." Where was all of that staff in the Minister of the Environment's office? Where was all that staff in the Premier's office? The Premier's office is not with clean hands here. The Premier's office knows when major announcements, major programs are coming forward. Where were they? What incompetence, with a very basic—perhaps the first lesson you learn in politics is that everybody should know what's happening on a particular day. It's unbelievable that that occurred, and it just shows you how out of touch they are with governing, how many people and staff the Premier's office has gone through, and what disarray they are in at the present time.

My friend from Lanark–Frontenac–Lennox and Addington went through this particular bill and dealt with the fact that this bill shovels off more responsibility from the elected officials to the unelected, whether they're a registrar or a director or whatever. This bill takes power out of the hands of the cabinet of Ontario, it takes power out of the hands of ministers of the crown, and gives it to people who are not elected. My friend pointed out what kind of dangers can come from that.

We heard, for instance, in the eco fees fiasco that the government was trying to shuffle this off to the fault of Stewardship Ontario. Well, what do we have here? We have a bill which shuffles off more responsibility to people who are not elected and directly accountable in this Legislative Assembly. This goes on and on.

We have seen this through the creation of the LHINs. It has become quite obvious that the Ministry of Health thought that they could get away from their responsibility in calling the health care policies of our province by shoving this responsibility for making finance decisions out to the LHINs across the province of Ontario. What a disaster that has turned out to be.

Unfortunately, even though they were warned, they didn't change the legislation as to who's ultimately responsible for the hospitals around our province, so in the end the LHINs were supposedly given the responsibility for funding hospitals, but legislatively, the province remained accountable and responsible for how the hospitals were run. You can't have the bucks and the responsibility in two different pockets; therefore, the system has failed because they have not changed the legislation to give responsibility for the hospitals to the LHINs, if that's what they wanted to do. Now, we don't necessarily agree with that—we don't agree with that. We think that government should be responsible for running the hospitals of the province of Ontario.

This bill should have had previous consultations with the opposition parties. When we were in government, Mr. Speaker, you may remember—you were a minister in

that previous government—that when we had what we called housekeeping bills or bills that dealt with minor matters, what we would do is ask each minister to put forward suggestions, and I, as the House leader at that point in time, would go to the opposition parties and say, "Opposition parties, do you agree or disagree with any of these parts of the bill?" And the opposition parties would come back and say, "In general, we agree with 95% of this. We disagree with 5%." Do you know what we would do? We would take the 5% out so that we would gain the co-operation of the Legislative Assembly and we wouldn't be embroiled in a two- or three-day debate.

Now, one of the matters that is dealt with in here has a great interest for myself because it talks about taking the hearings board of the Alcohol and Gaming Commission of Ontario away from the Alcohol and Gaming Commission and to the Licence Appeal Tribunal. Now, we had decided before we left government, in 2001 and 2002, that this should be done, and I have no objection to it being done. I do have objection to it being done eight years later. What has taken this government so long to deal with this issue? There is a conflict of interest or a conflict of interest that could exist, because the Alcohol and Gaming Commission regulates the alcohol and gaming business, and it's difficult for the public and it's difficult for me, and it shouldn't be in the same house as the people who are making the rules, who are enforcing the rules, to also have the court or the arbitration process.

I agree that they should be separated apart. However, by waiting for seven or eight years, what the government has done is appoint a whole bunch of their people to this board, and they are now going to be faced with the problem of having the Alcohol and Gaming Commission board as it now is and the Licence Appeal Tribunal come together.

We have David Gavsie, a Liberal appointee and a well-known Liberal, making \$175,000 as the chair of the Alcohol and Gaming Commission of Ontario. He has another \$6,600 in benefits, bringing it to over \$180,000 a year. That may be an appropriate salary for somebody who is running an arbitration process and dealing with a whole bunch of matters every month and every day. But when this is transferred over to the licence tribunal, we have Lynda Tanaka, who's earning about \$128,000, running that particular agency. They're going to have to fire one or the other. My question to the government is, are you going to pay severance to the person who goes?

**1750**

If you leave Mr. Gavsie as chair of the Alcohol and Gaming Commission board, instead of having a daily concern with regard to the arbitration of cases dealing with liquor licence appeals, he's going to have to have a meeting once every three months in an agency board and in a governance board. Are we going to pay Mr. Gavsie over \$180,000 a year to have a meeting once every three months?

All those board members are also permanent members of the board, and I believe most of them receive compensation in excess of \$120,000.

Again, given what happened with regard to their ability to run anything, talking about the eco fees and the HST coming together, are we going to be stuck with tremendous severance fees and nothing better than we have now?

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Ms. Cheri DiNovo:** It's always a pleasure to listen to the dean of this place, the member from Carleton–Mississippi Mills.

Certainly, going through the bill and its minutiae, I know that our justice critic has spoken about the role of the Attorney General in this bill and had some concerns about that in his role—the Attorney General's, that is—in the hiring of new justices of the peace.

So from this side, in the New Democratic Party, we're not saying that there aren't some issues with the bill itself. Of course, as we've said before, the biggest issue with this bill is the very title of the bill that we've spent so much time on.

At any rate, it was great to hear him.

I look forward to this bill being in committee, when we can go through it clause by clause and line by line.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. David Zimmer:** We've heard a lot about good government these last couple of hours. Let me tell you, just to get it on the record yet again, about some of the things that we've done for good government that this government and I are very proud of.

Unlike the Tories, who closed a number of agencies to freedom-of-information requests, we broadened the scope of freedom-of-information legislation, and that is an exercise in transparency. In particular, we extended freedom-of-information legislation to include Hydro One and Ontario Power Generation in 2003. In 2006, we extended the freedom-of-information provisions to Ontario universities. That is transparent government. That is good government.

We've also worked with the Auditor General and provided the Auditor General with a number of new mandates, and I'm happy to go over a few of them. You will recall the legislation we introduced which said that before each election, the Auditor General has to review and give his opinion on the state of the books of the province, so that the voters going into that election have that independent assessment of what the state of the books is—unlike that fiasco we had going into the 2003 election where the Tories, the proponents of so-called good government, gave the public a statement of what the province's financial condition was which was completely unrealistic; a complete, dare I say, fabrication. That won't happen again.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mrs. Elizabeth Witmer:** I'm pleased to respond to the comments that have been made by my colleague the member for Carleton–Mississippi Mills. As has already been said, he certainly is the dean of this place and he

has, certainly, an appreciation for what good government is all about and some of the initiatives and steps that should be undertaken. I think it scares all of us when we see a bill with a name such as this one, to see that it is such a misnomer, because I think if you take a look at all that has happened since 2003, we're seeing exactly the opposite.

We see a government without any plan. We see a government that has not been transparent and has not been always forthcoming with the public. I think about health, for example. Some years ago, one of the former health ministers promised that there would be a health plan, a health strategy. This happened around the time that the LHINs were created. Supposedly, that provincial plan for health was going to allow people in this province to have a clear idea as to where the government was going to go, but first of all, the government would, of course, have to identify what its objectives were and how they were going to meet the needs of people in the province of Ontario. Well, you know what? To this day, we have never, ever seen a plan.

Also, I would say to you, despite what we might hear about improved access to health care, we're not seeing it. In my community, we've seen a decrease in the number of people who actually have access to family physicians, and that was done by an external agency at home. I was reading today as well about the number of people increasingly in alternative care beds. So, this government has not exhibited good government.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Ted Chudleigh:** I was particularly interested in the speech of the member from Carleton–Mississippi Mills. He gave a number of examples of how this government has failed to manage in what anyone would think was a reasonable way. The example of the eco tax and the HST being presented on the same day is an excellent example. If it was planned that way, then the concept of the government would be that they were trying to sneak in one tax under the cover of the HST. In all seriousness, I'm not sure I could agree that this government would try to do that. I don't think that that would be part of their policy thinking. I don't think that the fourth estate, the newspapers in this place—I don't think they would allow that to happen. And yet, that's what happened. It sounds to me like someone was either asleep at the switch or there was no one at the switch. No one had been assigned to the switch, which again speaks to me as just incompetently bad management.

We're seeing the same thing today with announcements that the Attorney General has made regarding the Cornwall inquiry and the victims of the Cornwall inquiry, in that all of the consultations they've had in that apparently have been with female victim groups, and of course, the Cornwall inquiry deals with male victims. That again sounds to me like total incompetence, that the government isn't on top of—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. The honourable member for Carleton–Mississippi Mills has two minutes for his response.



**Mr. Norman W. Sterling:** I'd like to thank all of the members who responded to my remarks. I want to say at the outset, in looking at a piece of legislation like this, my concern is whether or not the Legislature really understands the guts of the particular legislation that's under consideration. That's because, when you go into these kinds of bills, there are many amendments to various different acts, and those amendments to those acts are very difficult to understand without being put in context.

So we have, for instance—and one of our critics had complained about it—a paragraph dealing with community care access corporations. It says in this act that there are regulations about amalgamations of two or more community care access corporations. We don't really understand, without a briefing and a cross-examination of the officials, how this is actually going to be carried out. I'm not sure that the backbenchers in the

government understand how this is going to be carried out and how it is going to affect their community or my community that I represent.

This forum of debating this on second reading in this very formal atmosphere really doesn't do a very good job of homing in on issues where elected representatives have the opportunity to make their comments and perhaps prevent a problem from arising, when it in fact could be that way.

I'm really sorry that this is being brought to the Legislature in the normal way a major government bill would be—

**The Acting Speaker (Mr. Jim Wilson):** Thank you.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Jim Wilson):** It being 6 of the clock, this House stands adjourned until next Monday at 10:30 a.m.

*The House adjourned at 1801.*

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Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
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Caplan, David (LIB)	Don Valley East / Don Valley-Est	
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<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP) Hardeman, Ernie (PC)	Kenora–Rainy River Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
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
<b>Hoskins, Hon. / L'hon. Eric (LIB)</b>	St. Paul's	Minister of Citizenship and Immigration / Ministre des Affaires civiles et de l'Immigration
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Jaczek, Helena (LIB) <b>Jeffrey, Hon. / L'hon. Linda (LIB)</b>	Oak Ridges–Markham Brampton–Springdale	Minister of Natural Resources / Ministre des Richesses naturelles
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Qaadri, Shafiq (LIB) Ramal, Khalil (LIB) Ramsay, David (LIB) Rinaldi, Lou (LIB) Ruprecht, Tony (LIB) Sandals, Liz (LIB) Savoline, Joyce (PC) Sergio, Mario (LIB) Shurman, Peter (PC) <b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Etobicoke North / Etobicoke-Nord London–Fanshawe Timiskaming–Cochrane Northumberland–Quinte West Davenport Guelph Burlington York West / York-Ouest Thornhill Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Government House Leader / Leader parlementaire du gouvernement
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