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**Thursday 2 November 2006**

**Jeudi 2 novembre 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

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**LEGISLATIVE ASSEMBLY  
OF ONTARIO**

Thursday 2 November 2006

**ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO**

Jeudi 2 novembre 2006

*The House met at 1000.  
Prayers.*

**PRIVATE MEMBERS'  
PUBLIC BUSINESS**

**EMPLOYMENT STANDARDS  
AMENDMENT ACT (RAISING THE  
MINIMUM WAGE), 2006  
LOI DE 2006 MODIFIANT LA LOI SUR  
LES NORMES D'EMPLOI  
(AUGMENTATION  
DU SALAIRE MINIMUM)**

Ms. DiNovo moved second reading of the following bill:

Bill 150, An Act to amend the Employment Standards Act, 2000 / Projet de loi 150, Loi modifiant la Loi de 2000 sur les normes d'emploi.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Ms. DiNovo, you have up to 10 minutes.

**Ms. Cheri DiNovo (Parkdale–High Park):** Let me start with a quote. It's from Dr. Charles Hastings, Toronto's first officer of health, founder of Toronto's first affordable housing in 1918, Spruce Court, housing that still stands today. He said, "Every nation that endorses a wage that does not afford sufficient revenue for the home, a revenue that will make possible development of a sound mind and body, is trampling on a primary principle of democracy."

Or perhaps one might cite the United Nations Committee on Economic, Social and Cultural Rights, which condemned our minimum wage in Ontario as "insufficient to enable workers and their families to enjoy a decent standard of living."

In 1989, all parties in Canada agreed to eradicate child poverty by 2000. Campaign 2000 still works tirelessly to hold us all to that promise despite the fact that child poverty has doubled in Ontario in that period of time. I rise in the House this day in their stead, representing the work of over 30 agencies in Ontario, unions and teachers' federations, children's aid societies, agencies like those represented here today: the Women's Counselling, Referral and Education Centre, the Ontario Council of Agencies Serving Immigrants, the Ontario Association of Social Workers, the Street Health Community Nursing Foundation and Canadian Feed the Children. Welcome.

I remember my first experience with a family that worked to be poor. Let's call it Sandra's family, who couldn't use our food bank because she worked during the week when the food bank was open. Sandra had a full-time job in a bakery, earning \$1,300 a month. Her two children, since her husband had abandoned them, stayed with friends while she worked. Sandra made less than she would have on welfare. She also needed our used clothing bank because that wasn't in her budget either. She barely made the rent every month on the \$900 apartment. But, as Sandra told me, until her English improved, she couldn't find anything else.

I thought of Sandra as I learned of Ireland, that model of economic success that accomplished their success in part by raising their minimum wage to over \$10 an hour and aiming to eradicate their own poverty, which they have in fact lessened to just 4%, something we in Ontario could only dream to aspire to with our 15% poverty level.

I thought of Sandra and Maheswary Puvaneswarran, another example highlighted in the Toronto Star, who worked two jobs and couldn't afford a sofa, as I learned that our minimum wage after deductions is actually less than welfare in this province when the cost of going to work is taken into account, the cost of child care, transportation, the loss of drug benefits. One woman with a child makes \$7.75 per hour. Even if she made \$8 an hour, that's approximately \$1,440 a month. If she were on social assistance, she would make approximately \$1,497 a month. I remember asking Sandra why she worked. "I want a better future for my children," she said.

This government prides itself on raising the minimum wage three times since being in office, at 30 cents per year. That means that in approximately seven years, Sandra and Maheswary would make \$10 an hour, which by then would be even less, in effect, than they are making now. In fact, in 1972 when our minimum wage was \$2 an hour, using the Bank of Canada's inflation calculator, our working poor were making the equivalent of almost \$10 an hour then. Our poor are poorer than they were in 1972.

One might ask oneself the economic logic of forcing single parents, two thirds of them women, onto welfare. One might ask oneself, as Charles Hastings did in 1918, how a province calling itself democratic could expect its poorest wage earners and their children to use food banks to be able to pay the rent and feed their children.

Why doesn't this government raise the minimum wage to a living wage or to the most conservative estimate of the poverty line in Ontario? The answer we're given, and Sandra and Maheswary are given, is that this will hurt the economy and actually cost jobs. Back in the 1980s, when

I was a small business owner, everyone I knew in corporate life paid our workers a minimum of \$10 an hour. Study after study has also proven that, in fact, there's no correlation between the loss of jobs and raising the minimum wage, nor of a detrimental effect on the economy. Card and Krueger's *Myth and Measurement: The New Economics of the Minimum Wage* and Goldberg and Green's *Rising the Floor: The Social and Economic Benefits of Minimum Wages in Canada* are but two examples of many studies that prove this. One needn't look to Australia, with its almost \$13-an-hour minimum wage, or France or England or Ireland, as I've already done, but simply to these studies done right in Canada to see that minimum wage raises help economies. Certainly, there is no argument that raising the minimum wage would help Sandra and Maheswary's economy and the other 1.2 million workers who make under \$10 or the 200,000 mainly immigrants and women who make minimum wage now.

We remind ourselves that the argument against the abolition of slavery was that the American economy would be destroyed if slavery were abolished. When arguments are used for the economy, I remind our honourable members what the *Toronto Star* said in its editorial of October 19 when it came out in support of this very minimum wage bill: "In effect, they are arguing that the living standards of our poorest workers must continue to suffer for them to be able to hold on to their jobs."

A higher minimum wage actually helps the economy because it allows the 1.2 million making less than \$10 an hour or the 200,000 at minimum wage to have a little bit more money in their pockets to spend. Those who are at the lowest end of the income spectrum, who can't afford cars, tend to spend their money locally in their immediate neighbourhoods. A higher minimum wage will help small business in that way, and also the increase will bring much-needed stability to employment. Any small business owner who employs minimum wage workers will tell you that it's turnover that costs the most in lost productivity, in the fees paid to agencies, in training. When workers need two or more jobs to survive, they don't work as well. Sandra used to complain about how tired she always was.

The playing field will still be level. Most small businesses compete with other businesses in the province. Since everyone will be paying slightly more, one's competitor will be paying more as well. No one will gain a competitive edge as a result of this bill.

Finally, we have examples globally of countries like Ireland, who have proven that government policies addressing this in fact help to create the economic models we should aspire to, both for business and for the poor. They have proven that poverty keeps countries and provinces poor, both economically and morally.

#### 1010

But finally, the ultimate reason to raise the minimum wage is ethical, and it is also moral. Our children are paying for our current policy. Might I say—and this is not partisan when I ask how many honourable members

here would want to see their own children raised in a home where a parent tries to provide those children with food and rent and some quality of life on \$1,400 a month or less. We know that poverty is associated with lower life expectancy, worse health, impoverished chances of advancement, and crime and violence in neighbourhoods, all extremely costly to our economy and to our children. If the 13,500 children who use food banks in the GTA were our biological children, could we, would we, not do something about it? Not tomorrow, not in the seven or so years that at 30 cents a year it would take, but by acting now.

The Honourable Mr. Peters suggested yesterday that this government brought in the \$8 an hour we in the New Democratic Party had asked for, but that was almost four years ago. Must we wait another even four years for justice for the Sandras and Maheswaries? Now is already too late in a moral and ethical sense, but any later than now would be absolutely unforgivable.

To my socially conservative brothers and sisters in this House, does it make sense to pay more in real terms for someone on welfare than someone who works 40 hours a week? To the socially progressive brothers and sisters in this House, does it make sense to condemn another and much larger generation to the ravages of poverty? They know better than anyone that one cannot pay the rent and feed the kids on welfare, and now, one cannot feed the kids and pay the rent even when working full-time.

We promised, all of us and all of our parties, to end child poverty. We know it can be done. We know how to do it. Let us begin with a simple and small step. Let us make history this morning and pass this bill to raise the minimum wage to a living wage. Can we afford to raise the minimum wage? The question truly is, can we afford not to?

**The Deputy Speaker:** Further debate?

**Mr. Phil McNeely (Ottawa–Orléans):** I'm pleased to have this opportunity to speak to this Employment Standards Amendment Act, Bill 150, that the member from Parkdale–High Park has brought forward.

On the one hand, I empathize with those holding jobs and not making a living wage—single parents, many of them young mothers, trying to raise a family on their own. In Ontario, 191,000 workers earn minimum wage. That's an awful lot of families. Many are new Canadians trying to establish their families in Canada. About another million earn less than the \$10 per hour. So I can understand the member bringing this bill forward. I think it certainly brings the issue forward in this province.

Our government promised to raise the minimum wage, and we did that. Just to go back historically, the Conservative government had it frozen for their full term in government. They cut nutritional supplements by \$37 million. They cut social supports with a 21% cut in welfare rates. The NDP period in the 1990s was not one that they could be proud of either. The Conservatives, though, made war on poor people.

We raised the minimum wage. It hadn't been changed from 1995. It was \$6.85 then, and it was \$6.85 in 2003. On February 1, 2004, it was \$7.15; in 2005, \$7.45; on

February 1, 2006, as it is now, \$7.75. It will rise to \$8, as we had promised, on February 1, 2007.

This gradual raise in the minimum wage allows businesses, especially small businesses, to adjust. Should we freeze the minimum wage as the Conservatives had done for eight long years? Absolutely not. We must be looking at what happens after February 1, 2007. So while I support the member from Parkdale–High Park and her endeavours to help those at the bottom of the pay scale, raising the minimum wage by \$2.25 an hour would, in the long run, hurt many more low-income people than it would help.

I operated a small business for 35 years. We had from five to 100 people. Unfortunately, you have to compete as a small business. If we paid more than our competitors, we didn't get the business. We didn't get it then, and the businesses would be in the same position now. The competition is much more acute in 2006 and likely will not moderate in the near future.

As a government, we strive to keep the existing jobs in periods of low economic growth. The downturn in the United States, the offshore competition from the Third World and the high Canadian dollar all influence our job retention and creation. Higher minimum wage will surely cause job losses. As a government, we will evaluate what impacts—both positive and negative—that higher minimum wage will have and act accordingly. We have raised the minimum wage. We can evaluate the impacts of the last two to three years and propose future action.

The member's bill is well-meaning, but if more people at the lower end of the economic scale are hurt than are helped by a sudden 20% increase in minimum wage, we must consider that.

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure to join in the debate today on this private member's bill put forward by the member for Parkdale–High Park, to increase the minimum wage to \$10 an hour. I certainly understand that the member for Parkdale–High Park has the best interests of the working poor in mind when she proposes this bill, but I am concerned it will do more harm than good.

I note that she is also the small business critic. I certainly suggest she consult with small businesses around the province and get their perspective on how this will affect their business and how it will affect employment in their business, particularly.

I note that the reaction in today's North Day Nugget from the Canadian Federation of Independent Business, and they are certainly quite concerned. They state:

"Hiking minimum wage to \$10 an hour would hurt small businesses at a time when they're under increasing pressure from a sluggish economy to remain competitive, says the group representing them.

"To that end, the Ontario members of the Canadian Federation of Independent Business are hoping a private member's bill up for debate Thursday will die. The proposed legislation would bump minimum wage to \$10 from the current \$7.75.

"The last thing that you want is to further ratchet up costs on businesses at a time when things are beginning

to slow down," said Satinder Chera, director of provincial affairs for the federation, referring to the weakening economy and the loss of jobs in the manufacturing sector."

I note, further down in the article, that the Premier is quoted, and he states: "You've always got to be careful when you unilaterally hike business costs on businesses," he said Wednesday as he entered his weekly cabinet ministers meeting." That, coming from Mr. McGuinty, who, after he was elected in 2003, in January 2004, effectively increased corporate taxes for large corporations by 27% as he didn't follow through with the planned decrease, and, in fact, increased the large corporation tax to 14%. So he certainly didn't follow his own advice, and we're starting to see the slowing economy.

I remember back to the days when, some 30 years ago, I had an economics professor at Ryerson—W.H. Pope, Harry Pope—who, I might note, ran twice for the NDP, unsuccessfully both times for the nomination, I recall. In those economics classes, he would show us graphs showing that increasing minimum wage results in fewer jobs being available.

I note a study from Dr. David Macpherson, who was looking at Arizona where their minimum wage is only \$5.15, and they are looking at increasing it to \$6.75. I'll quote from it:

"This paper by economist Dr. David Macpherson from Florida State University analyzes the proposed initiative to increase the minimum wage in Arizona from \$5.15 to \$6.75 in January 2007, and index it to inflation starting in January 2008. By using Current Population Survey data and labour demand estimates, this research shows that the proposed increase will be an expensive mandate on the employers—and citizens—of Arizona. Even more troubling, this enormous expense will do little to increase the quality of life for the state's poor—and will greatly worsen conditions for those who lose their jobs following the increase.

"The poor targeting of this proposal is clear in the distribution of benefits—and burdens—that are anticipated from the increase. Nearly 70% of the benefits will go to families above the poverty line, with more than 25% of the benefits going to families with annual incomes of over \$60,000. Unfortunately, the families living in poverty will bear the brunt of the attendant job loss, with 37% of the job loss accruing to families with annual incomes of less than \$25,000. The least-skilled members in the workforce will also suffer disproportionately, with high school dropouts experiencing 29% of the job loss.

**1020**

"Overall, the minimum wage hike is projected to cause 4,627 employees to lose their jobs, causing an annual income loss of \$54.8 million for these employees. The leisure and hospitality industry will be particularly hard hit, bearing 66% of the job loss. Meanwhile, employers' labour costs would go up \$87.4 million annually. The findings reported in this paper, and the calculation of the enormous economic cost of a mandated wage increase, ought to temper enthusiasm for a minimum

wage hike, especially since the proposed initiative would confer most of its benefits on families who are not poor and impose a significant burden on those who are.”

It’s well-intentioned, but, as I say, this increase, especially a sudden increase, could do more harm than good. The fact is, a strong economy leads to higher wages.

Prior to being an MPP, I was in small to medium-sized business for many years. The fact is, when the economy booms, you have a tighter labour market and it’s a necessity that you pay above minimum wage to attract employees, especially to attract good-quality employees. So when the economy is doing better, you’re able to pay more and you have to pay more.

We need to address the other challenges that are facing the working poor. I note that the past PC government removed hundreds of thousands of working poor from paying any provincial income tax. So now hundreds of thousands of people do not pay provincial income tax, but as you start to earn more, there are huge roadblocks or stumbling blocks in the way to doing better, and we need to look at those. For example, there are very significant marginal tax increases as people and families start to earn more money. They run into some significant increases in the marginal tax rate they pay, which has the effect of keeping them poor.

We also need to do things like remove the health tax that was imposed by this government, one of the largest tax increases we’ve seen in recent years and one that the government, prior to being elected, said they weren’t going to bring in. They said they weren’t going to bring in any tax, as the Premier stated to the cameras in the election campaign.

We need to do what we can to support those who are earning minimum wage and the working poor to develop the skills to be able to increase their earning potential, to support apprenticeship programs, to support skilled training.

This past Friday, I was up at Shawanaga First Nation. I had a meeting with a councillor at Shawanaga First Nation. In talking with him, he described how his son is very keen to apprentice to be a plumber or an electrician but that he can’t find an employer to take him on because—well, we were speculating as to why he couldn’t, but I think one of the problems is that there aren’t the incentives necessary to make it worthwhile for the employers to take on these people who are keen to apprentice, keen to improve their skills. If you become a plumber or an electrician, you’re going to be earning some pretty good wages. So that’s the sort of thing we need to do to improve the skills of those who might otherwise be earning minimum wage so they can earn far, far above minimum wage.

It’s my feeling with minimum wage increases that we do need to increase the minimum wage; we need to do it, I would argue, every year. I would argue that we need to increase the minimum wage tied to cost-of-living increases, and we need to do it every year so that it’s not a shock to businesses. But bringing in a sudden increase—I don’t know what the percentage is, but probably 30%—at

one time, especially at a time when the economy is slowing, could very much hurt business and cause major reductions in the number of people employed and thereby will actually do more harm than good.

I support the intent of the member’s bill, and that is to help the working poor and those who need help, but I do feel that her bill would do more harm than good.

**Mr. Peter Tabuns (Toronto–Danforth):** It’s my pleasure to rise today in support of the bill put forward by my colleague Ms. DiNovo from Parkdale–High Park.

I find it extraordinary that we’re having a debate on this—no offence to my colleague. Frankly, it makes complete sense to do what she’s proposing. She should be able to bring this in and simply have all-party consent, because it’s entirely logical and entirely reasonable.

This society here in Ontario is set up and operates in the context of a country that is amongst the wealthiest in the world, at the wealthiest period in the world’s history, and we’re squabbling and debating about whether or not we will give the poorest of our citizens what really amounts to a small but fair wage increase? I find it extraordinary. Is this society poor? Is the economy over decades in decline, or is it rising? I tell you, anyone who looks around at the BMW dealerships, at the jewellery stores on Bloor Street, at the high-end apparel stores, knows that this society is becoming richer and richer, with a 21% increase in incomes in Ontario since 1995. It is not getting poorer. But the poorest amongst us are getting poorer. They aren’t getting their fair share, and it’s the role of government—this government, we the legislators—to act on behalf of those who need to have that fair share.

There are real impacts to poverty, real day-to-day impacts in terms of people’s lives and health, in terms of safety and security, in terms of potential for people to take full advantage of all that life has to offer. I used to chair the board of health at the city of Toronto—a lot of people in municipal government have sat on boards of health—and one of the things we talked about was determinants of health: What makes people healthy? What makes a society healthy? A key part is making sure that people have an income that provides them with enough money to eat regularly and well, have a roof over their head and clothe themselves. The current minimum wage is not adequate to do that. The initiative taken by Ms. DiNovo will move us towards protecting the health of a big chunk of the population, a big part of which is children who deserve the protection of this government and the legislators in this chamber.

I want to say as well that in terms of safety and security in a society, to the extent that large numbers of people live on the edge of desperation and don’t have adequate food and shelter, you encourage the growth of vandalism, of theft, because people become angry. When people are desperate, when people are constantly uncomfortable because they’re not eating enough, when people are constantly overcrowded, you generate an anger that in the end is reflected not just within the four walls of that home but in society as a whole. If you want a safe,

secure, peaceful society, you make sure that everyone has a decent life.

I'm running short on time, and my colleagues want to speak. But I want to just note, in terms of the question of job creation, that even the Toronto Star has written, "Poverty No Way to Preserve Jobs." You know what? Ms. DiNovo and the Star are right: Impoverishment of a part of our population is not a strategy for job creation. It's a strategy that is a dead end for our society.

I urge every legislator here, no matter what the instructions are from their party, to vote in favour of this bill.

**Mr. Ernie Parsons (Prince Edward–Hastings):** I am pleased to speak to this bill, but it is a very difficult one to speak to because I don't believe there's one member in this Legislature who is not concerned about child poverty and not concerned about their constituents and fellow Ontarians doing better. How we help those who need our help most is a very difficult issue. I have learned over the years that for every difficult question, there is usually a simple but wrong solution to it, and I believe this is a wrong solution. If I can use a phrase I like, I would describe this as the right medicine but the wrong dosage.

I'm not opposed to an increase in the minimum wage. The question is, is \$10 the right number? I'm not an economist. I read and I respect the opinions of economists. But I can reflect over my own life, and when I was 100 years younger, I did grass-cutting for people in my community. I learned that I really didn't have the freedom to set any price I wanted because if I set my price too high, there was this kid down the road who would do it a little bit cheaper than me, so instead of my making the huge sum of about 50 cents, I think it was at that time, I made nothing. I learned that the price I had to set on my work depended not on what I wanted or what I needed but on the marketplace; it depended on what the other people in my community were going to set as a price.

**1030**

I have watched since then, particularly in my own community, and have observed how everything is interconnected. There is no separate, isolated issue we deal with, even in bills we deal with here in terms of a number of other bills and other legislation and other people they affect. So I look at my own community. I can have a small factory, perhaps, that manufactures items it exports from this province or perhaps even from this country, and just down the road is a corner store. Both have my constituents employed there. It's tempting to think that the pay in those two places is not connected, that they're quite different jobs, but in fact they are connected. The salary or the wage or whatever is going to be paid at that small factory is influenced by what is being paid at its competitors in Ontario and in Canada. I would note that at \$10 an hour this province would have the highest minimum wage in Canada, which is going to create some problems when competing with others.

You know, life was much simpler when I was 10 or 15 years old, because we bought and sold and did things

within our own community and what happened on the other side of the world was not relevant to us. I can remember when we first started getting toys. If it said "Made in Japan," you knew they were junk 40 years ago, folks, but they're not junk now. Across the world, they make products that compete strongly with us. So in terms of what the employer in Belleville or in Picton is paying, he or she has to take into consideration what is being paid in China or in Venezuela or in Japan or any other country in the world. And the wage they're paying over there, which influences the wage at my factory in my community, influences what's being paid at the corner store, because there's competition for employees. There's increasing competition for employees. So we have to consider that there is a point at which industry is no longer competitive.

There was a statement made here earlier in the debate that it's the job of the government to look after our citizens, and certainly I can see that from a strong perspective. But I would suggest, more so, that it's a role of government to provide opportunities for its citizens. I have no better example of that than the Dalton McGuinty education initiatives that we have seen take place, the number of opportunities that have been created for individuals to go to post-secondary that weren't there four and five years ago. We need to create the opportunities for our citizens to be successful, but we need to ensure that we can remain competitive, because being unemployed at \$10 an hour, I would suggest, is far worse than being employed at \$8 an hour. A 25% increase in the minimum wage in one fell swoop would make life very, very difficult for businesses to compete. "Everything in moderation" is told to us from a health viewpoint, but I would suggest that applies to other things too.

I know I speak on behalf of my party in saying that we are concerned about child poverty and about incomes in Ontario, but we realize that we have to maintain a balance. We have to ensure that the opportunities are still there. If our businesses thrive, our citizens thrive, and vice versa. And I know I speak for my party when I say we are prepared to look at the minimum wage issue, but this particular bill I cannot support in its present form.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** It's a pleasure to speak this morning to Bill 150, An Act to amend the Employment Standards Act, introduced by the member from Parkdale–High Park. I certainly congratulate her again on winning a seat in the Legislature in the recent by-election.

I appreciate the comments made earlier by my colleagues on all sides of the House, and I'm pleased to have the opportunity to share some of my comments in addition to those that have been made by my colleague from Parry Sound–Muskoka.

In my riding of Haliburton–Victoria–Brock, there's a huge dependency on the success of small and medium-sized businesses. I was pleased to recognize their vital importance in contribution during Small Business Month and Small Business Week, which just recently occurred. In Kawartha Lakes alone, the largest part of my riding,

there are over 2,400 enterprises, with nearly 2,300 of those being referred to as small or mid-sized businesses, so it's quite safe to say that small business is the backbone of my riding. Most of those small entities are within the agricultural sector. My riding is the third-largest agriculture employer in the entire province, with over 9,600 full-time and 5,800 part-time employees. The relevancy of this issue is the severe impact Bill 150 will have on those vital industries, such as the agriculture sector that I mentioned. Many of the businesses are small, family-owned farms that have been part of the fabric and culture of my riding for generations. There are already too many demands on Ontario's rural and agricultural communities and businesses. According to my chamber of commerce in Kawartha Lakes, over 50 farms went out of business last year—quite a startling statistic. Downloads like the Clean Water Act, which we've seen, are just adding more weight onto the backs of rural Ontarians who are already struggling. Many of the farm owners in my riding have other jobs and other means of income; they're working off the farm to supplement the losses.

Increasing wages is one more challenge. Businesses that can't sustain this are simply going to close their doors with this sudden increase. Forcing businesses to close shop as a result of government-induced increases to wages is counterproductive. It doesn't make the least bit of sense to drive small and mid-sized businesses out of business, literally, taking jobs away.

I came across an interesting statistic from StatsCan on a minimum-wage fact sheet from 2005. It has some interesting points I'll quote. Nearly half of all minimum wage workers are in the age group of 15 to 19, and a majority of those were either in school full- or part-time. Workers in agriculture may be compensated for lower wages through non-wage benefits such as free room and board. Almost two thirds of minimum wage workers live with their parents or another family member.

We've heard about job losses with closings in the manufacturing sector. Our caucus has mentioned this repeatedly to the House. It's a huge concern for all of us—huge. When the Minister of Finance brought in his Economic Outlook last week, my colleague from Erie–Lincoln did a great presentation in the House discussing the concerns we have with respect to such growing economic uncertainty. This legislation, Bill 150, in my opinion really doesn't take to heart how much we need to be careful about artificially increasing the costs to Ontarians to run small and mid-sized businesses. The McGuinty Liberals have dramatically increased the costs for businesses since 2003, including the minimum wage increase. To saddle our businesses with more burdens isn't sustainable, and on this side of the House we don't want to see more businesses closing their doors; we don't want to drive more small businesses out of the province. It's just too difficult as it is to run a small business in the province.

I don't question for one second the fact that lower-income workers aren't good, hard-working people and

very valuable contributors to our communities. They are. These good people, often newer Canadians or Ontarians, many of them single parents, like all of us in the House, want only the best for their children.

I appreciate the member from Parkdale–High Park's intentions. There's no doubt that her commitment to help the struggling members of her community is why she is here as a member of this Legislature. But I think she would agree that most of these struggling members of our communities aren't looking for a freebie or a simple handout. What they're looking for are all the tools that will help them to succeed. That's where we as legislators step up our efforts, by providing those hard-working people with these tools. As I said, Bill 150 places too much burden on Ontario's already struggling businesses to make a handout. We can't continue to lean on the backs of our small businesses in Ontario. What we need to do is look at other support programs and some forward-thinking initiatives. Handouts aren't the answer and they never have been.

**1040**

Just last week I was thrilled to join people in my riding in the Job Connect Ontario facility. They opened their new offices. They're merging, community members working together, to find people jobs in their communities. The previous PC government brought in tax reforms for Ontario's hard-working families and took nearly 800,000 low-income earners off the Ontario income tax rolls. That's the type of forward thinking that provides a hand up.

A minimum wage increase isn't the answer by itself. We can't afford to see Ontario business saddled with an increased burden, so—

**Mr. Gilles Bisson (Timmins–James Bay):** Sorry, I can't agree with you.

**Ms. Scott:** That's fine. That's why we're in different parties and have different opinions in the Legislature.

Mr. Speaker, I thank you for the opportunity to speak this morning on Bill 150.

**Mr. Michael Prue (Beaches–East York):** I stand in support of this bill and in support of my colleague from Parkdale–High Park. Where I come from is probably a very different place than most of you. I come from a place called Regent Park. That's where I grew up. Every lesson I learned in my life I learned very early. One of the lessons was that the people who went to work and the people who struggled there worked for minimum wage and they worked in crummy jobs. They worked in factory jobs, they worked in jobs where their health was at risk, where they often lost limbs, where they breathed in toxins, where everything bad happened, and they worked for minimum wage. When they left one job to go to another job, they usually left in order to try to better themselves. It might be a nickel an hour, it might be 10 cents an hour, but it was just barely above minimum wage. That's why they would leave and go from job to job. They would work horrendous hours and night shift and everything, trying to get out of that minimum-wage trap.

I looked at the small businesses and the businesses around there, and they often would compete. The biggest factor they had was trying to retain their staff, because people were forced to leave for what was in those days five cents or 10 cents an hour, and they had their problems too.

I look today: Who is it who pays minimum wage? We've heard people talking about the small business people. It is not the small business people alone who pay minimum wage. In fact most of them, if they are good small business people, know that they have to pay more than minimum wage to keep people, especially the good ones, working for them. Who is it who pays minimum wage?

The largest corporation, one of the largest in the world, is Wal-Mart. If you get this month's edition of the Economist—I think every Liberal should read that. Sam Walton and his descendents brag about the fact that they themselves have driven down wages in the United States by 2%. They brag about that. If you look at the Wal-Mart stores that pay minimum wage in Canada, you will see that they have horrendous practices with their employees. I won't shop in that store. Nobody can work more than five hours in a row because then they have to let them have lunch. So they don't let them have lunch. And they pay minimum wage.

When you go out to McDonald's to buy a hamburger, remember that every one of those hamburgers of one of the largest corporations that's traded in Standard and Poor's 500 is made with minimum wage.

That's who it is. That's whom we should be aiming at. If the largest corporations in this country, if the largest corporations in the world, can pay and do pay minimum wage, we should know that they are doing it on the backs of the poor, the young, the immigrants, the women and the people who are desperate to try to find the money; who work five hours at Wal-Mart and run down the street to work five hours at McDonald's, knowing they're not going to get a lunch in either, just to try to make it.

My colleague is absolutely right. We need to pass this law. I am appalled, quite frankly, at the arguments I have heard. I respect all of my colleagues but I am appalled at the arguments. The Conservatives invent the clawback; the Liberals perpetuate it. The Conservatives stop workers and farmers in agricultural big-farm communities from forming unions; the Liberals perpetuate it. The Conservatives cut welfare rates; the Liberals cut the special diet allowances. I don't know how you're any different.

If you want to help the poor, this is perhaps the only thing you can do. I beg you to make a difference to poor people. Give them a living wage; give them an opportunity to provide for themselves and the dignity that comes with a job that doesn't force you into poverty.

**Mr. Tony Ruprecht (Davenport):** Let me say at the outset that I will be supporting this bill, not only because I've represented the area of Parkdale for about 17 years, but also because I've represented some of the very same people that the new member from Parkdale–High Park

represents. Congratulations to you, belatedly, on your election.

Who would not want to discuss this issue in the Legislature? Who wouldn't want to discuss how we can share wealth, our common wealth that we're a part of, with those most vulnerable families? So this discussion is very apt. But there are some questions I would like the member from Parkdale–High Park to answer if she possibly could. The questions revolve around the issue of repercussions. Are there any repercussions if the wage is going to be raised from \$7.75 to \$10, more than 23%?

The first question I have for her would be, has the member discussed this matter with members in other provinces? For instance, Ms. DiNovo said earlier that it's true that Yukon is paying a minimum wage of \$8.50, I think it is. The Northwest Territories are paying a minimum wage of \$8.25, and Nunavut is paying \$8.25 as well.

I'm wondering, what are the repercussions if we're paying \$10 here in Ontario? They're paying over \$8 right now in the Northwest Territories, but what are the repercussions if we're paying more than they're paying? May it not be true that the reason there is an \$8.50 minimum wage in our north is in order to attract the workers there? And I'm wondering, if we were paying \$10, whether we would be attracting the same workers to stay and even attracting workers from other provinces to come to Ontario. I don't know. I'm asking her, what are these repercussions and has she thought about it?

Secondly, she says there is no relationship between the minimum wage and job losses. If that's the case, if there is no relationship between the minimum wage and job losses, then why are we stopping at \$10? Why wouldn't we continue and say we'd take the example of Australia and Ireland and other places that are saying, "We cannot stop at \$10. Why not stop at \$13 or even more?" I wonder what would be the repercussions of that. I hear other members from even our party, and certainly the Progressive Conservative Party, saying that there is a definite link between job losses and the minimum wage, no questions asked, and yet we hear that there are other places where this is indeed not the case. But I would like to find out, of course: Why stop at \$10? I would like an answer to that.

My third question in terms of what are the repercussions of raising the minimum wage to \$10—

**Mr. Rosario Marchese (Trinity–Spadina):** And that's a guy who supports this bill.

**Mr. Ruprecht:** I thought I would get some support from this party on this point, but they're beginning to heckle me. I think I made a mistake right here.

But let me ask you this: Why did the NDP not raise the minimum wage by 22%, 23% or 24% when they were in power? We know for sure that the same members who are in the opposite benches right now—I'm looking into their eyes—the very same members were there. They certainly, Ms. DiNovo, could have done what you propose to do. They could have taken this same example of Australia and Ireland and said, "Yes, we will follow in

the same footsteps and raise the minimum wage to \$13.” They could have done it and they chose not to do it. Why?

The fourth question I have to ask is, and I hope she will consider that as well, and I know the NDP will consider this as well: Are there not other ways to help vulnerable families, vulnerable people? Why not link them up with the minimum wage as well?

Look at what the Liberals have done as an example.

*Interjection.*

**Mr. Ruprecht:** That’s right. The McGuinty government has invested \$10.3 billion annually for families on social services—\$10.3 billion. Families on social assistance with kids under six will keep all of the \$1,200 per year they’ll receive from the federal government.

Liberals ended the 60-hour workweek; we’ve introduced job protection; family medical leave for employees who wish to stay home to care for gravely ill loved ones; 15,000 new affordable housing units, homes and emergency shelters; 5,000 rent supplements; a 5% increase for homelessness and programs of emergency shelters; \$8.5 million for student nutrition programs, which I think is one of the most important issues—84,000 more students are being served and that’s a 45% increase in terms of nutrition in the schools; economic stability; a 5% increase in social assistance, and on and on it goes.

In short, congratulations. You’ve raised an important issue, and I will be supporting it.

1050

**Mr. Marchese:** The member from Davenport stands up to say he supports the bill and then enumerates a long list of reasons why he’s opposed to it, and he doesn’t even realize it. He also says the NDP didn’t do anything with the minimum wage. We raised the minimum wage in a recession, and he was here then. One wonders whether he was in fact here at the time.

It is so easy for those who are privileged to raise questions as to why the poor should not get an increase. It is so easy for Monsieur McGuinty to stand up and say, “We’d love to get it to 12 bucks, maybe even to 22 bucks, but you know there are implications on business.” There are no implications for the poor, only on business. We worry about business but we don’t worry about the working poor.

Where is the member from Davenport when you need him and all the other members in this Legislature when you need them? These members and others who are so privileged are able to sleep cosily at night in their nice homes and not worry about those who earn less than \$8 an hour. It’s so easy to be privileged, earn a good salary and sleep well at night, have good health and worry about business, while those who earn \$6.50, \$7.50 an hour have to struggle day in and day out.

We have growing food bank use in this province in a Liberal administration, as we had under a Conservative administration. The growth of food banks is happening in a good economy. Poverty is growing in a good economy under a Liberal administration and under a Conservative administration. Those who want to get into a housing

complex project where it’s affordable are waiting for the government to create it and help them with some subsidy, and that list is growing in a good economy under a Liberal administration.

The poor are less healthy than those who are privileged. We all know that. We don’t even need a study for that. We say that we need to be competitive with those economies where some of those companies pay \$2 a day. We want to compete with that? What kind of moral standards are we advocating for? When we in this country, where inflation is growing, have a problem with people just barely making enough to scrape by, how do we live with that?

So I don’t appeal to the politicians here. The Liberals will vote for this measure even though they’re opposing it today, at least those who are speaking. The people I’m appealing to are those who are watching this program, those individuals who are here today and listening to this debate. They’re the ones who have to put pressure on those privileged individuals in this House. They’re the ones who have to put pressure on business that’s unwilling to pay a living wage.

If we want to deal with poverty, don’t let the politicians deal with this. You’ve got to deal with it. You are the one who has to go in their offices and make a case as to why poverty is immoral in this country, as indeed anywhere in the world, and that we don’t compete by bringing salaries down; we compete by making sure people are earning a decent wage. That’s what keeps us human. That’s what being human is all about. If we’re not committed to that, we’re committed to the lowest common denominator of an economy that I cannot support and you, some of you, good Liberals, should not be supporting either. I hope the people listening will put pressure on this government to do the right thing and to support this simple motion for human decency, human living standards and human living wages put forth by our colleague from Parkdale–High Park.

**Mr. Bisson:** I really want to echo and I’d love to repeat all the things that were said by my colleagues, because I agree with Mr. Marchese and others who have spoken to this bill on the need.

The contribution that I want to make is this: I hear members on the Liberal side and I hear Conservative members saying, “We really worry about business.” You know what? The Wal-Marts of this world, the McDonalds of this world, the Beaver Lumber, the Home Depots—they’re not the ones that you’ve got to worry about. They are large corporations; they’re not small mom-and-pop stores. Quite frankly, those people can well afford to make sure that workers are paid a living wage. For us to all of a sudden say, “Maybe we can’t do this because it’s going to hurt business”—I say that is not the case.

In fact, there are studies that have come out taking a look at this particular issue. I have but one with me here, an entire volume that has been written about the myth and measurements of the economics of the minimum wage. The conclusion of it is, you can’t afford not to,

because you know as well as I do that the person living on minimum wage spends his or her income in that local community. Who benefits? It's the small business community. If I'm making 10 bucks an hour living in Timmins on minimum wage, I go buy at mom-and-pop stores in my community. The money stays there. It doesn't go off to Bermuda in some savings account or a tax-sheltered account somewhere on the Cayman Islands; it stays in your local community. I say to members across the way, to say that you can't afford to raise the minimum wage—this is a small-business-friendly thing because, in the end, the workers will pay that money back.

The other point that we need to make and we need to be clear on is the whole issue in regard to people's ability to go to work in the morning, make a decent wage and provide for their families. What's clear is, there are other jurisdictions—the United States, which is not known as the most progressive social economy in the world, pays a higher minimum wage than we do here in Ontario. If George Bush can pay a higher minimum wage to workers in the United States, certainly to God we can, here in Ontario, treat our citizens well, the people who live in the province of Ontario, by making sure they get better than the minimum wage.

I say to my colleagues in the New Democratic Party, congratulations to my good friend Madam Cheryl—Cheri—DiNovo. Excuse me; I do that. I can't get nobody's name straight.

*Laughter.*

**Mr. Bisson:** It's an inside joke. I'm not going there.

I just say, congratulations, because this is work that needs to be done. What we do know is that minimum wage is something that affects the hardest-working people in the province when it comes to their ability to make an income. I think we need to do something to help them along.

**The Deputy Speaker:** Ms. DiNovo, you have two minutes to respond.

**Ms. DiNovo:** To sum up, first of all, to my honourable colleagues, really we're not talking about a raise in the minimum wage; we're talking about catch-up to 1972. We're talking about catch-up to what we used to pay workers in 1972 in real dollars, after inflation. That's what we're talking about: catch-up. We have built our economy on their backs. It's time to pay what's due to the workers in this province.

Second of all, I want to know how this move to raise our minimum wage to \$10 is going to hurt Sandra, the woman I talked about who is making \$1,300 a month, or Maheswary, who was making \$1,100 a month, or the 1.2 million in this province who are making under \$10 an hour. I'd like to know how it's going to hurt them. How is it going to hurt them to raise their salaries so they can pay the rent and feed their children? That's what we're talking about: feeding their children and paying their rent.

We're not alone here. As you heard Mr. Marchese say, we stand here in front of a cloud of witnesses in this province. We stand here in front of the mainly women

and many immigrants who are cleaning our businesses, who are preparing our food, who are looking after our children. How are we going to look them in the eye? I ask honourable members, how are they going to look those people in the eye and say, "I did not support a \$10 minimum wage"? Do you know why \$10 and why not \$15 or \$20? Because that's the poverty line. We're talking about bringing people up to the poverty line by working 40 hours a week.

On what ethical basis can you deny this? I want to know how every MPP votes, and I'm looking forward to the Hansard, because when we ring those bells and bring those votes in, everybody will know how their MPP voted. I say, shame on anyone who votes against this bill, absolutely.

And it's not just the women; it's their children too. Their children will be watching. So I say, please, please do the right thing. Vote—

**The Deputy Speaker:** Thank you.

1100

STREET SAFETY  
AWARENESS MONTH ACT, 2006

LOI DE 2006  
SUR LE MOIS DE LA SENSIBILISATION  
À LA SÉCURITÉ DANS LES RUES

Mr. Kular moved second reading of the following bill:

Bill 145, An Act to proclaim the month of May as Street Safety Awareness Month / Projet de loi 145, Loi proclamant le mois de mai Mois de la sensibilisation à la sécurité dans les rues.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Kular, pursuant to standing order 96, you have up to 10 minutes.

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** I wish to thank you for allowing me to speak today about an important issue that concerns us all. It affects all Ontarians, and that issue is the safety of our streets. Ontario's city streets are more dangerous now than ever before with more young drivers on our roads, the distractions of iPods, BlackBerries and cellphones, to name a few. The drivers today are left multi-tasking during driving. Children no longer feel safe walking across the streets in their own communities, and sadly, many youths feel that in today's society it's better to carry a gun or a knife rather than a book. On our streets there's everything from traffic accidents to kidnappings to gang violence and graffiti.

But I'm not here today to speak to you about the dangers on our streets—something we're all well aware of. I'm here today to ask that we recognize the numerous organizations out there educating the public, helping out our children and supporting our community to help our environment become safer for everyone.

The objective of proclaiming the month of May as safety awareness month is to recognize the dangers on our streets, to foster a change in our attitudes and

behaviours surrounding street safety and to prevent any further tragedies from happening. This Bill 145 would recognize all existing safety programs in Ontario, from pedestrian safety to safe rail-crossing programs. These small steps we take today will undoubtedly set priorities and standards for tomorrow and will make everyone in Ontario feel safe and secure in their own communities.

Many people do not recognize the numerous programs in place helping to make our communities safer. Ontario is fortunate to have a number of programs that help this cause. Among some of them are the Block Parent program, offering children the reassurance that they can turn to their neighbours for help. The year 2003 marked the program's 35th anniversary. The mandate of Block Parents is to provide a network of police-screened, easily recognizable, safe homes for members of the community, especially children, to turn to in times of distress.

Another organization, the Crime Prevention Association of Toronto, formerly known as Crime Concern, understands that helping reduce crime is much more than physical security, locks and alarms; it's about educating the public about safety, developing partnerships, as well as creating a connection among all communities. CPAT, like the Community Police Liaison Committee, attempts to foster a connection between the community and the police. These programs try to encourage people to safeguard against street violence by promoting safety.

Some of the other programs include Neighbourhood Watch, a program where residents report noticed suspicious activities in their communities, not only to the local police department, but also to each other. The Neighbourhood Watch program holds Neighbours' Night Out, a chance for local community residents to gather together in a casual setting and discuss with law enforcers local issues that matter to them and affect their communities.

Most recently, the Toronto Anti-Violence Intervention Strategy, with the assistance of community residents, identified problem areas where street violence is likely to occur within a community. This program helps authorities to develop a strategy to target locations and people in an effort to reduce violence and restore a feeling of safety in their own community.

Take Back the Night, another program, is also a program that is designed to increase understanding of the issues of violence against women and children on our streets. Its goal is to make our city streets safer for everyone.

MADD, Mothers Against Drunk Drivers, is a well-respected and well-known organization which aims to offer support services to victims, heighten awareness about the dangers of drinking and driving, and save lives and prevent injuries on our roads.

There are too many organizations and programs within Ontario to mention them all. Each, in its own way, contributes to changes within their communities to make their communities safe.

Very recently, there have been plans to make over crosswalks in Ontario to give drivers an early warning

stopping system and, by extension, to help save lives. It is suggested that the addition of white zebra stripes will add to safety on our streets. They are currently being considered by Toronto city council.

Over the summer, we had the chance to vote for the worst street. Suffice it to say, there were quite a few that made the list. The competition, launched province-wide, is now in its fourth consecutive year. Since its launch, the Municipal Roads Coalition has added numerous changes to our streets, including spotlighting on 46 offensive roads. By taking these safety and security measures, our streets will become safer.

Most people, unfortunately, recall Holli, the 11-year-old girl who was struck at an Etobicoke crosswalk last January. Figures show that two people die every day on Ontario's roadways and over 200 are injured due to preventable causes like distraction, drowsiness and speeding. It's unfortunate that it takes the death of a young child for us to realize that changes need to be made.

Holli symbolizes what we are trying to prevent and, one day, eliminate: death on our streets. With all the organizations and programs in Ontario, we may just one day accomplish this. With the multitude of programs dedicated to promoting street safety, there is no telling how many lives have already been saved.

In my own riding of Bramalea-Gore-Malton-Springdale, a total of 6,157 people—both pedestrians and drivers—were involved in collisions; 16 of those were fatal. This is to say, 16 lives could have been saved.

In Brampton, we have the Safer Communities-1,000 Officers Partnership program, which is a key part of our government's plan to foster safer and stronger communities within Ontario. When the project initiated, these new officers went out to patrol our streets and help prevent crime and make our communities safer. With the help of this program, we have safer and more educated communities.

That's why I have brought this bill forward. I would like to have support from all the members of this Legislature.

**1110**

**The Deputy Speaker:** Further debate?

**Mr. Peter Tabuns (Toronto-Danforth):** First of all, I would like to thank the member for bringing forward this bill. I had an opportunity to meet him in the course of travelling around Ontario on Bill 43. I thought he had some very useful observations on what we were hearing and what was going on in Ontario.

I have to say, even though I will be supporting the bill, I think the scope of the bill is a bit narrow. When we talk about crime and safety on our streets, we have to talk about a much bigger picture. Let's face it. What are the sources of crime? Simply operating Neighbourhood Watch programs—and I've been involved with them in my time over the last few decades—is not enough. Frankly, our police, as capable as they are, as well trained as they are, cannot in the end make our streets safe. Unless we deal with the roots of crime, unless we deal with the roots of other safety issues that have been raised

by the member, we aren't going to have the safety on our streets that we need, that people in this province deserve.

So I want to talk a bit first about the sources of crime, and I would hope that the member, if he's successful in bringing forward this bill, will honour not only those who fight to organize communities against crime but those who fight for food banks, who fight against child poverty, who fight for increasing the minimum wage; in fact, those who fight to address the root causes of crime. I will talk about those briefly.

Obviously, poverty contributes to crime. Anyone can look around the world and see that in situations where you have great poverty, you tend to have more theft, you tend to have more vandalism; you tend to have crimes that grow out of need and out of desperation. I've had an opportunity in the last while to talk to friends of mine in new Canadian communities, people who come here who have credentials, who have experience overseas and find that in Canada their skills, their experience and their credentials are not recognized. They tell me about the corrosive impact on their families, the loss of respect they suffer in dealing with their children because they are not able to provide as had been hoped. So one issue that has to be addressed is this whole question of ensuring that when new Canadians arrive here, they have the job opportunities and the recognition for their skills and credentials that they deserve.

Now, I'm not saying that everyone who comes here who faces hardship—I'm not saying that everyone who is born here who faces hardship—engages in crime. I think it speaks to the human spirit that it's a small percentage of the population that ultimately engages in what one could call destructive activity. But frankly, if we don't substantially address those social roots of poverty, if we don't address the difficulties faced by new Canadians, we breed destructive behaviour, we breed anger, we breed desperation and thus we breed things like vandalism, theft and drug addiction.

Racism: Racism in this province, in this country, is soul-destroying. Look at what happens to many black youth who are disproportionately unemployed in this province, disproportionately unemployed in other parts of Canada. For them, it means that they don't see a route ahead that takes many of them to a secure future, to an established home, to a career they can be proud of, and it opens the door for them to be exploited by those who are drug dealers and who offer a way of life that results fairly quickly in money coming in, even if that money comes in by way of drug dealing. People are forced into a corner through racism, and although the number is small, they are drawn into a life of criminal activity that feeds insecurity and danger in our cities.

Minimum wage: We discussed this during the last hour. To the extent that people are paid by some of the largest corporations in the world a wage that keeps them a good chunk below the poverty line, we feed desperation, we feed pain, we feed hunger, we feed want, and thus we feed insecurity on our streets. If we are going to actually have public safety awareness month, then we have to talk about what creates that lack of safety. Pov-

erty is an issue that has to be addressed, and to the extent that this government doesn't address it, I look forward to using May as a month in which I can raise these issues and point out the lack of action on the part of the government to actually deal with the root causes.

When we think about crime, we have to recognize that it isn't just one source, that there are a variety of sources that contribute to dangerous or destructive behaviour. Child abuse: When children are abused, it can create an anger in that child that comes out in anger at others—the words “inappropriate behaviour” understate it—and can result in people being explosively angry in a way that is very dangerous for society. Swiss psychoanalyst Alice Miller wrote a series of books in the 1980s and 1990s about the impact of child abuse on criminal behaviour and the link between the two. We should never forget that when we don't protect our children, when we don't have the right kinds of services in place, when we don't create a culture in this society of being child-protective, we sow the seeds for future dangerous activity. We sow the seeds for people to be self-destructive. We sow the seeds, in some instances, for drug addiction, because when people are self-destructive, when they carry that burden of anger and pain through their lives—what's the term they use?—they self-medicate. It doesn't matter whether it is legal or illegal; they self-medicate. We—and I have to repeat this—still should be astounded at the strength of the human spirit, because so many are poor, so many are abused, and so few actually engage in criminal behaviour. But if we really want our streets to be safe, Neighbourhood Watch is not enough. We have to go to the roots.

It's interesting to me, because I'm dealing right now with problems in my riding with the fallout from drug addiction. A number of people in the south end of my riding, for whatever circumstances, and I don't know everyone's story, are drug-addicted, and those people engage in behaviours like prostitution, breaking and entering, robbery, theft. Frankly, there are some who stand up and say, “We can't get at what caused this problem in the first place, but we can help those who are drug-addicted now,” those who have spoken out for methadone therapy. I know it's extraordinarily controversial, but it was interesting to me, in the course of reading about methadone and drug addiction, to look at a publication by the government of the United Kingdom put out in the last few years. They looked at the impact of methadone therapy on drug addicts and their criminal behaviour: Breaking and entering, street theft, robbery—dramatic reductions in those kinds of criminal behaviour when people who were addicted took a drug that dramatically reduced their addiction, reduced their need to get that particular drug. It reduces the amount of income they have to bring in and reduces the amount of criminal activity. So I think if we have safety awareness month, we have to honour all those who fought against drug addiction, who fought for reasonable therapies and support for people who are drug-addicted, who fought to provide the methods and the substances to get them off addiction and back onto the straight and narrow.

In my riding, the Oasis centre was set up about 15 years ago by a businessman who had become an alcoholic. He had lost everything. He rebuilt his life to the extent that he opened a storefront, and drug addicts and alcoholics came there to straighten out their lives. I have to say that in terms of road safety, people on the road who are not drunk, in terms of people who are no longer dependent on drugs to get through the day and thus don't have to engage in any kind of crime, those who fight against addiction deserve a tremendous amount of respect and recognition. So Mr. Kular is right: We need to recognize those in our community, in our neighbourhood, who have put forward Neighbourhood Watch, but we need to recognize those who actually go out and stop people from engaging in behaviour that feeds later criminal activity.

Mr. Speaker, I'm going to be sharing my time with my colleague, so I'll wrap up there. But I want to say that May has to become a roots of crime awareness month, and I know that that's a theme we will be weaving into this when this bill is adopted.

1120

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** It's certainly a pleasure for me to stand in the House today to support my colleague from Bramalea–Gore–Malton–Springdale. I know that he has been an advocate in this Legislature and in his community for safe streets, for the safety of his community, and in bringing this bill forward, a bill that recognizes that we do have problems. He stood here today and indicated that in his community, in my community, in all our communities we do have problems. But we also have to work with those who help to bring an understanding that something has to be done. I look at this bill as being an education bill, an awareness bill and a bill that's supported by so many organizations in our communities.

As I was sitting here just a few moments ago, I saw students walking into the gallery up here and I heard a little movement behind me. It brought me back to the time when I was teaching, in the 1970s, at a school in Cornwall, where a lady by the name of Mrs. Dobbyn came into the school. She was quite concerned about safety on the streets. She had three daughters, Carolyn, Jennifer and Linda; I taught all three. She told the school community at a meeting one night about the problems that that part of Riverdale was having with regard to bullying on the streets, and this thought that there might be people doing things to children and young people. She wanted a safe haven for these people. She investigated the Block Parent program, brought that idea forward and, along with the community police from the city, she set up and established the first Block Parent program in the community, in the city of Cornwall. That program has multiplied throughout my riding.

I certainly know that when I moved schools—I moved to Long Sault Public School and taught there for 20 years. Once again, when I got into that community I saw another group of parents who were interested, who had seen the positive effects of that program in the city of Cornwall. They decided that they wanted to put together

a Block Parent program in that school community, not only for the school community but for young people in general to know that when that sign is in the window of a house, it's a safe haven; there's a safety network there for them to go to. So I watched that develop.

This is what I see as being part of this bill. The member from Bramalea–Gore–Malton–Springdale indicated the objectives, three of them recognizing the dangers on our streets, and he commented about those: to foster a change in the attitudes and behaviours surrounding street safety and to prevent further tragedies from happening. But he went further, recognizing the existing safety programs that we have out there. I look at the Block Parent communities that he commented on, and he commented about Neighbourhood Watch. I spent 14 years in municipal government and I watched as our smaller communities—I come from a large rural riding—were feeling greater occurrences of theft and whatnot. The OPP, which was always at our meetings, indicated too—and I look at one neighbourhood, the neighbourhood of Bonville. I think it was Rosedale Terrace too, if memory serves me right; it was a little while ago that I was reeve of the old Cornwall township, which no longer exists. I remember the community coming, and the suggestion was: Why not establish a neighbourhood watch? It's a great program where people watch out for one another, and this is what this bill is going to do. It's going to promote and it's going to recognize the volunteers. It's the volunteers who really are the backbone of these programs. It's going to recognize them and give them the opportunity of knowing that throughout Ontario we've set aside a month to understand the problems and to recognize the good work that they do. I do want to say, and I'm glad to have had the opportunity to add a few remarks, congratulations to the member from Bramalea–Gore–Malton–Springdale for his advocacy in wanting safe streets in our communities.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to be able to make a few comments today about Bill 145, An Act to proclaim the month of May as Street Safety Awareness Month.

I guess there are a couple of things I want to say about the title of the bill and about the bill in general. First of all, street safety comes in many, many forms. Whether or not there are drug dealers on the street, people with guns and gangs out there on the streets—that's one aspect of it. The other part of Street Safety Awareness Month, of course, is the people who break the law while they're driving their vehicles, like street racing, people who drive aggressively, drive under the influence of alcohol. All these types of things are part of Street Safety Awareness Month as well, as far as I'm concerned.

I think it's so important a topic, the fact that we would talk about an awareness month, that I think, really, we have to look at this particular area. I think every day of the year should be Street Safety Awareness Day. I don't know whether we can actually identify one particular month, whether it works out well or not—I'm not sure—but I can tell you that we do want our streets safe in

Ontario. Throughout Canada, we want our streets safe every day of the year. We want our communities to feel safe, we want our people to feel comfortable, whether they're shopping, going out in the evening, taking their family for a walk. Whatever it may be, we want to make sure that the citizens of the province of Ontario feel safe every day.

That's one reason why our leader, last year on December 11, 2005, released his Time for Action report. You can remember the summer of 2005 and the terrible tragedies we had with the number of young people in our communities who lost their lives due to guns-and-gangs violence and the use of illegal handguns. I can tell you that that report has gone over very well. We've encouraged the government to try to adopt a number—I believe there were 22 recommendations in that report.

I know that shortly after that terrible disaster on Yonge Street last year, when that young lady lost her life in that shooting on Boxing Day, in early January, the Premier identified that he would proceed with trying to put all the 1,000 new police officers in place by the end of this current year. That was the number one recommendation that John Tory had made in his report: to ensure that all of those police officers were actually put on the street by the end of this current year. Hopefully, that will happen. We're keeping a close eye on that, but, as you know, Caledonia is overtaking the policing stories in Ontario. At the same time, we will closely monitor that to make sure that there are actions in place that will not allow something like that to ever happen again.

I know that across the province, as well, on a lot of our streets we have our community safety zones. I know that even in rural Ontario we have safety zones for basically dealing with aggressive driving. I'm not so sure that something like that can't even apply to people who are charged with criminal activity in safety zones across the province. For example, if someone was caught in possession of a handgun in a particular area, the zone may be—I'm just making a suggestion, but the fact of the matter is that you may have a higher fine or a higher penalty, even if they were caught in a normal zone.

**1130**

As we proceed through this bill and proceed through the legal system, when we actually charge and penalize people for the activities in breaking laws on our streets and roads in communities, we have to look at one thing: Is the court system working for them? I can tell you that in my area of the province we have the worst court backlogs, some people say, that we've seen in the last 40 years. Right off the bat, if we're going to apply to have a Street Safety Awareness Month, we certainly have to make sure that when people are charged with criminal activities in these areas, they're not stuck in a rotating court system, the sort of catch-and-release court system we've seen in Ontario over the last two or three years. We absolutely have to have the proper justices of the peace and court officers in place to handle the backlog that's happening. I believe it's happening not only in the area I represent in the province but in other areas as well.

I don't have a lot of other comments to make on this, other than to say that obviously anyone would want to support a Street Safety Awareness Month, but we have to look at it in a broad spectrum and say, "How far does this go?" We want to make sure that in whatever we do in the province of Ontario, the actions by our justice ministries reflect the fact that we want our streets safe every day of the year and for the general public to be aware of those actions every day of the year.

With that, we will be supporting the bill, but we want to make sure that if it does get to committee, all these issues I brought up, like the court backlogs and the community safety zones, those sorts of things, are all brought out as areas that we could consider to be very important to the effectiveness of this bill.

**Ms. Cheri DiNovo (Parkdale–High Park):** Of course, I too will be supporting the bill. I hope my honourable colleague returns the favour and supports my bill at the turn of the hour.

Just to pick up where my colleague Mr. Tabuns left off, talking about some of the root causes of the crime we find on our streets, I want to talk about my own riding of Parkdale–High Park. We have people here from Parkdale–High Park. Welcome. It's an amazing place to live. It's also a place not without problems. One of the problems we see in Parkdale–High Park, whose root cause again is poverty, is drug addiction. I want to talk about the response to drug addiction that I've heard in this House. Drug addiction is not a crime; it is a health problem, and if we were to deal with it as a health problem we wouldn't have drug addiction. That's first and foremost.

Where have our detox centres gone? In our riding, most of them have been closed by cutbacks to our health care system. I know that our police, who do a wonderful job, are not social workers, don't want to be social workers, but are put in the place of social workers, because they have to arrest people, they put them in prison, they get out, they're back on the streets again. Why? Because they're addicted. So we need programs. We need rehab beds. We certainly need detox centres. Right now, in my riding there's not one detox bed for a woman who has an addiction problem. That's the root cause of a lot of the crime that happens in Parkdale–High Park. How do addicts support their habit? They do break-and-enters, they do petty crime of all sorts. The sex trade is an offshoot of this as well. Again, this is a health issue. We need to take it away from our law-and-order folk and give it to where it belongs, and that's to our hospitals, to our rehab centres, and fund them so that they can deal with it. That's number one.

The other thing I would like to mention is child poverty. As Mr. Tabuns mentioned, this is the root of all crime, ultimately. I have seen children playing in the corridors of buildings in south Parkdale, playing on the streets and in the driveways. Why? Because there is no place else to play. There is no green space that they can access easily and safely. Their parents are working two jobs just to make ends meet, so the supervision is lax as well because they don't have child care.

So how do we combat crime in the future? We provide child care spaces. How do we combat crime in the future? We provide a living minimum wage. That's why, in part, I brought my minimum wage bill in. We also provide housing. We have 122,000 households waiting for affordable housing right now. We have 67,000 waiting for affordable housing in Toronto. This leads to overcrowding, to unsafe conditions, unsafe houses, slum landlords and the like. We need to address the housing issue immediately if we want to address the crime issue too.

In the minute remaining I want to say, kudos to all of those incredible people who do make our communities safer; kudos to our social workers who work long, hard days, many of them for slightly more than minimum wage because of underfunding; kudos to our health care workers, many of whom are supplemented by volunteer workers because their institutions don't have the money to pay for salaries; kudos to our pastoral care workers. Many in my past profession of ministry work long hours, and they work them because they have to, providing the missing social work in their neighbourhoods. Kudos also to our legal aid workers; these are all hard-working folk in our community, many of them supplemented by volunteers because the funding is just not there. Kudos of course also go to our police. By the way, this 1,000 new police in the community just brings our policing up to where it was about 15 years ago. We still have fewer police in community policing roles in our neighbourhoods than we did a long time ago because of the increase in population, so they represent actually less of a percentage to population than they did when I grew up in this city. Kudos to our firefighters as well, because I know they're the ones usually first on the scene. Ms. Horwath has a wonderful bill that's going to aid them in their work.

Kudos to all of these people and kudos to safety awareness and Street Safety Awareness Month, absolutely. Do we want our communities safer? Of course we do. How do we go about it? That's where we differ, and that's a crucial difference. Let's get rid of the root causes of crime; let's not just apply a band-aid.

**Mr. Richard Patten (Ottawa Centre):** "Street safety is a fundamental right of all citizens," said Devon Fermoye, president of the National Capital Area Crime Stoppers, when contacted about this bill and his thinking.

He's absolutely correct, of course. Social violence and its ripple effects on our collective psyche take an enormous toll in modern society. The trauma caused by the threat to a person's safety cannot be underestimated. Victims of crime and negligence pay a terrible price, but so do all of us, as senseless suffering is magnified through TV news and other mass media, creating either a paralysis of fear and despair or a reaction of anger, often leading to more violence. In many ways, these once-removed reactions in observers of preventable violence can never be fully known but clearly are negative and costly.

This bill to heighten awareness of street safety will, it is hoped, not only reduce the number of accidents and

needless crimes and, therefore, those disturbing images and stories in the news, but will also arm our wider population with the tools they need to feel safe and secure where they live and work. I believe the partner agencies in my city of Ottawa will respond enthusiastically to this bill.

In Hintonburg, an area of which I've spoken previously in this chamber, a war between the lawful and the lawless has brought the community to the point of marching in the streets to fight back the effects of drugs and prostitution, slum landlords and biker gangs. Hintonburg is a classic example of a crisis situation bringing out the best or the worst in people, and consequently, the community association is arguably one of the most active in the whole city of Ottawa. Not wishing to make a virtue out of the mother of invention, necessity does have a way of getting us focused. Street safety is a daily issue in Hintonburg, and the community associations there welcome such a bill.

I'm glad to announce that September 21 was the official launching of the University of Ottawa Institute for Crime Prevention. I would also like to recognize other organizations in the Ottawa area that deal with crime prevention: Crime Prevention Ottawa; Ottawa Block Parents; Neighbourhood Watch; Mothers Against Drunk Driving, Ottawa chapter; Citizens for Safe Cycling; the Elizabeth Fry Society; the United Way; the YW/YMCA; the Boys and Girls Clubs of Ottawa and the National Capital Area Crime Stoppers, among many.

From another perspective—pedestrian/traffic safety—Professor Barry Wellar at the University of Ottawa evaluates the pedestrian-friendly quotient of our intersections from a walking safety perspective. His work has helped raise awareness not only with pedestrians themselves but city of Ottawa transportation officials as well about which intersections are most dangerous to cross. We need to be aware and walk defensively, according to Dr. Wellar. This bill, of course, would promote defensive walking and more pedestrian-friendly intersections.

#### 1140

Although overall traffic offences have decreased in the last couple of years in the Ottawa area, there's been a considerable rise in traffic offences relating to the dangerous operation of motor vehicles in parts of the city. This is a reminder that no road is free from conflict; hence, this is the purpose of this particular bill, to remind people of that.

In 2005, the province announced funding of over \$250,000 to the Council on Aging of Ottawa and, as a result of that, the support for investigative teams and grant programs to examine the hate crimes/extremism investigation team related to racism in the streets etc., which has been very active.

Traffic-calming measures: In addition, speeding often results in fatalities, injuries, traffic collisions and property damage. There is a whole variety of mitigating circumstances such as speed bumps, which slow down, in intensive neighbourhoods, vehicles that would otherwise be going too quickly.

There is the whole question of issues relating to security: adequate lighting in our streets, keeping lamps working, installing more street lamps in laneways, alleys and dark places, and closed-circuit television etc.

Finally, I'd like to point out that neighbourhoods themselves have a role to play in strengthening the fabric by having street parties, community picnics, community garage sales, Canada Day events, community tournaments, pancake breakfasts etc.

In conclusion, this bill helps educate people on how they can reclaim their communities by working in conjunction with existing community groups and organizations and promoting old and new programs year-round.

In closing, I commend my colleague the member from Bramalea–Gore–Malton–Springdale and his insight in presenting this important initiative, which I will be supporting.

**Mr. Frank Klees (Oak Ridges):** I'm pleased to rise to address this proposed bill by my colleague. Of course, we don't anticipate that anyone in this place would not support this proposal. I want to, however, address some specific areas that I believe we should all be concerned about when it comes to the issue of street safety.

First and foremost, I believe we should have in mind the safety of our children throughout our communities. There's nothing more devastating to a parent or to a community than to hear, for example, that a child is missing. As the bill proposes that this House and our communities across the province would recognize those organizations in the province who take on the responsibility of street safety, I want to take this opportunity to highlight the work of Child Find Ontario, with which I trust all members are familiar.

Child Find is an organization that assists in the search for missing children when the alert goes out. It is dedicated to delivering education and awareness programs around the issue of children's safety. It also sponsors fingerprinting sessions throughout the province. These are clinics that are organized. We have all seen them, perhaps in malls and at various events across the province. What takes place at these clinics is that children are actually fingerprinted on the spot. The kids then receive these kits that parents take home in the event that a child should go missing, so that immediately there is that evidence of the fingerprints available to police so that they can do their work. I want to commend the work of Child Find and celebrate the good work that they do and encourage people within our communities to support that work and to take advantage of that opportunity.

While we're speaking about street safety, the next issue that comes to my mind is the issue of street racing. While I commend the honourable member for bringing this forward, and rightfully so, I want to ask the member and all members of the government why, when I brought forward a private member's bill that would deal with this issue of street racing, members of the government chose not to provide their unanimous consent to ensure that that bill was passed into legislation before our summer break when we had an opportunity to do that.

I speak to this because Rob and Lisa Manchester, who are my constituents, came to their death through street racing. This was a young couple who have a young child now orphaned as a result of the criminal act of street racing. My bill that I proposed to this House was designed to empower police officers to do on-the-spot licence suspensions for anyone who, in the mind of the police officer, is even potentially involved in street racing, to ensure that the message is given to everyone in this province that street racing is not going to be tolerated in Ontario. For a Liberal government that through Bill 52 is prepared to strip a driver's licence from a young person because they're truant or because they drop out of school but whose members were not prepared to give unanimous consent to pass a piece of legislation that would strip the driver's licence of someone who is potentially a criminal for having caused a death or serious injury as a result of street racing, I find it unbelievable.

This is where I believe people become cynical about politics as a whole. They hear the rhetoric, through debates such as we're having this morning, about how we want to address the issue of safety and street safety, but when it comes to actually doing something, when it comes to actually implementing legislation that has some teeth, that has some benefit, that can actually make a difference, we begin to play the partisan game and we say no. So I call on members of this House, on members of the Liberal backbench and of cabinet and on the minister, that, as we will support this bill this morning—and I will—I would ask that they also give consideration to revisiting the street racing bill to ensure that we do what we can do as legislators to save lives.

Also, in that context, I want to bring to the attention of the Legislature a program called Road Watch. I would encourage the public to go to the Road Watch website. I think very few people are actually aware that this program exists. It allows individual citizens within our communities to complete a citizen's report on anyone they observe driving erratically or dangerously. That report is then sent in or faxed in to the local police station. Individuals are then researched by the police station, and they will receive an information letter from the police advising them that they have been reported. If there is more than one such report on any given driver, they will actually receive a visit from a police officer at their front door to caution them that they have been observed driving dangerously. This is the kind of initiative that we can take within our communities to exercise responsibility as citizens. Again, I want to encourage and thank those individuals, because this is largely done on a volunteer basis by citizens within our communities, for this initiative.

In closing my remarks, I say to you one more time, can we not call on this government to go beyond the rhetoric of simply saying we're going to recognize a month of the year as street safety month, do something substantive and pass the street racing bill that will once and for all empower our police officers across this province to deal with this deadly issue that has claimed

so many innocent lives? Today, Allison Hickey and Mark Radman are still suffering the effects of the accident in which they were involved as a result of street racing. Lives are changed forever because of this act. Let's take the opportunity as a Legislature to do something about it.

1150

**Mr. Tony Ruprecht (Davenport):** Congratulations to Dr. Kular to proclaim May Street Safety Awareness Month. The program will have a positive impact on safety in our streets. He has included some of them. In fact, he has indicated that there are a number of programs such as the Block Parent program, the Neighbourhood Watch program, the Toronto anti-violence intervention strategy, the Take Back the Night program and the Mothers Against Drunk Driving program. So there are a number of these programs which are very effective.

But these programs are not enough to ensure that street crime is being mitigated. We need to look at the programs of prevention, the programs that will deal with the causes of crime, as was indicated earlier.

One of the main causes of crime in my riding has to do with drug addiction and prostitution. In some cases, our police will arrest a drug addict 20 times over, and he or she will be back on the street very quickly. I have written to Police Chief Blair to check out the Vancouver model. In Vancouver, when a drug addict is arrested, a social worker is automatically assigned to that drug addict to take him to a hospital or to a rehabilitation program or even to a one-to-one talk to see how that criminal or how that addict can be helped. That, I think, is a great model, and we should look at it. The police chief has written back to me. He says that it's under study; it's under examination. I just hope that we'll take that step in the right direction to ensure that this program will be implemented right here in Toronto.

The prevention program that is really very much important and very much effective is that program which starts at home and that program which starts in the schools. The largest indicator of a child's future success is his or her sense of self-worth. When a child feels that he or she is able to move within their environment and structure it and has a sense that they can actually access it, has a sense that, "Yes, I'm important in my school; I'm important in my home; I'm important in my environment"—when he or she gets that sense, then you're beginning to create a good citizen with a sense of civic duties.

The McGuinty government has recently instituted—and this is where we have to give the Premier a great deal of credit. We're talking about a program in our schools that has to do with character development. What could be better than to start in the schools—start at home, but start in the schools with character development: a program where a child is being indicated, where a child is being shown, how best to help each other, how best to have a program in school where they can move around with each other, where they can be amongst their peers and help out?

In my riding of Davenport—which, of course, started actually in Parkdale—I had written to each school prin-

icipal and I said to the principal, "Mr. or Madam Principal, you give me the best two students in your school whom we can show off to the community. Give me the best two students—the students who have a sense of civic duty, the students who will help each other in terms of kindness, respect for other people's feelings, being helpful towards younger children and the elderly, and conducting themselves in a responsible fashion towards their teachers, their parents and their peers." This program that we had produced there was well-received because we had shown those two children of each school to the community. We said to the other children, "Look at these two kids here on our platform. These kids whom we present to you, the community and to the other children are the ones that we think you should emulate. You should emulate their characteristics. Be kind to each other, help each other, be good to the teachers and listen to your parents." These are the kind of character tools that can be useful when we want to include that program in terms of mitigating crime in our streets.

I want to thank the member for indicating how we can be effective in ensuring that we have safety in our streets.

**The Deputy Speaker:** Further debate?

Mr. Kular, you have two minutes to respond.

**Mr. Kular:** I just want to mention that with all Ontario's organizations and projects dedicated to educating the public on street awareness, I believe it is time to recognize their contributions and efforts to our community. The month of May, which holds Police Week, is ideal for recognizing the efforts by all these various community programs and initiatives in fostering safe streets within our great province of Ontario. I want to thank all these organizations for their hard work and dedication to be a part of helping our residents live in a safer community. A safer community is a strong community.

Before I close my remarks, I want to thank all the members of this Legislature who made their speech and for their input in recognizing those organizations. I want to thank them.

**The Deputy Speaker:** The time provided for private members' public business has expired.

#### EMPLOYMENT STANDARDS AMENDMENT ACT (RAISING THE MINIMUM WAGE), 2006

#### LOI DE 2006 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI (AUGMENTATION DU SALAIRE MINIMUM)

**The Deputy Speaker (Mr. Bruce Crozier):** We will first deal with ballot item number 57, standing in the name of Ms. DiNovo.

Ms. DiNovo has moved second reading of Bill 150. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. It's carried.

**Ms. Cheri DiNovo (Parkdale–High Park):** I ask that this be sent to the committee on estimates.

**The Deputy Speaker:** Ms. DiNovo has requested that this be sent to the standing committee on estimates. Agreed? Agreed.

STREET SAFETY  
AWARENESS MONTH ACT, 2006

LOI DE 2006  
SUR LE MOIS DE LA SENSIBILISATION  
À LA SÉCURITÉ DANS LES RUES

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item number 58, standing in the name of Mr. Kular.

Mr. Kular has moved second reading of Bill 145. Is it the pleasure of the House that the motion carry? Carried.

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** I request a recorded vote.

**The Deputy Speaker:** I didn't see five members standing. It's carried.

Pursuant to standing order 96, this bill is referred to the committee of the whole House.

**Mr. Kular:** I would like to refer this bill to the standing committee on the Legislative Assembly.

**The Deputy Speaker:** Mr. Kular has asked that the bill be referred to the standing committee on the Legislative Assembly. Agreed? Agreed.

All matters relating to private members' public business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1159 to 1330.*

SUPPLEMENTARY ESTIMATES

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I have a message from His Honour the Lieutenant Governor, signed by his own hand.

**The Speaker (Hon. Michael A. Brown):** The Lieutenant Governor transmits supplementary estimates of certain sums required for the services of the province for the year ending March 31, 2007, and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS

BROWNFIELD SITES

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I rise today on behalf of John Tory and the PC caucus and would like to welcome members from the Cement Association of Canada. I was pleased to take part in a very informative luncheon session, where we were treated to some fascinating presentations. One of the main themes was brownfield redevelopment and the fact that the intent and integration for revitalization in Ontario is here, but

this needs to be supported by policy—directly from the Cement Association of Canada.

Which leads me to once again correct the record of Liberal inaccuracies and their relentless effort of saying anything to get elected. The McGuinty Liberals continue to take credit for things they haven't done and to blame others for things they have done. The member from Brant, during a lob-ball question to his minister, clearly refused to be straight about who should be getting credit for beginning the work on brownfield redevelopment.

The Minister of Municipal Affairs and Housing, seemingly very willing to play ball, went along with this and suggested that they are the first government to take action on this work. What he failed to tell hard-working Ontarians is that he and his government are taking credit for the work done by others. To be accurate, the Brownfields Statute Law was passed in 2001, with direction to ministry experts to start work on regulations.

It's a shame that this government can't be straight about such an important economic and environmental policy as brownfield redevelopment and runs roughshod over the truth. The member from Brant has mentioned to come to his riding for a cup of coffee and discuss brownfields. That offer sounds interesting for no other reason than to see if it's possible for a McGuinty Liberal to get to the bottom of a cup of coffee without breaking a promise.

ANGELINA PAVAO

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** I'm pleased to rise today to acknowledge the achievement of an exemplary citizen in my riding of Bramalea–Gore–Malton–Springdale. Angelina Pavao, 20 years old, recently placed in the top 10 for the Miss Brampton title and was awarded Contestant of the Year by the Canadian Scholarship Pageant. During her running, she tirelessly promoted her platform: STRD—Stop Teen Reckless Driving.

Although she did not win the Miss Brampton title, she still continues to promote her cause in Brampton today. She has been acknowledged in the National Book of Canada. Angelina knows far too many people who have been injured—and sadly, have even died—as a result of reckless drivers on the road. For Angelina, this cause is clearly a personal one and really hits home. This is one of the main reasons she continues to reach out to the community to speak about the responsibilities of driving.

I believe it's individuals like Angelina who make a difference in the community by standing up and speaking about stopping reckless driving. She is a positive influence on other youth. It's my pleasure to stand here today and congratulate Ms. Angelina Pavao on her achievements and for being such an outstanding citizen of the city of Brampton.

CORRECTION OF RECORD

**Mr. Ted Chudleigh (Halton):** On a point of order, Mr. Speaker: On Tuesday, October 31, in responding to

the Minister of Economic Development and Trade's statement on Kellogg's new plant, I mistakenly cited an incorrect fact. To correct the record, the company Maunco Sanitation is thriving and doing well and not in fact slated to close, as I was led to believe prior to making the statement. I have since double-checked my sources and confirmed that they are not closing. I am very pleased to correct my record.

#### VETERANS

**Mr. Garfield Dunlop (Simcoe North):** Each year in the riding of Simcoe North, communities host several Remembrance Day events, such as banquets, parades, school visits and memorial services, leading up to the celebration of remembrance on November 11.

For the second year in a row, I am pleased to have veterans from my riding visit Queen's Park on the day that we as provincial politicians pay tribute to those men and women who put their lives on the line to protect the freedoms that we enjoy as Canadians. Today we have in the Speaker's gallery Mr. Bob Hamelin, Mr. Bert Reynolds and Mr. Marcel Duval from Penetanguishene Branch 68, Royal Canadian Legion; and Mr. Frank Graham, Mr. Bernie Hamelin and Mr. John Calhoun from Midland Branch 80, Royal Canadian Legion. Accompanying the veterans is my colleague the town of Midland deputy mayor, Jim Downer, nephew of former MPP Wally Downer. Ladies and gentlemen, I would appreciate it if you would give them a warm welcome.

There are a number of stories we could tell about these gentlemen. They have volumes of information concerning the great wars. But I did want to repeat one comment that Mr. Bob Hamelin from Penetanguishene had mentioned to me. He said that on two separate occasions during World War II, he had the opportunity of meeting Dwight D. Eisenhower on the battlefield, and in fact one time served Dwight D. Eisenhower rabbit that they were cooking out in the trenches. So I just want to say that is one story. It's a great opportunity to pay tribute today to these very special people.

#### PROPERTY TAXATION

**Ms. Shelley Martel (Nickel Belt):** In August, the Ministry of Finance sent letters to property owners in unorganized areas telling them the McGuinty Liberals would be reforming the provincial land tax. The many constituents who called my office after receiving this letter were not fooled by the word "reform." They believe this means the McGuinty Liberals will increase their provincial land tax, even though many of these same property owners don't receive any services from the provincial government at all.

The letter claimed that any new revenues that may result from the changes would be used to support services in the north. Again, my constituents were not fooled. Many of them have camps with no electricity or with electricity they paid to put in themselves. They have a

road which they also paid to put in and maintain themselves. They don't have street lights or garbage pickup. They want to know why they will be hit with a tax increase when they aren't getting and won't be getting access to provincial services.

The letter also said the Ministry of Finance would be holding public hearings in the near future to inform these property owners about proposed changes to the provincial land tax. The ministry has now brought in the proposed changes through Bill 151. My constituents wonder, what happened to the public hearings that were promised "in the near future," and why are the McGuinty Liberals moving forward without ever having heard from the property owners who will be directly affected?

These concerns are real and my constituents are correct. They should expect a big tax increase with no increase in services, and they are right to wonder how fair that is.

#### ST. MARY'S HIGH SCHOOL ATHLETES

**Ms. Judy Marsales (Hamilton West):** I rise in the House today to congratulate the wonderful athletes from St. Mary's High School in Hamilton West.

On Tuesday, I received an email from dedicated coaches John Ivinac and Sean Kiely asking if we could celebrate and acknowledge these wonderful athletes. Their hard work and dedication won them the provincial championships in 2000 and 2006. They received the provincial bronze medal in 2003 and 2004, were the Spectator Cup champions three of the last four years, and in 2006 became the city champions and moved on to play in the OFSAA championship. Playing seven games over two and a half days was physically draining for all the teams, but the St. Mary's senior girls' soccer team persevered and were crowned the Ontario high school AAA champions and captured the gold.

I would like to celebrate, please, Devyn Cuncic, Daniella Berlingieri, Rebecca Rewi, Jenna Bihun, Michelle Spadafora, Meaghan Nederveen, Vanessa and Jessica Bonomo, Carla Randazzo, Dana Bentzen-Bilvist, Megan Coskey, Hayley Marler, Micayla Drysdale, Emily Clarke, Kelly Williams, Jenny Vaughan, Brittany Paglia, Caitlin Bettiol, Daniella Genovese and all of the wonderful athletes from St. Mary's.

I commend these students, their teachers and coaches, and all of the athletes across Ontario whose practice, commitment and hard work fulfill a dream that all young people achieve. We celebrate St. Mary's.

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#### TORONTO EXPO 2015

**Mr. Ted Arnott (Waterloo-Wellington):** In spite of the best efforts of the city of Toronto and the proponents of Toronto Expo 2015, I've been told the bid is dead, and the McGuinty Liberal government has to assume responsibility for pulling the trigger.

More than a week ago, I stood in this House as the PC critic for the Minister of Tourism and called upon the provincial government to work co-operatively with the city of Toronto and the federal government to recognize the potential economic benefits which would have been realized across the province, to set aside their partisan differences, prioritize this challenge, share the responsibility and work together to send the strongest possible bid for Toronto Expo 2015. But no, this was too much to ask of this McGuinty Liberal government, for they're in election mode. They are taking the advice of an American political sleaze merchant, James Carville, who is telling them to attack, attack, attack. They have brought federal-provincial relations to a new low, such that co-operation becomes next to impossible.

This provincial government will say anything to get elected, including contradicting the truth. They are entirely abdicating provincial leadership by blaming the federal government for all of their shortcomings, and today's disappointing news about the Expo bid is yet another example.

John Tory said today, "Ontario needs a strong Canada and Canada needs a strong Ontario." I couldn't agree more. But if they keep this up and continue to poison the relationship with the federal government, we're in for a long year of partisan bickering leading up to the election where little benefiting the people of Ontario will get done.

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: In the statement just made, the member made some inferences to the truth that are inappropriate in this House. I'd like to see if it can be withdrawn.

**The Speaker (Hon. Michael A. Brown):** I didn't hear anything that was out of order, but if the member chooses to withdraw, you may.

#### KNIGHT'S TABLE

**Mr. Vic Dhillon (Brampton West–Mississauga):** The Knight's Table, a charitable restaurant in my local community of Brampton, needs our help to keep serving meals to those less fortunate. It isn't a lack of food that could close the Knight's Table; it's funds for utilities, rent and supplies.

The people of Brampton have been very generous in giving food and their time, but what the Knight's Table needs now is your lunch money. Consider sharing your lunch money, no matter how little, to feed Brampton's hungry. The Knight's Table serves mostly the working poor, people who are having trouble making ends meet. They serve breakfast, lunch and dinner to roughly 100 Bramptonians and operate a food bank that serves over 500, 200 of whom are children, which should be very bothersome to us all.

In the past, I've been proud to help the Knight's Table find a new home and provide computers and equipment for their employment program. I've seen first-hand the vital service and the difference the Knight's Table makes in people's lives.

Despite their hardship and with your support, they're hopeful that things will change for the better. I have committed a modest personal donation. I hope you will give what you can, too. Donations can be sent to the Knight's Table, 116 Kennedy Road South, Unit 6, Brampton, L6W 3E7, or online at [knightstable.org](http://knightstable.org).

#### HOLOCAUST EDUCATION WEEK

**Mr. Mario G. Racco (Thornhill):** Last night marked the beginning of Holocaust Education Week, the world's most comprehensive annual Holocaust education program. Sponsored by the UJA Federation's Holocaust Centre of Toronto, Holocaust Education Week, which runs from November 1 to November 9, is celebrating its 26th anniversary with more than 100 programs in many venues across the GTA.

We are fortunate to be hosting several of those programs in my riding of Thornhill. These include a candle-lighting ceremony and remembrance of Jewish war veterans at Shaar Shalom Synagogue, presentations by Holocaust survivors and educators at Netivot HaTorah and Leo Baeck day schools, and the screening of the award-winning documentary *March of the Living* at the Chabad Lubavitch Markham campus.

The Holocaust was a terrible tragedy, a horrific event in which over six million Jewish men, women and children lost their lives. In honour of those who were lost, it is our duty to create more public awareness in order to develop a comprehensive understanding of the past and recognize our responsibility for the future.

In that spirit, I'm pleased to remind all members of this House that in September the honourable Minister of Citizenship and Immigration, with the support of the Canadian Jewish Congress and the Holocaust Memorial Centre of Toronto, announced funding for the Holocaust Memorial Award. This award encourages young people to express lessons learned from the Holocaust.

Holocaust Education Week is an excellent opportunity not only to increase awareness of the atrocities of genocide but to promote acceptance and tolerance of diversity within our communities and throughout Ontario. I would like to thank the UJA Federation of Greater Toronto for organizing this event. I encourage everyone to take the time to participate.

#### ALZHEIMER'S DISEASE

**Mr. David Zimmer (Willowdale):** Today marks 100 years since Alzheimer's disease was identified by medical scientists. Unfortunately, Alzheimer's disease and its victims continue to be a growing presence in our society. As Ontario's population ages, so do the number of people who succumb to this disease, which robs them and their families and our society of remembrance of things past. Statistics Canada estimates that approximately 420,000 Canadians are living with Alzheimer's. Of these, 155,000 live in Ontario. In less than 25 years, the number of Canadians is expected to jump to 750,000.

As a former president of the Alzheimer's Society of Canada and as an MPP representing a riding with the third-largest senior population in Canada, I'm very much aware of the impact this disease has on individuals, families and our communities. Organizations like the Alzheimer's Society of Canada are making great strides in the battle against this disease. Vaccines, new drugs, treatments and other diagnostic tools are on the horizon.

I encourage members of this House and all Ontarians to help us write the final chapter in the fight against this disease. Please contact your local Alzheimer's Society and see what you can do. Support them.

#### VISITORS

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** Following up on the excellent note of my colleague from Willowdale, I wonder if all members might join with us in welcoming our guests from the Alzheimer's Society and thanking them for the dedication they show to our loved ones in Ontario.

**Mr. Peter Kormos (Niagara Centre):** Speaker, Niagara Centre page Annaliese Ionson wants you to say hello to her parents, Michael and Karen Ionson, here in the gallery, as well as her godmother, Donna D'Angelo, here from British Columbia.

**Mr. Gilles Bisson (Timmins–James Bay):** I would like to welcome in the gallery, from Kapuskasing, Alderman Dave Plourde, who is here with his wife, Christine. Their daughter, Breanna, has had a wonderful six weeks as a page here in the Legislature. They will be bringing her back to the community of Kapuskasing tomorrow. Let us welcome them.

#### LEGISLATIVE PAGES

**The Speaker (Hon. Michael A. Brown):** It is appropriate to bring to members' attention that this is the last day for this particular group of pages. They have provided us with excellent, mature and first-rate service for the last number of weeks. Join me in expressing our appreciation.

**Mr. Gilles Bisson (Timmins–James Bay):** On a point of order, Mr. Speaker: A friendly motion that we double their pay.

**The Speaker:** Introduction of bills is coming.

#### SPEAKER'S RULING

**The Speaker (Hon. Michael A. Brown):** Yesterday, the member for Leeds–Grenville, Mr. Runciman, introduced Bill 157, An Act to amend the Legislative Assembly Act with respect to salaries in lieu of retirement credits. Upon reviewing the bill, I have determined that it would cause an expenditure of public money out of the consolidated revenue fund, contrary to standing order 56. Accordingly, I have directed that the bill not be printed and that it be deleted from the Orders and Notices paper.

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#### INTRODUCTION OF BILLS

PUBLIC SERVICE OF ONTARIO  
STATUTE LAW AMENDMENT ACT, 2006  
LOI DE 2006 MODIFIANT DES LOIS  
AYANT TRAIT À LA  
FONCTION PUBLIQUE DE L'ONTARIO

Mr. Phillips moved first reading of the following bill:

Bill 158, An Act to revise legislation relating to the public service of Ontario by repealing the Public Service Act, enacting the Public Service of Ontario Act, 2006 and the Ontario Provincial Police Collective Bargaining Act, 2006 and making complementary amendments to various Acts and by amending various Acts in respect of the successor rights of certain public servants / Projet de loi 158, Loi visant à réviser des lois ayant trait à la fonction publique de l'Ontario en abrogeant la Loi sur la fonction publique, en édictant la Loi de 2006 sur la fonction publique de l'Ontario et la Loi de 2006 sur la négociation collective relative à la Police provinciale de l'Ontario, en apportant des modifications complémentaires à diverses lois et en modifiant diverses lois en ce qui concerne la succession aux qualités pour certains fonctionnaires.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The minister may wish to make a brief statement.

**Hon. Gerry Phillips (Minister of Government Services):** I'll make a comment under ministerial statements.

#### MOTIONS

##### COMMITTEE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that the standing committee on justice policy be authorized to meet outside of its normal meeting times for the purpose of conducting public hearings on Bill 107, An Act to amend the Human Rights Code, and that the standing committee on regulations and private bills be authorized to meet outside its normal meeting times for the purpose of conducting public hearings on Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House the motion carry? Carried.

##### CONSIDERATION OF BILL 28

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House**

**Leader):** I move that the October 25, 2006, order of the House referring Bill 28, An Act to require the taking and analysing of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons and to make consequential amendments to the Health Care Consent Act, 1996 and the Health Protection and Promotion Act, to the standing committee on regulations and private bills be discharged and that the bill be referred instead to the standing committee on the Legislative Assembly.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ONTARIO PUBLIC SERVICE

**Hon. Gerry Phillips (Minister of Government Services):** I'm pleased that we've introduced our proposed Public Service of Ontario Statute Law Amendment Act today.

The bill is very important for the people who work in the public service in Ontario but of course, most importantly, for the people of Ontario. Ontario's current public service legislation has had only minor revisions over the past few decades and in fact has not been significantly changed since it was first created in 1878. We have consulted extensively on our proposed legislation. We've talked with our partners, our bargaining agents, our current and former ministry executives, government agencies and members of all parties here in the Legislature. I'm pleased to report that the feedback from these consultations has been very positive and very constructive. Many of the suggestions put forward by our bargaining agents and others have been incorporated and I believe have significantly improved the legislation I'm introducing today.

I would like to introduce some of our partners who are in the gallery today. I will ask them to stand after I have introduced them all. The president of the Ontario Provincial Police Association, Karl Walsh, is here. The president of our Association of Management, Administrative and Professional Crown Employees of Ontario, AMAPCEO, Gary Gannage, is here. Representing our Ontario Public Service Employees Union, OPSEU, representing Leah Casselman, is the chief negotiator, Terry Baxter. Representing the Association of Law Officers of the Crown is President Deanna Exner. I wonder if they might stand and be recognized.

I might just say that they are strong voices for their members, but my experience is that they share with all of us an overriding commitment to quality public service, and we're well served by them.

If you would also permit me, some of our public servants have worked long and hard on this, and if I

might acknowledge them: Catherine Brown, Elizabeth Goldberg, Ayumi Bailly and Don Fawcett have spent the last year pouring their heart into this, and I appreciate the work. They're sitting over there. Good to see you.

Mr. Speaker, as you and the members of this House know well, we are proud of the dedicated people who work for the Ontario public service. They do excellent work every day, providing top-quality services to the people of Ontario. Our government respects and values the dedication that public servants bring to their work. Ontario's public service is second to none. It's been recognized time and again, over decades, around the world for its professionalism and excellence.

The legislation before the House today recognizes the value and trust all Ontarians place on their public service and supports its true mission: to serve the public interest and to uphold public trust. Values like trust, fairness and excellence have always been part of the Ontario public service culture. This legislation will help ensure that the public service will continue to be accountable, ethical, non-partisan and professional. The legislation includes a new statement of purpose that will help to foster a greater common understanding of the role of this fundamental democratic institution. The legislation also provides the tools to ensure that we achieve that purpose. The legislation would help ensure the public service is effective in serving the public, the government and the Legislature. It would ensure that the public service of Ontario is accountable, ethical, non-partisan and professional. It provides a clear framework for the administration, leadership and management of the Ontario public service, and it clarifies the rights and duties of public servants concerning ethical conduct.

Our government supports the high standards of integrity in our public service. We recognize the need to ensure our public servants have the important safeguards and protections they need to do their jobs. That is why this legislation, if passed, will also imbed new whistleblowing protection for Ontario public servants—the first time, I must say, that they will receive this protection. It will also ensure clear conflict-of-interest rules with the same principles and expectations right across our public sector. It will restore successor rights for government and government agency employees. So if a government undertaking is transferred, the affected employees would continue to be covered by the collective agreement that is in place and represented by the same bargaining agent. These are the same protections that are afforded to our private sector employees.

By building on our commitment to provide real protection for public servants in Ontario, we will ensure that, should the need arise, the foundation is in place to allow allegations of wrongdoing to surface and to be addressed. The bill before you today would significantly strengthen provisions that were introduced more than 10 years ago but actually never proclaimed. It would provide public service employees with the very important ability, should the need arise, to disclose alleged serious wrongdoing without fear of reprisal.

**1400**

Our proposed whistle-blower protection would give authority to an independent officer of this Legislature, the Integrity Commissioner, to investigate and publicly report on serious allegations of wrongdoing. The proposed legislation would ensure that allegations of wrongdoing could be effectively brought forward and properly addressed.

The proposed new act also clarifies political activity rights and restrictions for all public servants and outlines clear accountability. The bill would bring greater clarity to the rules and to whom they apply so public servants can know clearly what they can and cannot do related to their political involvement inside and outside of work. In this way, we can be sure to balance the need to preserve a non-partisan, neutral public service with an individual's right to participate in political activity.

Ontario's public service has a strong culture of ethics. This proposed legislation reinforces this and ensures that ministers and deputy ministers are accountable for the conduct of their staff and for adherence to conflict-of-interest rules.

Another change in the legislation relates to the Ontario Provincial Police. The current Public Service Act contains the collective bargaining provisions for the Ontario Provincial Police. With this bill, we are proposing to move the collective bargaining provisions, essentially unchanged, into a new, stand-alone statute: the Ontario Provincial Police Collective Bargaining Act. This is consistent with collective bargaining provisions for other public service bargaining units that are in statutes other than the Public Service Act.

This proposed bill also takes the very important step of restoring successor rights to crown employees, which the previous government removed in 1995. Currently, virtually all unionized workers in the public and private sectors in Ontario have successor rights, except Ontario government employees. Under the new legislation, public sector employees again will have the same rights enjoyed by workers in the private sector. That means that under the proposed legislation, public servants whose jobs are moved to a municipal government in Ontario or a non-government organization will continue to keep their rights under their union contracts. It would also mean that a new employer would be required to uphold an existing contract or collective agreement.

I'm proud of the legislation we are introducing today. The legislation would enhance transparency and accountability in the public service and make it more efficient. It would update and clarify responsibilities in many areas so that the fundamental principles of public service—accountability, competency, non-partisanship and professionalism—are clearly and firmly identified. This is why we've taken an historic step today by introducing legislation that brings greater transparency and accountability to the public service while recognizing Ontario's long-standing tradition of public service excellence.

Our government is committed to ensuring the public continues to be well served by an accountable, ethical,

non-partisan and professional public service which is dedicated to making this province the best it can be.

**CRIME PREVENTION WEEK**

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I rise to inform the honourable members that next week, November 5 to 11, is Crime Prevention Week in Ontario. The McGuinty government is on the side of families concerned about crime and safety and we are committed to playing an active role in preventing crime and keeping neighbourhoods safe for Ontario families.

We know that fighting crime is important. That's why the McGuinty government is investing \$51 million in fighting guns and gangs and why this government is helping our police and municipal partners put 1,000 new officers on the streets of Ontario. But averting crime is just as important as fighting crime, and that's why I'm excited to tell this House that the McGuinty government will be providing \$792,000 in grant funding this year to help our community partners stop crime before it happens.

Ontario has been observing Crime Prevention Week since 1970. The McGuinty government has played a collaborative role with police services and community agencies in the fight against crime. Since 2003, we have invested more than \$3.4 million in direct community-based crime prevention programs across Ontario.

The theme for Crime Prevention Week this year is "Working Together to Build Safer Communities." The theme underlines our government's belief that crime prevention is everybody's business.

Today I'm announcing a call for applications for a program that will help community groups play a significant role in preventing crime. Through the Safer and Vital Communities grant, the McGuinty government will invest an additional \$792,000 to encourage people, police, businesses and government to work together to forge new alliances and develop community initiatives to prevent and reduce crime. The grants concentrate on priority areas for crime prevention, such as youth crime, hate crimes, seniors' and women's issues, and Internet luring.

Through the Safer and Vital Communities grants, the McGuinty government will provide up to \$20,000 per project to community not-for-profit organizations. In the past, this funding has supported programs that provide job opportunities for youth and develop strategies for counteracting youth gangs and violence. This funding has also supported programs that combat Internet luring and provide after-school mentoring and leadership programs for young people.

The deadline for applications to this program will be December 15, 2006. Early in the new year, the safer communities grant review committee will assess these applications and make recommendations to our government.

Crime prevention programs work. Let me mention a few existing programs that illustrate that fact.

The Leave Out Violence Everywhere, or LOVE, initiative in Toronto involves young people in developing solutions to youth violence. The group developed a youth violence prevention manual.

Crime prevention grants also help the people of Matachewan First Nation respond to the unique needs of aboriginal children and youth.

Multicultural Youth in Action, a Windsor organization, develops employment training programs for multicultural young people and helps them hone their academic and social skills.

In Ottawa, the foundation for safer communities project trains local citizens to conduct safety audits and put in place community safety measures.

These programs prove their worth every day, giving not just youth but entire communities real opportunities, providing Ontarians with needed life skills, and keeping our citizens safe from physical, economic and emotional harm.

As I mentioned previously, next week is Crime Prevention Week, and police services throughout Ontario are organizing local events to promote crime prevention and community safety. I urge all members and people across the province to support Crime Prevention Week in their local areas. Working together, we can and will build safer communities in which all Ontarians can live, work and play.

**The Speaker (Hon. Michael A. Brown):** Responses?

#### ONTARIO PUBLIC SERVICE

**Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):** I'm certainly pleased to respond to the minister's statement. I just want to recognize the minister and his staff, who provided me a briefing here this morning. I thank the minister for that. I also want to recognize Mr. Walsh, the president of the Ontario Provincial Police Association. We're proud to have them located in the city of Barrie. They do a lot of great work, and I'm pleased to see him here today.

One of the McGuinty Liberals' election promises to taxpayers was to make government business your business, and to date there's been no public consultation on the new Public Service Act, which is clearly another broken Liberal promise.

The whistle-blowing part of the bill is certainly welcomed. I look forward to seeing how that's actually going to operate. It's interesting that you have delegated the Integrity Commissioner to be responsible for this part of the bill, as it's going to cover the entire public service, and there's the Integrity Commissioner along with two staff. I have to say that whistle-blowing is a very serious area because it covers a number of important areas. Permitted grounds for disclosure of wrongdoing include a grave health, safety or environmental hazard, contravention of a law or regulation, gross mismanagement, or directing or counselling someone to commit any of the

above. It is obviously going to require significant resources and expertise for that to be handled, and in a timely manner, in terms of what we're dealing with.

**1410**

I would say to the minister and would ask him the question: Why did he choose the Integrity Commissioner as opposed to the Ombudsman, who currently has the expertise, the resources, to deal with what we're talking about in terms of issues that have to be dealt with in a timely manner? We're talking about grave health, safety and environmental hazards. You're going to have to have a very quick turnaround in terms of dealing with this. The way it's set up is that the complaint would go to the Integrity Commissioner and then it would be referred back to the deputy minister. It seems to me that this is something that the minister is going to have to look at a little bit more closely, because, quite frankly, I would have thought he would be looking at someone with the operation of the Ombudsman to deal with such an important area as whistle-blowing.

#### CRIME PREVENTION WEEK

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to rise today and make a few comments on Crime Prevention Week in response to the statement by the minister. I too would like to welcome Karl Walsh and Ron Middel from the OPP association. Mr. Tascona brags about having the OPPA in the city of Barrie but I have the OPP general headquarters in my riding of Simcoe North, and I'm very proud of that. I had the opportunity last night to have dinner with Commissioner Julian Fantino at the general headquarters awards night.

I looked through this—

*Interjections.*

**Mr. Dunlop:** You can be sarcastic and heckle all you want, but I'm looking through this statement and I see all the wonderful things they've done: the \$51 million for fighting guns and gangs, the \$3.4 million in direct community-based crime prevention programs—all kinds of dollar signs. Do you know what I didn't notice in there? It was the number one crisis in Ontario today facing the Ontario Provincial Police, and that's Caledonia. I wonder if they'll be celebrating Crime Prevention Week in Caledonia next week?

Just last week, I asked the minister what the total cost of policing was for the Caledonia crisis, and he had no idea. He was fluffing it off to other areas of the OPP, saying, "We can't pull those numbers together." But I don't think that's a responsible answer at all. The Minister of Community Safety and Correctional Services should know almost on a weekly basis the exact cost of policing so he can provide those numbers to the citizens of this province. It is their tax dollars they're spending.

This is not something that we turn and blame Ottawa for every second day. It's not something that we blame Mr. Prentice or Mr. Harper for. This is the government that tackled Caledonia in the manner it has, which has cost the Ontario Provincial Police budget literally tens of

millions of dollars and will have an impact at the end of this year.

I would like to hear more responses from the minister on exactly what the costs are at Caledonia. If he wants to brag about Crime Prevention Week and all the wonderful things they're doing, let's make a few statements on what's actually happening at Caledonia and the tens of millions of dollars it's costing the citizens of Ontario for this crisis that they themselves have generated.

**Mr. Peter Kormos (Niagara Centre):** I want to respond to the Minister of Community Safety. New Democrats join with him in acknowledging Crime Prevention Week and, indeed, I want to make it very clear that New Democrats think it's a crime that the government has not kept its promise to return the child benefit clawback. New Democrats think it's a crime that this government prohibits agricultural workers organizing and forming trade unions so they can collectively bargain around workplace health and safety. New Democrats think it's a crime that Wal-Mart workers are denied the right to card-based certification in their efforts to unionize. New Democrats think it's a crime that this government won't raise the minimum wage now to \$10 an hour. New Democrats think it's a crime that this government has turned its back on senior citizens and working families who are at risk of losing their homes because they can't afford to pay skyrocketing, out-of-control property taxes, never mind electricity rates that have gone through the ceiling and natural gas prices that continue to rise. New Democrats think it's a crime that this government has destroyed over 118,000 manufacturing jobs in the last two years and puts thousands more at risk in the remaining year of its mandate.

So I say to you, yes, New Democrats join with you in proclaiming Crime Prevention Week, and we say to this government that it should put its own house in order first.

#### ONTARIO PUBLIC SERVICE

**Mr. Michael Prue (Beaches-East York):** I rise to comment on the bill related to public employees. I want to commend the minister for two things. First of all, his staff called yesterday and provided a briefing to me today for half an hour, which is a very rare occurrence. I want to say that this happens all too seldom in this House. Most often what happens when you arrive is that you, as the critic, are given a bill, which looks like this, and then asked to comment for five minutes on the contents of it, having had no opportunity whatsoever to even know what is in it. But I want to commend the minister and his staff for coming to my office today and giving me half an hour of their time to explain what they felt were the salient points.

I've had an opportunity to listen to the minister now and consider the salient points, and I must agree with the minister that we have one of the best public employee groups of civil servants in the entire country and, in fact, in the entire world. They do a tremendous job, day in and day out, for the people of Ontario, and it is they who are

on the front lines dealing with the public. It's often the politicians who take the credit for laws or how things are undertaken, but it is the public employees who are there to deliver it, and they do it so well.

I also want to talk about two aspects in the very limited time available. The first is the loosening of the political restrictions. I welcome that the political restrictions have been loosened just a tiny bit to now include managerial personnel. This was not the case prior to the introduction of this bill, and it is a good thing. I am mindful of the inclusion for the first time of ministers' staff, and the provisions of the bill, in my view, will go a long way to ending the misunderstandings and some of the allegations that have been made in this House on ministerial staff, particularly in the last few weeks of dealing with the federal Liberal leadership race. If these are followed, that may be a thing of the past.

I want to spend my last minute on the whistle-blowing aspect. The whistle-blowing aspect is absolutely key. As governments become more and more complex, as more and more decisions are made away from the public eye, as things are done in backrooms, are done by ministerial prerogative, are done through regulation, fewer and fewer people actually see how government programs are being operated, save and except those who work for the public service. I welcome the opportunity for public employees to be able to question this, to be able to take it to their supervisors, to be able to take it to the Integrity Commissioner and to have it come to the clear light of day. If there is government wrongdoing, it needs to be exposed at any level, whether it's by the citizens themselves or by the public employees of this province.

I do have to agree with my colleague from the Conservative Party, though, that there needs to be money put in. If the Integrity Commissioner is the person chosen to do this and not the Ombudsman, then there needs to be money to increase that staff so that this job can be done, and done well.

#### REMEMBRANCE DAY

#### JOUR DU SOUVENIR

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Speaker, I believe we have unanimous consent for all parties to speak for up to five minutes in respect to Remembrance Day.

**The Speaker (Hon. Michael A. Brown):** Agreed? Agreed.

**Hon. Mr. Bradley:** Each year at this time, partisan political differences are put aside by members of the Legislative Assembly as we pause together to remember those Canadians who made the supreme sacrifice, the sacrifice of their lives in wars fought to defend freedom and democracy. Over the years, there have been many moving tributes paid to those whose memory we honour as a nation on November 11, tributes delivered with eloquence, passion and emotion by those who served in our armed forces in times of war. Far better than we who

did not experience military service on a personal basis, some members of the Legislative Assembly in years gone by, themselves veterans of conflicts around the world, shared with us and with those who have access to the deliberations of this House the horrors of war and the immense sacrifice made by those who fought in defence of our way of life.

What is often forgotten, as we march alongside veterans of the wars, is that so many of these men and women were very young when they entered the service of their country in the war effort overseas and that far too many did not return home to their loved ones or have the opportunity to live lives filled with all of the experiences that are available to those of us who are beneficiaries of their sacrifice.

1420

One of the most moving moments at cenotaphs across the country is the laying of the wreath by the Silver Cross mother who has seen her loved one or loved ones depart for wars in foreign lands and not return. One wonders what memories pass through their minds as they move, often haltingly and almost always with assistance, towards the war memorial in their community to lay this wreath which carries so much significance.

War is all too often glorified and mischaracterized in popular movies. The depiction of events bears little resemblance to the realities of the battlefield, for in reality our veterans will tell us that the days were grim, the conflict so very hard, and the damage inflicted both on the body and the mind often irreparable.

While it is the dead we honour in Remembrance Day services, our thoughts are also with those who returned from action sometimes scarred both physically and psychologically by the ravages of war. The tears that appear in the eyes of veterans whose memories recall all too vividly the loss of friends, the destruction of homes and the ugly wounds of conflict are understood by all of us.

As the lines of marching veterans thin from age, infirmity and death, we who remain must assume a special obligation to remember. In his poem *In Flanders Fields*, John McCrae refers to the passing of the torch to those who succeed our fallen comrades. Most assuredly, we must all, young and old, take up the challenge of those who made the supreme sacrifice on our behalf.

While the focus on remembrance and reflection is as it should be on November 11, it is essential that we who enjoy the benefits of democracy for which our veterans fought and died honour them throughout the year. The Royal Canadian Legion and other veterans' organizations across our land need our support more than ever to maintain their efforts to preserve Remembrance Day as an occasion for all Canadians to remember the sacrifices made in World War I, World War II, the Korean War and other conflicts in which our armed forces have been involved. They need our support as well to ensure that our veterans are treated with dignity, respect, generosity and compassion in their senior years as battle scars on the body and mind begin to take their toll on their lives.

It is said that in communities in the Netherlands and in France and other countries where Canadians liberated

people from their oppressors, to this day the children, grandchildren and great-grandchildren of those who had the yoke of occupation lifted by our Canadian forces remember and pay tribute to our fellow Canadians for the sacrifice made so very long ago.

When we see members of the Royal Canadian Legion, when we see those who served so we might enjoy the democratic freedoms that are ours today, when we see these individuals often shivering in the cold November days, poppy box in hand, let us stop to say "thank you" and let us join in two minutes of silent remembrance on November 11. Those who are no longer with us and those who returned from war should expect no less from all of us.

**Mr. John Tory (Leader of the Opposition):** I'm very pleased to rise on behalf of the Ontario Progressive Conservative Party to join in the remarks of the minister. Of course, we know why we mark Remembrance Day on the 11th day of the 11th month, but it does often find us attending ceremonies and marking this important occasion on a grey day, a chilly day, and in some respects perhaps that is appropriate. The fact that it often isn't sunny and warm may cause us to think just a little bit harder and a little bit longer about what was done for us by those we remember.

I had my first official experience with Remembrance Day as a member of provincial Parliament last year at this time and, like most members here, I attended different ceremonies from sunrise to sunset. But as we all know, like many aspects of public life, this dedication of time to Remembrance Day is unusual. Many people don't necessarily mark Remembrance Day in any particular way, and for those who do, even what started as five minutes of silence, proposed by King George V, was officially reduced to two minutes' silence when five minutes was somehow considered too long. Of course, now that period of time is often reduced to one minute. Perhaps that is why a good many of the cenotaphs across the country contain a line from the Scriptures which asks, "Is it nothing to you, all ye who pass by?"

Of course, we are here today and we will be in our constituencies on November 11, and there is not an occasion more important to us and to those constituents or more meaningful than Remembrance Day. It's customary to see our veterans at these ceremonies, proud and dignified as they are, yet it is sometimes hard to remember, as the minister said, that they were people who, 60 or more years ago, went off to war as very young men and young women.

I spoke this week to one of my own constituents, a gentleman by the name of Don Oerton of Mount Forest. Some of you may remember him as a retired inspector in the OPP. Don Oerton served in the 17th Duke of York's, signing up in 1941 at the ripe old age of 16. When I inquired as to how this had come about, he said that he had to lie a bit. When I asked him why, he said it was then seen as a great adventure, although he went on to say that it hadn't quite ended up that way. But everyone was doing it and, as he put it, he was glad he was able to do his "little bit" to help things. Don Oerton admits that the

self-described “little bit” that he did was and is dwarfed by the memories of the many friends who didn’t come home, those who gave their lives to secure the freedoms that we continue to enjoy.

So we observe a moment of silence in their honour. It somehow doesn’t seem like it’s enough, although Don Oerton tells me that it may be better than Remembrance Day being just another day off. Maybe that one or two minutes does in fact give us more of an opportunity to really think about what and who we are remembering.

At a time when we’re reminded daily of just how dangerous a place the world can still be, we honour and remember those who served and those who gave their lives in two World Wars, in Korea, our peacekeepers, who have done our country so proud, and those who serve today in faraway places, some of whom themselves have made the ultimate sacrifice for us. The collective duty and courage and sacrifice of these generations of Canadians, past and present, have indeed allowed us to have the free and open society that we do. It is often said that they went to war and, as a consequence, war has never come to us.

Nous leur devons notre sincère gratitude pour ce qu’ils ont fait pour nous, non seulement pour les actes du passé mais aussi pour la pression qu’ils et que leur famille ont endurée pour la durée de leur vie en raison de leur service et leur sacrifice.

Certainly we owe them our deepest gratitude for what they have done for us, not just then, but for the burdens they and their families have often carried for a lifetime and beyond as a consequence of their service and their sacrifice. We owe it to them to use every possible effort to keep and to make stronger a society which is not only free and open but compassionate, accepting and understanding, so that in the future, when our children and grandchildren stand here in this place or any other of the many places that we stand together on Remembrance Day, they will be remembering and paying tribute to those who served and those who perished, but they will be marking events long since past. That is because we would pray they themselves will only have ever known peace, liberty and understanding.

**Mr. Howard Hampton (Kenora–Rainy River):** On behalf of New Democrats, I feel privileged to be able to recognize the importance of Remembrance Day. I think all of us would agree that Remembrance Day is always an important occasion every year, but this year it is, I believe, more important than ever that Ontarians attend Remembrance Day ceremonies and reflect on what it all means.

This year, we must reflect on the sacrifices of our parents, our grandparents and our great-grandparents who served and sacrificed in World War I, World War II and the Korean War, and we must recognize the sacrifice of our sisters and brothers, sons and daughters, husbands and wives of a new generation of Canadians who have been ordered to put themselves in harm’s way once again as we speak today. I hope that people from across Ontario will attend Remembrance Day and reflect that we

are thinking, yes, of our grandparents and great-grandparents, but we are also thinking of those who may sacrifice their life today, even as we speak. We must never forget the sacrifices of those who have served.

We need to remember one of the first messages that Remembrance Day was created to impart. The struggle to create Remembrance Day might surprise people, but it was not automatic. In the aftermath of World War I, where almost 70,000 Canadians were killed, an Ontario MP, Isaac Pedlow, introduced a motion in the House of Commons on behalf of returning veterans to institute an annual day of remembrance. As I say, Canadians would be surprised to know that the motion did not pass automatically. It took much debate and significant pressure from World War I veterans and, ultimately, an appeal by King George, before the Canadian government marked its first Remembrance Day on November 11, 1919. Perhaps it was because the war was so horrendous, perhaps it was because in the immediate aftermath of the war there were still so many open wounds, but it’s surprising that it actually took a concerted effort by veterans to have Remembrance Day recognized.

**1430**

Those veterans wanted us all to know how horrible war is as an experience. When they joined the Canadian military in 1914 or 1915 or 1916, as my grandfather did, they were told that this was the war to end all wars. They were told that they were fighting the ultimate battle to ensure the world would live in peace. One of the things I think we need to recognize is that we have let them down. Because young men, young women, if we look back on the last 80 years, 90 years, have repeatedly been asked to sacrifice their lives in order that the rest of us may live in peace and relative contentment. That sacrifice is being asked again today. As we speak in this Legislature, as we go on about our daily lives as if everything is unfolding as it should in society, young men and young women may be sacrificing their very lives.

So I hope that more Canadians than ever will attend Remembrance Day ceremonies and will reflect upon the fact that the peace we know, that the orderly lives we’re able to live, that getting up in the morning and going home at night and spending time with our kids is very much a luxury that some Canadians today cannot enjoy and some Canadians today may never enjoy again. I hope that all of us will take the time over the next few days, as we move towards Remembrance Day and on Remembrance Day itself, to reflect on that.

**The Speaker:** I would ask all members and our guests if you would rise with me for a time of observance and silence for Remembrance Day.

*The House observed a moment’s silence.*

**The Speaker:** Thank you. Lest we forget.

**Hon. Mr. Bradley:** Just for the information of members of the Legislature, I have logistical information. There will be a Remembrance Day ceremony on the front lawn of Queen’s Park on Remembrance Day at the new memorial which was erected to our veterans. So that will take place on Remembrance Day. Any members of the

Legislature or the public who are able to attend may do so. I recognize that most of us will be in our own communities at that time, but I wanted to let members of the Legislature know that that will be happening on Remembrance Day.

CLERK OF THE ASSEMBLY  
GREFFIER DE L'ASSEMBLÉE

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that I have today laid upon the table a letter of resignation from Claude DesRosiers, Clerk of the Legislative Assembly. Mr. DesRosiers was appointed to the service of this House in October 1986. Having served as Clerk for 20 years, he has decided to heed the beckoning calm that comes with retirement. He is looking forward to spending some long-overdue time with his wife, Michele, who joins us here today; his children, Jean, Louie and Lucie; their spouses; and, most of the all, with his grandchildren, Sacha, Eve and Noah.

The members themselves will presently have the opportunity to convey their sentiments to the Clerk on this, his last day seated at the table. However, if the House will permit me a brief moment, I would like to express on behalf of the Office of the Speaker, the table and all staff of the Assembly our heartfelt thanks and best wishes.

We will miss your calm and dignity and particularly your wise counsel. This place has benefited greatly from your considerable expertise over the last 20 years, and you can be secure in the knowledge that you're leaving behind you a strong, efficient and highly professional organization, and of this you should be proud. Put up your feet now, Mr. Clerk; you've earned it.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I believe we have unanimous consent to pay tribute to the Clerk from representatives of each of the three political parties represented in the House.

**The Speaker:** Mr. Bradley has asked for unanimous consent. Agreed? Agreed.

**Hon. Mr. Bradley:** It is with deep regret that we come to a day when an officer of this House who has distinguished himself with his professionalism, with his dignity, with his competence and with his acts of professionalism throughout is going to retire. It is a difficult time for all of us.

The Clerk of the Ontario Legislature, as so many of the officers of the Legislature do, represents the continuity, represents the kind of impartiality that does not find itself in the benches of the various political parties. We are not impartial people; we are people who vigorously defend our positions and engage in some rather interesting debate in this Legislature. But we rely heavily upon the officers of the House to ensure that there is decorum, to ensure that the procedures that take place are

within the rules of the Ontario Legislature and to provide us with the kind of guidance that we need.

Claude DesRosiers has a long and distinguished career, and I'm going to share with members of the Assembly some of his career highlights. He was the appeals officer with the Public Service Commission way back in 1969. He was obviously very young at that time. He was the head of the staffing section, House of Commons; assistant chief, French journals branch, and then became the chief of that branch; the principal clerk of the journals branch of the House of Commons; principal clerk and table duties, House of Commons; special adviser to the committee on the reform of the House of Commons in 1984 and 1985; principal clerk, committees and private legislation directorate; and then, of course, was appointed as Clerk of the Legislative Assembly of Ontario on October 1, 1986.

He has many interesting activities that I won't go through outside of this Legislature, but suffice to say that he's been deeply involved in his community and in the community at large, not only within the confines of the province of Ontario but right across the country and internationally.

We have been privileged to have a person of his experience, a person of his competence and of his professionalism serving us in the Legislative Assembly in the position of Clerk. I know that whatever he decides to do in the years to come, he will be reflecting upon his many years in this assembly and the friendships he has gained over those years.

**1440**

The Clerk, as we say, is impartial. He's a table officer; he provides us with advice from time to time. But I think those who have come into the assembly have found Claude DesRosiers to be also a friend and confidante. Although, as I say, we will miss him in the weeks and months and years to come, we will retain many fond memories of the very central role he has played.

The public at large see us. The news media do not often train their cameras on the Clerk of the Legislative Assembly of Ontario or write much about him. They write about the interesting activities that take place within this House. But they should know that Claude DesRosiers has played a central role, albeit in the background, albeit not in the confrontational atmosphere that is this House, and we are grateful to him for this.

We wish him well in his retirement. I know that if they had the opportunity to do so, all who have served in this assembly since 1986 would welcome the opportunity to thank Claude DesRosiers and wish him well in his retirement, as I do on behalf the government caucus today.

**Mr. Robert W. Runciman (Leeds-Grenville):** I appreciate the opportunity on behalf of the Progressive Conservative caucus to offer a few words on the occasion of Clerk DesRosiers's announced retirement.

Claude DesRosiers's retirement, I think you will agree, is a very significant event in this place. We don't see a change in this position on too many occasions over history. Claude's predecessor, Rod Lewis, who was here

when I arrived in 1981, was in the job for 31 years. Rod had succeeded his father, who held the position for 28 years. I'm not sure if one of Claude's sons has his application in or not, but we'll find out shortly, I'm sure. My point is that three Clerks serving this assembly over the span of 79 years is quite remarkable.

I'm told that two of the most memorable experiences of Claude's time in this place were when the House sat continuously for 24 hours: one dealt with the megacity legislation, in 1997; the other was when an opposition member refused to leave his seat after being named by the Speaker, and became somewhat infamous for his unique use of a milk bottle. But little did Clerk DesRosiers realize that the member in question would become his boss when he was elected Speaker in 2003.

Contrary to popular opinion, I'm advised that Claude DesRosiers does have a sense of humour; he just doesn't show it in this place. The table has its own set of standing orders, and they include, "Never laugh, even if you're dying inside."

I'm also assured that the Clerk is not leaving because of his age. Last night we had a chat at the reception in the dining room, and he advised me that "old is when you're cautioned to slow down by the doctor instead of by the police," and that hasn't happened yet. I told you he had a sense of humour.

What the Clerk is doing is setting aside much-deserved time for reading historical novels, which he loves; for his gardening, especially his roses, I'm told; and for the true loves of his life: his wife, his sons, his daughter and his three grandchildren.

Clerk DesRosiers has an impressive record of accomplishment at both the federal and provincial levels, a record that has been noted by many and that has generated enormous respect for his knowledge and experience, well beyond our provincial and national borders. I cite just one example: his service as parliamentary adviser for the interparliamentary union in Estonia, Latvia, Cambodia, Lithuania and Haiti. Clerk DesRosiers has done our province proud.

Claude, you have provided outstanding service to your country and your province. You will be missed. Godspeed; enjoy the years ahead.

**Mr. Peter Kormos (Niagara Centre):** To you, Mr. DesRosiers, as House leader for the New Democrats I want to tell you first that I've been compelled to share these five minutes with at least one other colleague. That's number one.

Number two, you came here 20 years ago. You had but two years of service here when I came two years later, 18 years ago. I apologize. I do want to thank you, on behalf of all of us, for your incredible skill, your acumen, your talent, your accessibility, your fairness, your even-handedness.

**Mr. Howard Hampton (Kenora-Rainy River):** Patience.

**Mr. Kormos:** As Mr. Hampton says, your incredible and sorely tested, frequently tested patience.

For a newly elected MPP, for a young MPP, you were an incredible source of information. I speak on behalf of

oh, so many who, in their neophyte years, are grateful to you for your guidance, for your assistance and for your inevitable non-partisan eagerness to provide access to not just the standing orders and precedents that may have been established from time to time but to some practical experience based on many years of service in Parliament here. So I wish you well.

New Democrats regret, truly, that you are leaving us now but we look forward, knowing that you'll make great contributions in the years that come. We thank you very much, sir. I want to tell you that, for all of us, it's been an incredible pleasure, a delight, a luxury to have been able to work with you.

**M. Gilles Bisson (Timmins-Baie James):** Monsieur DesRosiers, c'est avec un peu de tristesse qu'on se trouve ici aujourd'hui. Ça fait 16 ans que je suis à cette Assemblée. J'ai appris beaucoup faisant affaire avec les commentateurs que vous avez donnés ces années. Un nouveau membre qui entre a toujours les idées de changer le monde, d'être capable de faire la lutte et de toujours achever son but, et vous avez montré comment achever ces buts selon les règles de la Chambre; ça, c'est important.

Je veux dire aujourd'hui—ce qui est intéressant, et je pense que c'est quelque chose que vous êtes capable de prendre avec fierté—que c'est non seulement les députés ici aujourd'hui à l'Assemblée qui vous disent bonjour et nos remerciements pour votre service à cette Assemblée, mais je regarde ici le « staff » de l'Assemblée et on a tout le monde, les directeurs des différents départements, le « staff » et d'autres avec les greffiers, pour aussi dire merci beaucoup. Ce qu'on a besoin de comprendre, c'est que vous êtes comme la personne en chef de l'Assemblée, sous le Président, et vous êtes responsable de ce monde. Ce monde veut vous dire merci beaucoup aujourd'hui. Vous avez été un directeur avec de la patience, quelqu'un qui comprend sa tâche, et qu'il a besoin de laisser aux autres l'habileté de s'épanouir dans leurs devoirs et dans leurs responsabilités. Vous allez nous manquer, certainement.

Il faut aussi dire quelque chose d'autre, parce que vous avez laissé un petit quelque chose en arrière: un personnel très bien préparé. Je regarde les greffiers qui sont ici aujourd'hui; on ne va pas les nommer tous. Si on a les meilleurs greffiers dans l'Assemblée législative de l'Ontario, c'est grâce à votre leadership. Comme Greffier en charge, vous assurez que tous les comités et que la table elle-même ont les greffiers nécessaires pour prendre la relève. Ce n'est pas tout le monde qui peut partir sachant que, quand vous partez, on va être en bonnes mains. On vous dit, monsieur le Greffier, monsieur DesRosiers, que vous nous avez laissés en très bonnes mains. On vous remercie.

**The Speaker:** Well, thank you. We will now revert to normal practice. Oral questions.

**Mr. Kormos:** On a point of order, Mr. Speaker: Yes, this being the 25th anniversary of Randy Rath's membership in the Queen's Park press gallery, I seek unanimous consent to wear the Randy Rath official shirt. This is a prop that I would beg you to seize.

**The Speaker:** Mr. Kormos has asked for unanimous consent to—no? No.

1450

## ORAL QUESTIONS

### VEHICLE SAFETY

**Mr. John Tory (Leader of the Opposition):** My question is for the Acting Premier. Would he be kind enough to tell us what has happened since last October, when the former Minister of Transportation said, with respect to an alarmingly bad safety rate for U-Haul vehicles, “I have to bring the hammer down”? What’s happened since then?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** To the Minister of Transportation.

**Hon. Donna H. Cansfield (Minister of Transportation):** I’m pleased to respond to the question. What in fact has happened is that on September 14, 2006, the ministry ordered U-Haul to take action to improve their safety performance. They went before the deputy registrar. The deputy registrar put in place a pending licence suspension that had requirements attached to it. They had to improve their mechanical, they had to improve their driver record, they had to have monthly audits of what their action plan was, and any failure would result in that licence being suspended. They have now taken the deputy registrar’s decision to an appeal court, so I cannot discuss what that appeal is, but certainly, from the ministry’s perspective, we are working with the deputy registrar to ensure that only safe vehicles of U-Haul are on our roads.

**Mr. Tory:** The facts are that we only wish the minister was doing what she said. It’s another case—in this case, a fantastic case—of the Premier and his ministers saying anything at all to look as if they’re taking action when in fact they’ve done nothing.

Last October, CTV’s W-FIVE ran a story that reported that in tests conducted during the summer of 2005, 693 trucks from 14 rental companies were tested. The U-Haul failure rate was five times the industry average. More tests were conducted in the summer of this year, 2006, and they found the failure rate was—you guessed it—five times the industry average.

There has been no hammer brought down. Instead, the Minister of Transportation suspended the U-Haul licence but never enforced it. U-Haul continues to operate and continues to have unsafe vehicles on the road today. Why hasn’t the minister enforced the suspension that she herself ordered? Why hasn’t it been done?

**Hon. Mrs. Cansfield:** I guess if we are going to actually refer to documents, you should refer to the August and September report from CBC, which dealt with the fact that we are the only province that brought the hammer down on U-Haul. No other province is doing what we are doing. We have our due process put in place

with the deputy registrar, who has the requirement to do the licensing. We have put very critical criteria in front of U-Haul that say, “Shape up or ship out.” There is no question: They are monitored monthly. If they do not improve, they will not be on our roads.

The challenge we’ve got is that they’re on everybody else’s roads and they cross our borders. So we’ve got to ensure that we work together with our other provinces so that those mechanically unfit vehicles are not on our roads. The deputy registrar has a due process in law, required by this government and previously by other governments, and we are following due process. They are monitored monthly. If they do not meet the criteria of the deputy registrar, which they are now appealing in court, by the way, we will suspend their licence.

**Mr. Tory:** The fact is that it was in 2005 that the previous minister said they were going to bring the hammer down. This minister is acting as if they’re bringing the hammer down now, when in fact they said they would do it well over a year ago, and they still haven’t. The trucks are still on the road. Regardless of where they come from—it doesn’t matter—they’re driving on Ontario roads and not following the standards.

Here’s what the minister herself said to CTV: “I do not want anybody in an unsafe vehicle on our roads where there would be any consequences. So if they don’t clean up their act, they’re gone.” Well, they’re not gone; they’re still here. It doesn’t make any sense. It is simply another broken promise from the McGuinty government.

A year ago, the minister was going to bring down the hammer. They didn’t do anything. A year later, there’s been no improvement, the same failure rate on the safety standards, and again the McGuinty government does nothing. Will the minister tell us why she will not suspend U-Haul’s licence and enforce it? Get on with doing it.

**Hon. Mrs. Cansfield:** I’m pleased to respond. I might suggest that the gentleman look to his right and to his left, because for eight years they did nothing.

When it was identified, the ministry got in touch with U-Haul, brought them into our office and gave them the ultimatum. They brought forward their work response. It was insufficient. We then said, “If you don’t put another in place, it goes to the deputy registrar. We will suspend.” It went to the deputy registrar. It’s under suspension, pending these requirements. If they do not fulfill the requirements, they’re off our roads. They are now appealing that to the tribunal because they didn’t like the fact that we put such strident criteria there.

There is no question that this involves cross-border issues, because if you look at those U-Haul licence plates, they’re not from Ontario; they’re from Arizona.

**The Speaker (Hon. Michael A. Brown):** New question.

**Mr. Tory:** My question again is for the Acting Premier, same subject. I’m not sure if the minister is implying that, because they have Arizona plates, we’re supposed to just give up on that and let people use unsafe trucks.

Just two days ago this House passed legislation requiring that all passengers in a vehicle wear a seat belt. Last November 30, 2005, less than six weeks after CTV quoted the former minister as saying the hammer would be brought down, which it still hasn't been, Gordon Annis was killed while riding in the passenger seat of a U-Haul truck with a seat belt that didn't work. Months later, after that, U-Haul spectacularly failed its safety test again, and the minister lets them continue to operate.

It seems as if this is another case, yet again, of the McGuinty government saying anything to try and win favour, but not actually doing anything. If this government is concerned enough to have introduced the legislation which we, together, passed on seat belts, why won't you enforce a business licence suspension that your own government ordered? Why won't you do it?

**Hon. Mr. Smitherman:** To the Minister of Transportation.

**Hon. Mrs. Cansfield:** Again I'm pleased to respond. We are in fact doing what we said we would do. We are monitoring, assessing and ensuring that those vehicles on our roads are safe. We are doing far more blitzes, not only with our own inspections but with the municipal police and the Ontario Provincial Police. They are at random and they are specific to U-Haul. We've actually sent our inspectors into the rental agencies themselves. We are trying to get that rate down where they're mechanically unfit, and we're prepared to work with the industry to make a difference.

If in fact they do not live up to our requirements and our standards by the deputy registrar, who's put it very clearly that they have to improve their mechanical fitness, their driving training, and deal with the challenges that face them, then they will have their licence suspended. It's called due process.

**Mr. Tim Hudak (Erie-Lincoln):** It's called "do nothing."

**Mr. Tory:** We will continue with the inspections, we will continue with the random ones, and they will have the monthly audit. I can assure the member, if they do not live up to their workplace plan—

**The Speaker:** Thank you. Supplementary?

**Mr. Tory:** In fact, as the member next to me says, it's not due process; it's do nothing between 2005 and 2006. The whole time between 2005 and 2006, you did nothing, and the failure rate this past summer, a year later, is still five times the average.

I can tell you that what the minister's done is give a reprieve to a company that has a proven track record of failing the safety obligations it owes to its customers. It is a company that puts Arizona plates on its vehicles so that when the plates get pulled off, the company can order new plates from Arizona and carry on.

From the W-FIVE story:

"Lyn Viner inspected and fixed U-Haul trucks. He said ... that he was forced to put unsafe trucks and trailers on the road. 'What would happen at the end of the month ... we were told, if there were minor infractions, pass it. Lights that would be out, back-up lights not working,

marker lights out, turn signals ... that was fine. We were told, at the end of the month, everything has to roll, no matter what.'" That's what you've done: nothing but let them continue to do that.

What is the government waiting for? Why won't you take action—

**The Speaker:** The question's been asked.

1500

**Hon. Mrs. Cansfield:** I'm sure the member of the opposition recognizes and realizes that the deputy registrar, who has the licensee provision requirement, is arm's length from the government in law.

But aside from that, the fact of the matter is, I realize you might be unhappy because you did nothing for eight years. We're doing something now. We're not sitting on our hands. When I found out about it—we're on top of it and we will deal with it.

We have the safest roads in Ontario for a reason, for two years in a row: because we won't put up with unsafe vehicles on our roads. We work with the police, municipally and provincially, and our own inspectors. They're random. Nobody knows we're doing this. We've targeted U-Haul specifically so that we can ensure that they are living up to that workplace plan that they've put in place. They are now, as I indicated, saying they want to appeal that process that we have. We are standing firm on what is the—

**The Speaker:** Final supplementary.

**Mr. Tory:** When the minister mentions "arm's length," I'm sure she's referring to the arm of her predecessor, because it was his arm undoubtedly that was going to bring the hammer down. That's what he said. He said he was going to bring the hammer down.

The minister talks about what she won't put up with. Let's talk about what she won't put up with. Let's run through it one more time. Last year, a year ago, after horrific failures in U-Haul safety tests, the former minister says he's going to bring the hammer down. Six weeks later, a man dies after travelling in a U-Haul truck with a faulty seat belt. The following summer—a year later, this summer—U-Haul again fails its safety inspections, at the exact same rate as previously. So you've done nothing over the course of the succeeding year. The current minister signs an order to suspend the licence and then, for some mysterious reason, rescinds her own suspension and gives the company 12 months to clean up its act.

How is it that this government will say anything at all to look like you're taking action but won't actually do anything? Why didn't you take action a year ago and do something then, as your predecessor said he would? You've done nothing.

**Hon. Mrs. Cansfield:** I should just set the record straight. I didn't sign the suspension order. It's the deputy registrar who signs it, who has the requirements for the licensing.

What we did is, we put in place the need for him to look at a very serious problem in our province; no question. Our young people who rent those vehicles need to

be in safe vehicles. You and I don't disagree on that. How we go about doing it in due process is a requirement that governments work under. The due process is, we called them in and we required that they put in place—it wasn't satisfactory, what they gave us. We said, "Go back and fix it more." They did. The deputy registrar then looked at it, and he put in the requirements, not me. He's the one who said they had to do these things. We're going to monitor. We're still going to do the blitzes. I assure you, we will continue to press to keep unsafe vehicles of any—

**The Speaker:** Thank you, Minister. New question.

#### NATIVE LAND DISPUTE

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Deputy Premier. It's becoming very clear that Premier McGuinty's squabbling and bickering with Ottawa has paralyzed the work of the Ontario government, to the detriment of ordinary Ontarians. Marie Trainer, the mayor of Caledonia, said this about your squabbling and bickering: "They are just playing games right now. We're in the middle. We're the ones suffering. I'd like them to stop acting like children. I wish they would quit holding Caledonia residents as hostages."

Deputy Premier, why are the needs and priorities of working families across Ontario taking a back seat to Premier McGuinty's squabbling, bickering and electioneering?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** As usual with the honourable member, it's what he doesn't say that would be helpful for the context of his question, because what he doesn't say when he speaks about the municipal leader that he quotes in his question, Mayor Trainer, is that she also said that the need was there for the federal government to come to the table and to take a lead.

It's odd that the honourable member who so often depends upon the words of Chief Angus Toulouse didn't use those today either, but here's what was said in a release: "This Conservative government claims it is a government that takes action, but when it comes to First Nations they are completely missing in action'...."

"The reality is that issues related to First Nations lands are a direct and clear federal responsibility."

The honourable member knows this well because he asks these questions very regularly in the House. It's interesting, I suppose, that he thinks we should go it alone on an issue where, to the point, the federal government is clearly in the lead. It is Ontario's obligation to ensure that the federal government fulfills their constitutional responsibilities, and we will continue on that path until that is done.

**Mr. Hampton:** Allen MacNaughton is chief of the Six Nations. He says, "[I]t is with great concern that the Hodiyaneshoh find the crown in right of Ontario and Canada engaged in playing politics in the media."

Deputy Premier, ordinary Ontarians want their governments to work for them. Instead, Dalton McGuinty

and Stephen Harper are working on their election campaigns. I ask this question: When is the McGuinty government going to stop squabbling, going to stop bickering and start getting some results for the ordinary people of Ontario?

**Hon. Mr. Smitherman:** We note the defensiveness on the part of the NDP, seeing that the federal government in Ottawa is really their government. But it's interesting that the honourable member is unwilling to stand in his place and make the case with respect to Ontario. He raises, on a regular basis, the issue of responsibility—primacy of responsibility—to the federal government, but for today's purposes, that's not evident. In his question he quotes someone—in this case, Chief MacNaughton—but what he doesn't read from Chief MacNaughton's very own release is the following: "but we agree [that] the emphasis on resolution must come from the federal crown. It is with the federal crown that Six Nations agreements have been made."

So we agree that this is a complex issue. On behalf of Ontarians, and with a view toward a resolution that involves people working together and talking together to come to appropriate conclusions, we have done our part and we have been there. But our frustration speaks to the fact that, on one hand, all the parties agree. The necessity is there for federal government leadership. We press for it, we call for it, and the honourable member, the leader of the New Democratic Party—

**The Speaker (Hon. Michael A. Brown):** Thank you. Final supplementary.

**Mr. Hampton:** Yesterday, after the Premier said no to a request from children of Cat Lake First Nation school, who have limited access to safe, clean drinking water, Mushkegowuk Grand Chief Stan Louttit sent us a letter saying, "If a First Nation goes to the province for assistance ... the province should treat this request as they would any resident of Ontario." But rather than responding to this urgent request, the McGuinty government wants to use First Nations in a game of political Ping-Pong with the federal government.

My question again is this: When is the McGuinty government going to put the needs of Ontario residents ahead of the Premier's political agenda of squabbling and bickering with the federal government?

**Hon. Mr. Smitherman:** There we have it from the honourable member: He has managed in three short questions to get himself on all sides of the issue, as is standard. But where is the consistency from the honourable member? On a case-by-case basis, very regularly he brings to us the voices of the Chiefs of Ontario, the most significant voice of the leadership of First Nations. Their point and position on this couldn't be clearer. I'll read further from a release I quoted a moment ago: "This is yet another example of this government's"—being the federal government—"refusal to accept and fulfill their lawful obligations."

So the point is clear: In Caledonia, the record of a government willing to do its part is very, very evident. We provided provincial money to purchase the land,

business assistance money, signage and markings on the land, assistance for residents that is forthcoming, a marketing campaign, a new school fence and security cameras—

*Interjection.*

**Hon. Mr. Smitherman:** Now the critic from the Conservative Party, who only has one position, which is to go in with guns blazing, is heckling me, and not even from his seat in the Legislature.

But the point is—

**The Speaker:** Thank you. New question, the leader of the third party.

#### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr. Howard Hampton (Kenora–Rainy River):** Again to the Acting Premier: You will know that there are 443,000 children—one in six children—living in poverty in Ontario. The national child benefit supplement provides low-income kids with almost \$1,500 a year for essentials like food, clothing and shelter. This is federal money that should be going to those lowest-income Ontario children. Premier McGuinty called the clawback of that money by the province wrong and vowed to end it, but you haven't.

So my question is this: Instead of bickering and squabbling with Ottawa, why doesn't the McGuinty government roll up its sleeves and make sure that this federal child benefit money finds its way to the poorest kids in Ontario, as you promised to do?

1510

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** The Minister of Community and Social Services.

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs):** I'm very pleased to answer the question from the leader of the third party. Again, this government has invested and will continue to invest every year more than \$10 billion to help parents and children who are living in poverty.

When parents succeed, children succeed. So since we took office, we have created 254,000 new jobs; we have increased the minimum wage; we have created an emergency energy fund; we have increased social assistance by 5%; we have provided free vaccinations for children, over one million kids treated, saving families \$600 per year; and we have also invested \$8.5 million for student nutrition programs, 84,000 more children being served, an increase of 45%—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Hampton:** I'm not sure what the minister's answer has to do with the question. Here is the reality of the issue: People across Ontario see the McGuinty government conducting a campaign of arguing, squabbling, bickering with the federal government when we have literally 443,000 Ontario children living in poverty. You

could actually do something meaningful. You could stop clawing back that federal money from those lowest-income Ontario children. You had the money to do that over the last fiscal year; you chose not to.

My question is fairly straightforward: Instead of promoting this campaign of squabbling, bickering, fighting with the federal government, why don't you do something very practical? Why don't you end your clawback of the national child benefit supplement and stop taking \$1,500 a year of federal money away from the poorest—

**The Speaker:** Thank you. The question has been asked. Minister?

**Hon. Mrs. Meilleur:** Again, this government takes children's poverty very seriously. We have invested to try to solve this problem, and we will continue to work towards that.

The leader of the third party wanted to show that his government did everything they could and are working towards helping children. I'm going to cite to you what his party has done, what legacy they left here in Ontario. When they left government, one in five children was on social assistance. What they also did was increase taxes on low-income Ontarians. They removed more than 230 drugs from the Ontario drug benefit plan. They increased long-term-care daily rates by up to 38% and they—

**The Speaker:** Thank you, Minister. Final supplementary.

**Mr. Hampton:** I fail to understand what the minister's answer, or supposed answer, has to do with the question. When Dalton McGuinty campaigned for votes, he didn't promise bickering, squabbling and fighting, blaming and backbiting with the federal government. He promised things like stopping the clawback of the national child benefit supplement to make life better and more affordable for the lowest-income children in Ontario—not just part of the clawback; he promised to stop the clawback, the whole clawback and nothing but the clawback.

So my question again is—this is an example of something that you could do that would make a practical difference in the lives of some of the lowest-income kids in Ontario, but instead of doing it, you conduct a never-ending campaign of bickering, squabbling and fighting with the federal government. When are you going—

**The Speaker:** Thank you. The question has been asked. Minister?

**Hon. Mrs. Meilleur:** Again, I wanted to remind the member that we have increased social assistance by 5%, and we will continue to develop policy to help children in situations of poverty, because this government believes that every child should be given a chance. We are working towards that.

I'd like to remind you also that since we came into power, we have stopped the clawback of the increase every year. It represents \$1,600 more to a family of two children every year, and we are determined that we will do everything we can to help every child who is in a situation of poverty—not only those whose parents are on Ontario Works, but every poor child in Ontario.

## TORONTO EXPO 2015

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Tourism. It really continues on the theme of the cost of the squabbling and the bickering from the McGuinty government. This time it's on the subject of Expo 2015. I can only say this to the minister: The people of Ontario are very, very disappointed at the complete lack of leadership by the McGuinty Liberal government on this file. The minister did not passionately push this file. The minister sent junior-level representation to the meeting last Friday. The minister did nothing after that meeting to push this file passionately and to try to make it happen when it was clear the bid was in trouble. Then the McGuinty Liberal government offered nothing to try to make this happen—the only ones who offered nothing, let alone a blank cheque.

My question is this: Why did the minister just give up on Expo 2015 and the jobs, the tourism and the economic development that went with it? Why did you give up?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Here's yet another example of the Leader of the Opposition wanting to be on all sides of all issues. I asked you in this House, and you said you would not subject the people of the province of Ontario to writing a blank cheque to cover any unknown deficit that this particular endeavour would incur. You said you would not, but now you want to go around pretending, "Well, there's something else that could have been done."

I want to tell you, sir, that the particular bid was based on the fact that somebody was prepared to write a blank cheque to cover that particular deficit. We in the province of Ontario are not prepared to do that. You get up in the House along with your colleagues and ask us to spend money on health care, on education, on a number of other endeavours. You are going to take \$2.5 billion out of the revenue stream in the province of Ontario, and now you want us to write a blank cheque, because that's the only way this would proceed.

I would say that you should speak to your federal friends—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Tory:** I'm sorry that when it comes to an opportunity to have tourism, jobs and profile for Ontario, the minister doesn't understand the difference between a blank cheque and doing nothing, which is what he did: absolutely nothing. I will say that I'm told the Minister of Finance, to his credit, did try to do something and make some effort over the course of the past 24 hours, but the damage from the inaction of the preceding months was done, and the bid seemed doomed to fail.

The McGuinty government let this bid die. The McGuinty government let the tourism die that went with it. The McGuinty government let the jobs and investment die that went with it.

My question is this: Why did you, through your inaction over months and especially the last week, let this

bid for Expo 2015 die? Why did you throw in the towel? Why did you do that?

**Hon. Mr. Bradley:** I want to tell the Leader of the Opposition, first of all, that I know he likes to denigrate the public service of the province of Ontario. The person you have called "junior" is Michael Langford, who is the chair of the steering committee on Expo 2015. He was at Friday's meeting. He has been the chief negotiator for the province of Ontario. If you want to denigrate this public servant, that's fine.

The Minister of Finance has been engaged in conversations, as have I. We have been the ones who have been side by side with the city of Toronto. We provided the upfront money for the due diligence; we provided the upfront money for the exploration of this particular initiative.

It really boils down to, according to the bureau of international expositions: Is somebody prepared to write a blank cheque? You can talk about all of the other actions you want to talk about, but I ask you, sir, if you were the Premier of the province of Ontario, would you write a blank cheque for a deficit when nobody knows what the amount of that deficit would be? If not, you can't be on all sides of the issue.

1520

## WOMEN'S ISSUES

**Mr. Howard Hampton (Kenora–Rainy River):** To the Acting Premier: In June, a number of women representing women's coalitions and other groups from across the province wrote to Premier McGuinty. They requested a meeting to discuss critical issues facing women in Ontario today; issues like poverty, issues like ending the clawback of the national child benefit supplement, issues like the need for child care and issues like violence. But the Premier ignored them. He never responded to their letter, and no meeting ever happened. Five months later, women's organizations came here today demanding to be heard. Can you tell them, Deputy Premier, why is Dalton McGuinty refusing to meet with women's groups like those who came here today?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** I've been around here long enough to know that I shouldn't accept at face value all the information that the honourable member brings. I would be pleased to say to any group that feels it didn't get the opportunity to discuss with the government important matters related to the women's agenda—of course, my colleague the Minister of Economic Development is not with us today, but I know that she would be very able to answer that. For my own part, I'd be very happy to commit to that group that if they wish to arrange a meeting with me, I'd be very happy to do that.

I'm glad to note that our government has been working on a variety of issues related to women's issues. If the member has a more particular question in mind for his supplementary, I'd be very happy to do my best to answer it and to afford to the honourable members who

are absent today the opportunity to discuss this in further detail with the honourable member at a future date.

**Mr. Hampton:** Well, these women's organizations tried repeatedly to get a meeting with the Premier, so they came here today as part of their Step It Up campaign. They say it's time for the McGuinty government to tackle the root causes of violence, rather than trying to only manage its effects. That means addressing poverty, racism, child care and affordable housing. They say this government's broken promises—a broken promise to end the clawback and your broken promise to build affordable housing—are hurting women across the province. Eileen Morrow, a member of the coalition, says, "That kind of political leadership ... is costing women's lives."

Deputy Premier, I ask you again: Will the Premier step it up and meet with these women's organizations, if not now, then very soon?

**Hon. Mr. Smitherman:** To the Attorney General.

**Hon. Michael Bryant (Attorney General):** I know that the minister responsible for women's issues and Minister of Economic Development has been meeting with many of the leaders—not only those present at the event, which is going to take place both in Toronto and Ottawa, but with many leaders—not only on the subject that was brought up today, but even more generally with respect to domestic violence.

This government's investment and action through its domestic violence action plan is completely and totally unprecedented. Never before has any government in Ontario taken the kind of action under our domestic violence action plan, one of the issues that was raised, that this government did. That's what the Premier and Sandra Pupatello did.

Another matter that did come up and was discussed today at the event was support for the changes to the human rights system in the form of Bill 107. Support for Bill 107 was clear throughout the event by many of the people who were spokespersons in it. I would ask the member to ask himself what his position on Bill 107 is and why it is—

**The Speaker:** Thank you. New question.

## EDUCATION

**Mr. Dave Levac (Brant):** My question is for the Minister of Education. Bill 52, learning to age 18, is in committee and going through clause-by-clause this afternoon. If passed, this legislation will create an environment for Ontario students to keep learning to 18 or graduate through creative incentives that realize their individual strengths and potentials. Stakeholders, parents and the people of Ontario know that the McGuinty government is committed to increasing the graduation rate and focusing on student success. We have seen an increase in the graduation rate from 68% when we came into office to 71% last year. That actually means that 6,000 more students finish high school and improve their future prospects in multiplying their hope.

As successful as that is, we need to do more and better. We have set the bar higher: that the students of

Ontario should achieve a high school diploma. The opposition voted against Bill 52 on second reading. While the opposition may not believe that we should keep learning until 18, we do.

Minister, can you tell the House what we're doing to transform the high schools through Bill 52, please?

**Hon. Kathleen O. Wynne (Minister of Education):** Thank you to the member for Brant for the question. We are engaged in a very serious transformation of the high schools in the province. Bill 52, on learning to 18, is only a part of our \$1.3-billion student success strategy. The government is committed to helping students graduate through a variety of programs, and I want to talk a little bit about those. We're expanding co-op opportunities. We're increasing the partnerships. Students may count two co-op credits towards their diploma. We're creating a high-skills major which allows students to bundle a minimum of courses together and be ready to go into the workforce. We're allowing students to engage in dual credits and to get credits outside of the mainstream learning environment.

What's really important is that the pilots we have already put in place are working. Here's a student from Brantford: "The schools within a college program allows students to explore the 'trades' while being treated as adults. I love the college setting ... I like working at my own pace to make up credits and find that I try harder than ever to complete work. Students are able to recover credits in order to graduate and now they feel like they have a future." It's working already, and the bill—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Levac:** I appreciate your mentioning the program. I was fortunate enough to go to the graduation: 32 kids who were at risk of losing their education graduated. There wasn't a dry eye in the house, including the parents. I want to thank you for the creative way in which we're doing this.

The amendments to the bill that you're speaking of are exactly what we need to strengthen the legislation and give our students hope, along with their parents. The McGuinty government listened to our partners and took the necessary time to get the bill right. I know that changes have been made to even further enhance student achievement, because we know that when you give students an option, you get results and hope.

Bill 52, learning to 18, provides greater opportunities for students to learn inside and outside of the traditional classroom setting. We are modernizing and customizing how we deliver education in this province.

OSSTF held a press conference today here at Queen's Park. They indicated that they still have some concerns with sections in the bill, but they said, during the committee and afterwards, along with our other partners, that they support—

**The Speaker:** The question's been asked. Minister?

**Hon. Ms. Wynne:** I think the process we've gone through with Bill 52 is a very important one. We listened to our partners; we listened to the teachers' federations,

who are the people on the front line. They are the people who understand how our policies are going to work when they're out in the school. So we made amendments to the legislation that would tighten up some of the language that would guarantee ministry oversight of the agreements between boards and other providers. We made sure that the equivalent learning credit will only be issued by a principal of a school, which was an issue raised by the federations. And we've put safeguards in place to make sure that the standards and guidelines for the equivalent learning procedures will ensure the highest quality of education, wherever the students are learning.

I want to give credit to all the teachers' federations who worked hard with us. It's the way government should work. It's the way legislation—

**The Speaker:** Thank you. New question.

### JOB CREATION

**Mr. Ted Chudleigh (Halton):** To the Minister of Small Business and Entrepreneurship: Last December, when members of your government stood in their place in this very House and voted in favour of implementing a comprehensive job strategy, Ontarians facing layoffs and job losses were given a new sense of hope. When your government was sworn in back in 2003, you promised to respect the traditions of this House. Traditionally speaking, a motion passed unanimously by this House is a promise that should be followed through on. You have failed to do that.

In September alone, 2,700 jobs were lost in the auto parts sector, and the carnage continues in the manufacturing sector: Affinia in St. Catharines, 250 jobs lost; Lipton-Unilever in Belleville, 145 jobs lost; GH Packaging in Belleville, 80 jobs lost; Emerson Tool in Markham, 380 jobs lost; and, most recently, another 250 jobs were lost. Minister, when are you going to recognize the depth of the catastrophe that your government's punitive tax policies have created and bring in a jobs plan, as promised?

**Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship):** I want to thank the member for asking the question.

Mr. Speaker, let me first tell you about U-Haul. We did more than they ever did on U-Haul. They did nothing.

Let me just quote you a couple of numbers. The member is saying that this plant closed, that plant closed, and then he goes and apologizes. But let me say this: Sutherland Global Services created 1,000 high-paying jobs in Windsor, November 2006; Client Logic Corp., Sudbury, November 2006, 300 jobs. In Belleville, Kellogg's is going to create about 100 jobs. In Simcoe, there's a 200,000-square-foot manufacturing facility being created. It will create 250 jobs. DMI Industries in Stevensville will employ another 110 people.

We actually have a plan, and we are working to make sure that there's the right environment for business people to succeed—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

1530

**Mr. Chudleigh:** I corrected the record this morning, Minister, which I did at my earliest opportunity. It's not like the broken promises that your government has made, and it never had the decency to apologize to the people of Ontario for doing those terrible things that have caused such hardship in this province.

The bottom line, Minister, is that closures like these have become all too common in your government's Ontario. The reality is that most of the jobs you've announced as being created won't exist until after the next election, and many of them not until 2008 and 2009. Instead of passing the buck and saying anything just to get elected, Minister, why don't you get down to business and implement a comprehensive job strategies program, as you promised to do in this House?

**Hon. Mr. Takhar:** Let me say this again: Today in Windsor, the Premier and my colleagues are announcing the creation of 1,000 more jobs; yesterday in Sudbury, 300 jobs. There's no idea of making statements and then going around and apologizing to the people that you made wrong statements. It's about time to stand up and tell the real facts. You did nothing in the small business sector for nine years in this province. We're going to make sure that the small business sector is successful, and we're going to make sure that we have the right environment for industry to be successful.

### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Education. Minister, one out of three high school students drops out of high school without graduating. Dalton McGuinty promised to take action, yet this year your government cut grants for inner-city schools and students at risk by \$120 million. Bill 52 will make a bad situation worse. You've already admitted the bill is flawed, and this afternoon you'll attempt, by my estimation, some frantic last-minute amendments. Why don't you scrap this bill and instead get to work on fixing the funding formula, which students, parents and educators all agree is the real source of the problem?

**Hon. Kathleen O. Wynne (Minister of Education):** I do not understand why the member opposite would accept that a 30% dropout rate is okay. I do not understand why the member opposite would not support a piece of legislation and programs that are part of that legislation that are working to keep students in school, to keep them graduating. Some 6,000 more students are graduating this year than last year.

A student from Thunder Bay, who is involved in a hospitality services specialist program—one of our pilots—says, "I thought this dual credit hospitality program was great. I want to be in this industry in the future—so this program is giving me a head start on my career." Why on earth would the member opposite not

agree with legislation and programs that would support that kind of success?

**Mr. Marchese:** I do not understand why you have not fixed your foul, flawed funding formula that you promised to fix. Ontario schools used to have industrial arts programs, but today they're gone, thanks to your funding formula. Ontario schools used to have hands-on technical programs, but they're vanishing, thanks to your funding formula. Ontario schools used to have youth workers—no longer. Your solution is to dump kids at risk in equivalent-to-learning programs with no guarantees that they'll be taught by teachers, with no guarantees that they won't be gouged by new fees, with no guarantees that they will get an effective education.

You can't fix this bill—or maybe you can—but you can fix the funding formula. Why won't you fix this foul, flawed Conservative funding formula you promised to fix?

**Hon. Ms. Wynne:** It seems to me that the member opposite's question was written before the OSSTF press conference this morning, because the teachers' federations have been working with us solidly for two weeks to come up with amendments that would guarantee that some of the issues that he's raising would no longer be issues. So the answer to the question is that we have put guarantees in our amendments, if they are passed at clause-by-clause today, that would guarantee that credits will only be issued by high schools, that the ministry will have oversight of all the organizations, of all the equivalent learning environments that our students will be in, that the standards will be of the highest quality.

The funding formula discussion is one that is ongoing. What this bill is about is getting more kids to graduate, getting them into the programs that they need, so they can have the future that they deserve in this province.

#### IMMIGRANTS

**Ms. Jennifer F. Mossop (Stoney Creek):** My question today is for the Minister of Citizenship and Immigration. The federal government tabled its 2006 annual report to Parliament on immigration this week. The report indicated that the federal government has increased its annual immigration target and aims to accept between 240,000 and 265,000 newcomers next year. The federal Minister of Citizenship and Immigration also acknowledges that Canada's current immigration system is flawed and there is a backlog of 800,000 applicants.

Minister, I understand that Ontario—and we've talked about this before—has welcomed more than 140,000 newcomers in one year, in 2005; that is, 54% of the overall newcomers coming into Canada have come into Ontario. I have to ask: How is this impacting Ontario, with this huge increase in numbers across the country?

**Hon. Mike Colle (Minister of Citizenship and Immigration):** I'd like to thank the member for Stoney Creek for the question. This is a very significant announcement that was made yesterday. We are now told

that over 265,000 immigrants will be coming to Canada next year. Over half of them will be coming to this province. So we have a huge stake in this decision made yesterday. What we're really saying clearly to the federal government is, "You can have all the targets you want, but you have to live up to your promise to flow the \$920 million that's supposed to be invested in settlement programs, language programs and training programs in Ontario." We welcome the newcomers, but we're still waiting for that money that was promised over a year ago to ensure the success of these newcomers.

**Ms. Mossop:** Ontario, as we've already talked about, attracts an overwhelming number of the newcomers to Canada. Many come here with global experiences, skills and professional degrees. In the Hamilton area alone, the area that I represent, 18,000 newcomers came between 2003 and 2005.

I understand that this government has introduced first-ever legislation to break down barriers facing internationally trained individuals. We've done a tremendous amount of work in that area. The legislation, if passed, would require 34 regulated professions in Ontario to ensure that their admissions are fair, transparent and clear. Also, we are following through on our commitment by being the first government in Canada to legislate a fair registration practice code for Ontario's regulated professions.

I have to ask you—because if we don't see the federal government coming to the table, we don't see them honouring their commitment: Will we be able to continue to work and do what we need to do for the newcomers coming to our province?

**Hon. Mr. Colle:** Just to, again, be very firm, Ontario and the people of Ontario have been at the table helping newcomers. We spent \$34 million on bridging and accreditation programs for professionals—\$34 million. We spent \$53 million on language training for adults, and we spend \$40 million a year making sure foreign-trained doctors are accredited.

We also introduced the first legislation of its kind to ensure that all regulatory bodies come under the auspices of the provincial government to ensure fair access for all qualified people. We are taking on the task; we are putting our money where our mouth is. We've got the toughest legislation in this country. We're saying to the federal government, "Come to the table and stop just making target announcements. Put your money where your mouth is. Show us the money."

1540

#### HOSPITAL FUNDING

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is to the Minister of Health. I have a letter here from Mary Jane Fisher from the Hamilton area. She was injured in January 2005 and finally diagnosed 15 months ago. She was told in January of this year that her spinal surgery would likely be scheduled in June. Today, Ms. Fisher is still waiting for a surgery date. She can no long-

er work and she is in constant, severe pain. She writes, "Although we are told that 'wait times' are shortening, obviously [this is] not [the case] for spinal/neck surgery."

Minister, what can you do to help Ms. Fisher and others who don't fall into one of the government's five priorities?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** I believe that in one sense Ms. Fisher may have already fallen into one of our five priorities, and that is a reflection on the fact that CT scans and MRIs, a diagnostic tool, have broad application across a wide variety of disease patterns and other things that may lead to surgery. In addition, each and every year since we've come to office, our government has invested more resources in hospitals, which have purchased an increase in service—that is, greater access to service—even beyond those specialized areas in the wait time strategy. The third piece is that, in Ontario, we will soon have the capacity to measure all of our surgical procedures. That's through our investment in the wait time information system. These are all investments that were made necessary because previous governments hadn't tackled them.

I take the particular case under advisement, but I can inform the honourable member that direct enhancement in services has resulted in a higher quality and quantity of services being provided. Of course, there is greater work yet to be done.

**Mrs. Witmer:** I'd like to remind the Minister of Health that the reason there was an ability to move forward at all is because we constructed the additional cardiac centres and cancer centres, and we introduced more MRIs and CAT scans.

But I'd like to get back to Ms. Fisher. She truly would do whatever it takes to get surgery. Your website tells her to talk to her physician—well, she's done that—and to her neurologist. She's willing to go anywhere for the surgery, but she still waits. If she were to call the website, it would also tell her that spinal/neck surgery isn't one of the Liberal government's priorities.

I'd say to you, Minister: You've spent millions advertising your wait time website, you've told the public wait times are down; however, Ms. Fisher is still waiting, almost two years later. How much longer must she live with this severe pain before her surgery is even scheduled?

**Hon. Mr. Smitherman:** It is an excellent question on the part of the honourable member because it quite appropriately reminds us all, as I'm doing all the time, that there's more work to do in health care. But what the honourable member doesn't help us too much with is to describe how those circumstances are going to be aided and abetted when her party proposes to cut \$2.5 billion out of health care. That's not going to advance the circumstances for the individual patient who's been raised in the Legislature here today.

We're making the appropriate investments in a wait time information system that gives us the capacity to measure the waits for all of those patients who are out

there, to register them and to prioritize them. This has been a substantial investment in both time and energy that has been made necessary because previous governments didn't make those investments.

I recognize, of course, that across the breadth of health care, there are many areas where further improvement is necessary. We agree. That's why we refer to the phrase "continuous quality improvement," recognizing that we've brought significant wait time improvement in a variety of areas and there is but more work to be done. That's why we will stay the course and continue to make the investments that are necessary.

**The Speaker (Hon. Michael A. Brown):** New question.

**Ms. Shelley Martel (Nickel Belt):** I have a question to the Minister of Health. Your demand to hospitals to balance their budgets is having a serious impact at Bluewater Health in Sarnia. To respond to your demand, the hospital is proposing to close its outpatient chiropody clinic by March 2007. This clinic provides preventive treatment to diabetics at high risk for serious foot problems like ulcers, infections and gangrene which could lead to amputations.

Frank and Isobel Potts and Beryl Tunks are here today. Frank uses the clinic twice a month. He is one of 1,300 diabetics who accessed the clinic over the last year. If this clinic is closed, Frank and many others will go without preventive care because they can't afford to pay privately for foot services in the community.

Minister, it's your demand to balance budgets that's forcing Bluewater to close this clinic. What are you going to do about it?

**Hon. Mr. Smitherman:** We know that, despite five years in government in the province of Ontario, this party continues to pretend that it's not necessary to ask people to operate within an allocation on an annualized basis. Bluewater in Sarnia is an example of a hospital, like every other one in the province of Ontario, that has seen an increase in its operating resources.

With respect specifically to the circumstances related to the outpatient foot clinic, there are services that are available in the community through VON, which is providing services both in Sarnia and in Petrolia. Patients were given a very long lead time, and it's my best understanding that the very same service providers will be operating in the community.

I will take under advisement the particular circumstances that the honourable member raises, but to the very best of my knowledge, we'll work hard to make sure these services are available for people in the community.

**Ms. Martel:** The reality is that, if this outpatient clinic does not operate at Bluewater, people like Frank and others are going to have to pay privately for foot services in the community, whether it be from VON or somebody else, and they can't afford to do that.

They're not the only ones who are concerned about this matter. On October 20, Sarnia city council passed a motion opposing this closure and requested a meeting with you. Petrolia town council, Inniskillin town council,

Plympton-Wyoming and Lambton county council are all opposing this closure as well.

It's ironic that in November, Diabetes Awareness Month, Frank, Isobel and Beryl have to come to Queen's Park to try and save this clinic.

Minister, you've told hospitals to balance their budgets. Here's an example of the consequences. I ask you again, what are you going to do to keep this publicly funded clinic open?

**Hon. Mr. Smitherman:** I know that the honourable member, on a daily basis, expresses a bias towards the provision of services inside a hospital. The point is, as was made in my earlier answer, that there are opportunities from time to time where services can be appropriately deployed and provided at the community level. This is one such case. I think that it makes a tremendous bit of sense.

I want to say to the honourable member, as I did in my earlier answer, that there are circumstances in Sarnia where we've given, this year, almost \$3 million in additional support for Bluewater hospital. We asked the hospital board, which is governed locally, to prioritize those services. In this case, I believe that because there are services available at the community level, they have decided to move forward with this alteration.

I want to remind members that all hospitals in the province of Ontario this year received more resources than last year, and they already know that they will in each of the next three years.

#### INFRASTRUCTURE RENEWAL

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** My question is to the Minister of Finance. The previous government had a habit of making cuts to spending without much thought as to how their policies would affect municipalities. The results were down-loaded services. Important issues, ranging from infrastructure repair needs to provincial loans, were neglected. In the end, these policies proved detrimental to our communities. The McGuinty government has shown that it sees things differently. It believes in working with municipalities to ensure delivery of quality services to people that all levels of government are supposed to serve: the people of Ontario.

Minister, the majority of people of this province don't differentiate between a provincial tax and a municipal tax. What matters to them is that the money they give to the government goes into providing the services they need. Can you comment on how this government is working with municipalities to ensure that the people of Ontario are receiving the best bang for their buck?

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I want to say to my friend from Stormont–Dundas–Charlottenburgh that I don't know if it's the work he's doing or the work that I'm doing, and certainly we're not going to take credit for it, but there's something magical happening in his community.

There are a number of municipalities, and I don't have time to speak about all of them, so just let me say a word about Cornwall, which we all know has been hit with some bad economic news over the course of the past five years. I invite people to visit Cornwall if they want to see for themselves some real, vital new growth in that community. I was there during the summer. Wonderful things are happening.

I might mention the \$2 million that is going to Cornwall under the Move Ontario initiative; almost \$400,000 to help in land ambulance; some \$5 million to help with the reconstruction of Brookdale Avenue, right in the centre of town; and \$1.2 million to assist with water purification plants. All of these things are matters that my friend has talked about, and I'm proud that we're doing them in his home community.

**Mr. Brownell:** This government is the first in more than a decade to demonstrate an understanding of the pressures facing municipalities, in particular those pressures that resulted from the "you deal with it" policy of the last government. By creating a collaborative working partnership with the communities of Ontario, we are ensuring results for those who matter: our constituents.

1550

This has been the case in my riding, particularly in the city of Cornwall. By taking the bold step of forgiving the city's downtown loan, the McGuinty government has shown its commitment to help Cornwall in its time of economic transition. The loan was one issue I have raised ever since being elected. Another issue is the payment in lieu of taxes the city receives in regard to the Saunders hydro generating station.

Cornwall feels it deserves more, and I agree with them. Minister, can you tell us whether the government will review this arrangement and see how best we can serve the people of Cornwall?

**Hon. Mr. Sorbara:** Can I just say a word about the forgiveness of the downtown revitalization loan? In the scope of Ontario's budget, it wasn't a large, large amount of money—I think, if I check my notes, some \$3.6 million—but it had a tremendous impact on the community. It's one of those things that I point to when I talk about how some really magical things are happening in the community of Cornwall, the city of Cornwall and environs.

Can I say one word before we finish, about the assessment of the Saunders dam? My friend from Stormont–Dundas–Charlottenburgh has made eloquent arguments on the topic, and certainly those arguments will have an impact on public policy.

#### VISITORS

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** On a point of order, Mr. Speaker: It's not to speak to the answer; it's to welcome to the Legislature this afternoon my niece Brittney Gellately and her roommate, Sasha Mallya, from Ryerson University. They're in their first year. They're here at the Legislature to see how we operate. I certainly welcome them.

## CORRECTION OF RECORD

**Mr. Ted Arnott (Waterloo–Wellington):** On a point of order, Mr. Speaker: For the record, yesterday in debate I informed the House that the Ontario Liberal Party had paid James Carville C\$65,000 for his 18-minute presentation at their convention. I, unfortunately, misspoke; it should be C\$56,000.

## VISITORS

**Ms. Cheri DiNovo (Parkdale–High Park):** On a point of order, Mr. Speaker: I just want to welcome to the House some members of the West End Angels in Parkdale–High Park, a wonderful drop-in, dinner and counselling program that has been running for about eight years: Pollie, Linda, and Gurjung Singh.

## PETITIONS

## GO TRANSIT TUNNEL

**Mr. Tony Ruprecht (Davenport):** I keep getting petitions signed by a number of people in regard to the dilapidated bridge on Old Weston Road and Keele Street. It's to the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation. It reads as follows:

"Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing;

"Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair Avenue–Old Weston Road bridge;

"Whereas this bridge (underpass) will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians (it's about 50 metres long). It's dark and slopes on both east and west sides, creating high banks for 300 metres; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street."

**Interjection:** People are enraged.

**Mr. Ruprecht:** People are enraged; this is true. "(This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

"Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow."

Since I agree with this petition, I'm delighted to affix my name to it.

## EDUCATION FUNDING

**Mr. Frank Klees (Oak Ridges):** I have a petition that was delivered to me by Eden Orr and her father, Michael Orr, and it relates to the issue of discrimination in the province of Ontario relating to the funding of faith-based schools. I will read it into the record.

"Whereas the Ontario government already ... funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

I am pleased to affix my signature in support of this petition.

## VISITORS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On a point of order, Mr. Speaker: I would like to introduce in the east gallery Wesley Reid of Darwin, Australia. He's here with Dan Bowman of St. Catharines, a lacrosse and hockey star, and Dan Gorman of St. Catharines, a baseball and hockey star. We welcome Wesley Reid from Darwin, Australia.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** On a point of order, Mr. Speaker: I want to introduce Mr. Charles Bannis. He was the assistant secretary to the Minister of Finance for the island of Dominica and is now here in Scarborough. I want to welcome him here. I don't know why he's not in the sunny island of Dominica but is instead living here in Scarborough Southwest.

#### BUSINESS OF THE HOUSE

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** It's always a pleasure to rise pursuant to standing order 55. I'd like to rise to give the Legislature the business of the House, not for next week but for the week of November 14, seeing as next week is constituency week and remembrance week.

On Tuesday, November 14, in the afternoon, second reading of Bill 155, Electoral System Referendum Act; in the evening, second reading of Bill 151, Budget Measures Act.

On Wednesday, November 15, in the afternoon, to be confirmed; in the evening, second reading of Bill 152, Ministry of Government Services Consumer Protection and Service Modernization Act.

On Thursday, November 16, in the afternoon, second reading of Bill 69, Regulatory Modernization Act.

I'll ask the page to hand this off to the table.

1600

#### ORDERS OF THE DAY

##### MINISTRY OF GOVERNMENT SERVICES CONSUMER PROTECTION AND SERVICE MODERNIZATION ACT, 2006

##### LOI DE 2006 DU MINISTÈRE DES SERVICES GOUVERNEMENTAUX SUR LA MODERNISATION DES SERVICES ET DE LA PROTECTION DU CONSOMMATEUR

Resuming the debate adjourned on October 30, 2006, on the motion for second reading of Bill 152, An Act to modernize various Acts administered by or affecting the Ministry of Government Services / Projet de loi 152, Loi visant à moderniser diverses lois qui relèvent du ministère des Services gouvernementaux ou qui le touchent.

**The Acting Speaker (Mr. Joseph N. Tascona):** Further debate? The Chair recognizes the member for Parkdale–High Park.

**Ms. Cheri DiNovo (Parkdale–High Park):** First of all, I wanted to say something about the form of Bill 152, and then I was going to speak about the actual content of it.

This is a bill with almost 200 pages. It covers eight different acts, many of them of some complexity. I consider it somewhat problematic that we have to deal with eight different bills in the space of time that it would normally take to deal with one. Every single one of these bills really has attached to it some problems and some pluses, and needs some attention. That's my first comment.

Having said that, I wanted to just walk through the eight different bills that are part of this omnibus, and the problems and pluses of some of them.

Land titles: I want to deal with that in some detail, so I'm going to leave that one.

Gift cards: I remember that our honourable member, Mr. Kormos, brought in a similar bill around gift cards quite a while ago. Certainly I have no problem with that. It's an atrocity that these cards have an expiry date; they shouldn't. That's very simple.

Just a few moments on the liquor act: It proposes changes to allow bars and restaurants to expand their licence to allow patrons to carry drinks with them to separate areas of an establishment, such as a washroom. This allows consumers to monitor their drinks and reduces the likelihood of an unknown substance, such as date rape drugs, to be put in their drinks.

I consider this very strange. First of all, it puts the onus for protecting oneself on the victim. The onus is put on the victim to protect, let's say, her drink by carrying it into the washroom, which seems strange and unsanitary in and of itself, rather than on the law. This is clearly a crime. It is a crime to drug another human being. Why don't we see some effort put into preventing the crime rather than dealing with the victim of the potential crime?

What would one want to see here? I think one would certainly want to see more inspectors. One would want to see some educational programs, perhaps directed at young men rather than at young women and what they do with their drinks. Clearly this is a huge issue dealt with in a very simplistic fashion, as if being able to carry a drink into a washroom is really going to address the problem of date rape. This is absurd. This is like addressing the problem of assault by just putting in brighter lights on streets. We need a law answer to this. We need an answer to the crime committed here, not a directed, simplistic bill aimed at the victim.

Another part of the liquor act would allow bingo halls to sell alcohol. Certainly in my riding of Parkdale–High Park and in other ridings I've been part of, the major users of bingo halls are generally the poorest members of our community. They tend to be seniors, by and large. They tend to be people whose means are limited, by and large. Quite frankly, in all my years of being involved in ridings, both as a clergyperson and now as a politician, I've never had any of them ask why they can't have a drink while they play bingo. So this seems very bizarre. This seems, again, like something brought in because, in this case, people want to sell alcohol; I can understand that. It certainly isn't being brought in because of the consumers, the people who actually use the bingo halls.

I think we would want to be a little reticent about extending alcohol into an arena where it's only going to add to the amount of gambling going on for those people in our communities who can least afford to lose money. This could take a whole section of debate, and a committee is needed to look at this part of the act alone. Basically, what I'm going to say throughout is that this bill should go to committee.

The bill deals with the electricity act, funeral homes, identity theft and business law modernization. What I'd like to zero in on are two sections of this bill, because really that's all I have time for: One of them is the funeral homes section, and the other is the land titles section, which I think all of us should be very concerned that it be addressed.

First of all, I know that all the honourable members here probably have funeral homes in their ridings. I hope that they've had a chance to meet the funeral directors in their ridings. If they have, they'll have discovered, as I have, that these are incredible people; they're people who really do serve the community. They provide a service that isn't easily substitutable. I know that for many, many years I've had the honour and privilege of working with a couple of those funeral homes as a clergyperson—Turner and Porter and Cardinal Funeral Homes in Toronto—and I've never met with anything less than true professionalism. I believe they actually do work for their clients, that they do the best for those who come to them. It was a proud part of my past. They, one should know, are vehemently opposed to this section in Bill 152, and I wanted to walk through why that is.

I'm going to quote first of all from the Canadian Federation of Independent Business. This is a letter that they sent to Rob Dowler on October 13, assistant deputy minister, Ministry of Government Services. This was from the body of the Canadian Federation of Independent Business, not from the funeral directors themselves, but I will go into that. The woman writing is Judith Andrew, the vice-president of the Ontario branch of the Canadian Federation of Independent Business. She writes:

"Regrettably, it has come to our attention that the principle of fair competition may be compromised in rules being considered for the treatment of municipal and religious cemeteries. As these entities are property tax-exempt, the issue of unfair competition arises if these so-called non-commercial cemeteries decide to engage in commercial enterprise, as they often do by selling monuments, or offering a form of funeral in their on-site visitation centres.

"The idea of requiring non-commercial cemeteries to make payments in lieu ... of property taxes would appear to be a wonderful strategy to level the playing field. A PIL strategy actually offers a double 'win' opportunity; PIL monies gathered in a central fund could also help small and abandoned cemeteries address their deficient care and maintenance funds, assuming the PIL-paying cemetery's own care and maintenance fund was sufficient.

"We understand that there has been some opposition to the idea of a central fund from the Association of

Municipalities of Ontario. It seems the municipalities would prefer to retain the PILs for use in upgrading the facilities at their own cemeteries, which would hardly be fair to the other businesses in the bereavement field. By the same rationale"—and this is the critical sentence—"a business should be able to argue that it be permitted to retain its own property taxes for reinvestment in capital facilities on site."

It goes on to say that the Canadian Federation of Independent Business "is an advocate for independent business in Ontario, and will not support legislation enshrining a competitive advantage for one group above another. The CFIB cannot support the policy that has been proposed regarding the unequal levying of property tax in the bereavement sector." That's from our friends in the Canadian Federation of Independent Business.

Now to those people who are involved in Open Dialogue, which is a group of funeral directors. Again, they write to Mr. Dowler, assistant deputy minister. This was sent on October 10. I quote from a letter sent about their concerns about this part of the legislation, Bill 152. Here I'm quoting from Kate McMaster, the executive director of Open Dialogue. She says:

"While we appreciate that the ministry is making significant progress toward proclamation of the act, Open Dialogue will not support a statute and regulation that will place our members at a competitive disadvantage. The BSAC goal of fostering 'an environment that will facilitate new business ventures' will not be realized by assessing new cremation facilities for property taxation while allowing existing crematoriums to enjoy a property tax/payment-in-lieu exemption. This creates, rather than eradicates, an unlevel playing field in the bereavement marketplace.

"Our discussion of funeral homes situated on cemeteries having an opportunity to skirt property tax assessment was most disturbing. On-site funeral homes will have the opportunity to make this space multi-purpose should they choose to line the interior of the funeral home with cremation niches and/or mausoleum crypts. This opportunity will not be available to existing funeral homes, established in compliance with the Funeral Directors and Establishments Act, who are situated on commercially zoned property.

**1610**

"Further, an on-site, multi-purpose funeral home/columbarium/mausoleum would have a strong case when petitioning MPAC for a property tax assessment exemption. A funeral home that houses human remains could argue that the 'predominant use' of the facility is that of a cemetery. Funeral rites and ceremonies might be conducted in that building for 12 hours per day, seven days per week; however, the human remains are housed in that facility 24 hours per day, seven days per week, in perpetuity. It strikes me that, based on the predominant use argument, MPAC would be likely to declare this facility a cemetery. Again, funeral establishments located in residential neighbourhoods are unlikely to have the ability to rezone their commercial properties to become a cemetery.

“Buildings that house human remains are property tax-exempt. Buildings that house human remains are able to access the cemetery care and maintenance fund to pay for upkeep in perpetuity. The fact remains that bereavement sector stakeholders have entered into these consultations in order to correct the statutory loopholes and regulatory gaps that exist in the current legislative framework. Permitting funeral homes to be situated on cemeteries without anticipating and addressing these, and other, unintended consequences will once again place existing, compliant, off-site funeral homes at a competitive disadvantage the minute ‘the ink is dry’ on the new act and regulation.”

There are other problems with this bill as regard to funeral homes and cemeteries. For one thing, it broadens the definition of who could be a funeral director. One of the great fears of Open Dialogue—this is the association of funeral directors, and it addresses this. They say:

“It has been proposed that a sales representative licence be established for the purpose of selling funeral goods and services to the public. This new licence undermines the traditional role of funeral director as unbiased counsellor, educator and adviser in all matters relating to the disposition and funeralization process. In our opinion”—again, a critical sentence—“contracts for funeral goods and services should be prepared, negotiated and signed by a salaried, trained funeral director, not a commissioned” salesperson.

I speak to the members of the House: Can you imagine a commissioned salesperson dealing with somebody who is traumatized at the time of their loved one’s death? Can you imagine a commissioned salesperson dealing with a senior at the time of their spouse’s death—also traumatized? Do we really want to allow this? Clearly, funeral directors in our communities say, “No. We don’t want commissioned salespeople selling funeral goods, funeral services to anyone.” We want funeral directors to be trained, to be salaried and to be working not at cross-purposes with the people they serve, not for money only, but in the best interests of the clients they serve. So again, a possible problem with this section.

They go on to remind us: “We support the ministry’s proposal to levy property taxes on land in commercial cemeteries being used to offer and deliver non-interment supplies and services. We cannot support non-commercial cemeteries (as currently defined) offering non-interment supplies and services paying a contribution comparable to property tax into their care and maintenance funds.”

So, really, what they’re asking for is a level playing field. This section in the bill creates an unlevel playing field. It gives cemeteries a distinct advantage, the way the bill is structured, over existing funeral homes. I think all of the honourable members here probably have a funeral home and some cemeteries in their jurisdictions, and one would want to be very cognizant of that and very sensitive to that—another aspect of this bill that really needs to be looked at in some depth and in committee.

I have a few minutes left, so I wanted to walk this House through some of the problems with the title fraud

bill section in this act as well. I can’t think of a better way of doing it than quoting from the Toronto Star on Tuesday, October 31. Bob Aaron, who is a lawyer, I gather, talks about what the problems are with the way this bill is constructed. He goes through a situation, and I’ll just walk through it because it’s complicated. That’s the problem: We’re dealing with some complex issues here, and they’re dealt with in this bill in some fairly simplistic ways. He says:

“Tony is a tenant in a house owned by Owen Owner—an absentee landlord. Tony Tenant obtains a fake Ontario driver’s licence and social insurance card in Owen Owner’s name from the same source that my dog Benjy used to obtain his own Ontario driver’s licence.

“Tony calls his local real estate agent, and lists the house for sale.

“No sign is placed on the front lawn at Tony’s request.

“The agent shows a number of buyers through ‘Tony’s’ house and eventually Peter Purchaser agrees in writing to buy the house from Tony Tenant, who is masquerading as Owen Owner.

“Peter Purchaser has a good job and excellent credit, and easily gets a mortgage for 75% of the \$300,000 purchase price from the bank.

“Peter and Tony (alias Owen Owner) retain lawyers for the transaction.

“Both lawyers practise only real estate law and are familiar with the antics of title fraudsters.

“On closing, both lawyers check their client’s ID cards and find nothing amiss.

“Tony’s ID, of course, is a high quality fake. The deal closes after the bill becomes effective.

“The two lawyers have unknowingly participated in the registration of a fraudulent deed.

“Shortly after closing, the real Owen Owner returns to Toronto and finds Peter Purchaser living in the home, claiming he owns it. Peter has spent \$75,000 on a down payment and \$50,000 in renovations.

“This scenario is not far-fetched. It has actually happened.

“Under Bill 152, the deed to Peter Purchaser is cancelled and the real Owen Owner gets his title back. So far so good—for Owen Owner.

“Peter Purchaser, of course, is in trouble. He, too, is an innocent victim of the scam.

“Willingly or not, Peter moves out and applies for compensation to the land titles assurance fund.

“Judging from its past practice, it could take the fund two or three years and tens of thousands of dollars in legal fees to get his down payment back.

“He may well have to absorb the legal fees he spends in the process, along with his renovation costs.

“Meantime, Tony, the fraudster, disappears. Peter Purchaser, having lost the house, stops paying the mortgage.

“Owen Owner moves back into the house.

“He reads Bill 152 and finds out to his horror that even though he owns the house again, the mortgage that

Peter Purchaser gave to the bank is valid even though the deed to Peter was forged.

“Owen can’t understand what good it is to get his house back if the mortgage on it—which he didn’t sign—is valid. Of course, he refuses to make payments on it.

“It isn’t long before the bank delivers an eviction order to Owen, claiming that its valid mortgage is in arrears. Owen then receives a notice that the bank is selling the house under its ‘power of sale’ in the mortgage.

“Peter Purchaser is also in trouble with the bank”—again, another innocent victim. “Since he signed the mortgage promising to repay \$225,000 plus interest, and since he understandably stopped making payments, the bank also sues Peter Purchaser for repayment—even though he no longer owns the house.

“The bank is not interested in waiting for Peter or the assurance fund to pay out its mortgage, so it evicts Owen Owner”—the original owner, remember?—“and sells the house.

“The bank is afraid it won’t qualify for compensation because Bill 152 says it had to demonstrate ‘due diligence’ with respect to its mortgage, and in fact it took Peter Purchaser’s application over the Internet and never met him.

“Now Owen Owner—who had his title stolen and then restored—goes to the fund to get compensation for losing his house a second time—once to the innocent purchaser who was himself a victim of Tony, and a second time to the bank.

“But it gets even worse, and the net spreads even wider. Owen and Peter are not the only victims of the fraudster.

“Two lawyers were involved in the transaction between Tony, alias Owen Owner the seller, and Peter Purchaser, the buyer.

“Both are licensed to access the Teranet land registration system which includes the government’s database for searching titles and registering deeds and mortgages.

“Although they are innocent of any wrongdoing and both checked their client’s identity cards, they both unwittingly participated in the registration of the fraudulent deed.

“Bill 152 allows the director of land registration to suspend immediately the Teranet access rights of any lawyer who has submitted an ‘unauthorized’ document.

“Despite the fact that both lawyers carry mandatory liability insurance and are governed by the law society’s strict rules ... under Bill 152 they can be immediately suspended from using the Teranet system without notice.”

I’ll stop there. But clearly there are problems with the sections of this bill that try to address land fraud. We know this is a major, serious problem in our communities as well.

#### 1620

Again, I stop where I started. Here is an omnibus bill that has way too much in it to be discussed with any legitimacy in the time allotted. It needs to go to committee. There are lots of problems in it. I’ve highlighted a

couple of them, one under the bereavement act portion and one under the Land Titles Act, not to mention the other strange aspects of the bill like the drugged drinks and licensed bingo halls aspects. So there are problems with this bill. I certainly wouldn’t be prepared to support it, but I would be prepared to send it to committee.

**The Acting Speaker:** It’s time for questions and comments.

**Mrs. Liz Sandals (Guelph–Wellington):** I’m pleased to respond to the comments from the member from Parkdale–High Park, specifically concerning the bereavement section of the bill. In fact, I think we need to look at what is in place now or at least what has happened.

Historically, there was a bereavement sector advisory committee, called BSAC, and the member referred to this. There were a number of competing interests in the bereavement sector. All the competing interests came together and reached consensus on a set of recommendations. Now, it is true that none of them are wholeheartedly happy with those recommendations. This happens in negotiations between competing interests: Not everyone is always happy. But Bill 152, which is before us, in fact reflects the compromise agreement arrived at by BSAC members. So what we have before us is the compromise.

Let me just point out that with regard to the whole issue of what happens when a cemetery sort of wanders into the territory of providing funeral services, at the moment, if that happens, there is no property taxation because it is a cemetery. Under Bill 152, what will happen is that if it is a commercial cemetery, it will in fact be obliged to pay property tax on that part of the enterprise which is deemed to be a funeral home, a casket sales office or a monument sales office, as the case may be. If it’s a non-profit cemetery, it will instead pay into what is known as the care and maintenance fund. But it is important to understand that the money is locked into the care and maintenance fund and can only be used for purposes around the care and maintenance of gravesites, which are very specifically laid out in legislation.

**Mr. Ernie Hardeman (Oxford):** Just a quick comment on the very extensive presentation made by the member from Parkdale–High Park relating to the bereavement section of the bill: I think it was very important because as I reviewed the bill, I didn’t get nearly all the problems that have been pointed out and that exist. I have had the opportunity to meet with a number of the funeral directors in my riding, and they weren’t talking about the things that they wanted changed in the present act. What they were talking about was making sure that the bill that was coming forward wouldn’t make it more difficult and less competitive for them to work within the community.

I was also very concerned about the comments made by the government side. They said, “Well, this isn’t really what the government believes in. This is the compromise position of the people we were talking to, what they wanted done, so we’re doing it. We’re not really sure that we agree with what’s there. This is the compromise of the industry.” I keep hearing that from the government in pieces of legislation. The other day I was

in committee and the minister said, “Well, I don’t necessarily agree with that part of the bill. It’s just there for discussion. And if enough people come forward to object to that part of the bill, then I’ll change it.” That’s not the way government is supposed to introduce legislation. We’re supposed to have legislation they believe in and think will solve the problems that have been brought forward, and we debate it to see if it can be improved upon. But it seems that that’s not the way the government does it.

So I really appreciate the fact that these things were pointed out. If that’s the way this government does business, I hope that it will go to committee and that these changes will be made, so my funeral directors will be able to conduct business in the fashion they’ve been doing it in. They’ve been very good citizens in my community, looking after people in bereavement situations, where they need someone who understands and can deal with their situation rather than someone who’s there, as was mentioned, as a commissioned salesman to see how much they can sell and how fast they can sell it.

**Mr. Michael Prue (Beaches–East York):** I rise to commend my colleague the member from Parkdale–High Park. She has been here but a couple of weeks, and I had to say when the door opened and she came in and immediately took her seat, you recognized her right off.

She gave a sparkling little speech of some 20 minutes and she touched on an aspect of the bill that I have not yet really heard anyone talk about, that is, the bereavement industry, the funeral directors, how this act is going to impact upon that particular enterprise. I’ve had an opportunity to hear many speeches around this, sitting in the chair, and quite frankly, this is a new element that she has added to the agenda. She is correct in noting that there is some angst in that particular community, that economic community, in terms of the bill.

I do not accept what has been suggested by the member for Guelph–Wellington that this is part of a compromise of Conservative-led people who have been brought together. The bill has to reflect what is best not just for the industry, of course, but what is best for all Ontarians. The member from Parkdale–High Park has pointed out some of the inadequacies as seen by those who are closest to it.

I’ve heard the minister and others in the government say that this will come before committee, and I would suspect that there will be a lively debate if this is brought before committee and if the members of the bereavement community have an opportunity to come forward and point out what is good and what is bad in the bill. If her speech is any indication, there are many people who are seeking very large changes. I’ve heard the minister say that he is willing to consider changes on many aspects, and I would hope that he is willing to consider them in this area as well. It is, as I said, a large industry in Ontario. They have not been properly consulted; the committee will be the time to do so.

**Mr. Brad Duguid (Scarborough Centre):** It was probably about three or four weeks ago that my father gave me a call, which is very rare—he is never the one

usually doing the phone calling—and told me that a friend of his by the name of Keith had called him up concerned about the mortgage fraud issue. So I want to read something into the record to give both Keith and my father some assurances as to what’s in this bill: “Amendments to the Land Titles Act that will ensure that all property owners, including homeowners, cannot lose their property because of a falsified mortgage, fraudulent sale or a counterfeit power of attorney. While the incidence of fraud is low, any level of fraud is unacceptable to this government. With this legislation, we are taking steps to prevent incidents of real estate fraud and protect Ontario homeowners. We are committed to actively pursuing additional steps to combat real estate fraud.” I hope that gives Keith and my father some reassurance in this area. I’m sure there are a number of people across the province who are welcoming these initiatives.

As well, I look at the consumer gift card issue and I think of a gift that my brother gave to me. I’m into family stories today. My brother gave me \$50 to the Black Dog Pub, which many people in Toronto would know is one of the finest pubs in the city. In fact, it’s been voted many times as the best pub in the city. I forgot all about it, I tucked it away and it has now expired. I know it will be too late now for this legislation, but I’m hoping Ken Rueter of the Black Dog sees fit to honour it anyway.

But this is the kind of thing that happens to people. Sometimes they get these gift cards, tuck them away, forget about them, and I think it will be very good for all Ontarians to be able to have those cards honoured. I thank you for the time and I thank the minister for bringing this legislation forward.

**The Acting Speaker:** For response, the Chair recognizes the member for Parkdale–High Park.

**Ms. DiNovo:** Thank you to the honourable members for their comments, some of which didn’t seem to have a great deal to do with what I said, but that’s okay. In response to those comments that did have to do with what I said, I heard that this was a compromise position, this part of Bill 152 that deals with bereavement, but clearly it’s not. It’s not acceptable, certainly not to the people at Open Dialogue, the funeral directors’ community. It’s clearly not acceptable to the Canadian Federation of Independent Business. These are formidable bodies. So one would hope that they would be taken into account. In a sense, as we heard, I hope, it’s really a way of non-profit cemeteries segueing into the funeral business with an unfair advantage. That’s what they are talking about. It gives an unfair advantage to some players in this business over others. That’s it.

**1630**

In terms of the Land Titles Act, I didn’t get to finish what Bob Aaron, who’s a Toronto real estate lawyer, had to say, but he does say:

“Bill 152 is the first baby step in addressing only one problem of title fraud, but it creates more problems than it fixes.”

“We still have a long way to go, and I worry that the title fraud dilemma will get much worse before it gets any better.

“The bill ... does not establish any system to ensure that people with fraudulent intentions don't still go on the land registry system,” which is the very intent of this part of this bill.

Again, when dealing with 200 pages of legislation—I'm not a lawyer—if someone who's not a lawyer can look at this, read this and pick apart some of the problems in it, I think there's no question that we want to send this to committee before it goes any further at all.

ROYAL ASSENT  
SANCTION ROYALE

**The Acting Speaker (Mr. Joseph N. Tascona):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to a certain bill in his office.

**The Clerk-at-the-Table (Mr. Todd Decker):** The following is the title of the bill to which His Honour did assent:

Bill 148, An Act to amend the Highway Traffic Act respecting the use of seat belts / Projet de loi 148, Loi modifiant le Code de la route en ce qui concerne le port de la ceinture de sécurité.

MINISTRY OF GOVERNMENT SERVICES  
CONSUMER PROTECTION AND SERVICE  
MODERNIZATION ACT, 2006

LOI DE 2006  
DU MINISTÈRE DES SERVICES  
GOUVERNEMENTAUX  
SUR LA MODERNISATION DES SERVICES  
ET DE LA PROTECTION DU  
CONSOMMATEUR

**The Acting Speaker (Mr. Joseph N. Tascona):** Further debate?

**Mr. Ted Chudleigh (Halton):** Apparently, the government doesn't want to speak to this bill.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** We don't have to. We're satisfied.

**Mr. Chudleigh:** Yes, they're satisfied. They want to pass it.

There are 54 sections in this bill. As the previous speaker just pointed out, she spoke to two of them and I think she could have gone on at length for some time on either one of those two sections. We're limited to 20 minutes. It's really unconscionable that 54 sections be jammed into one bill and expect this House to do due diligence on each of those sections while having a very limited time before the House to speak to each of those sections. However, that is the nature of this government: “Deflect, delay, deny and see how much we can get away with in the meantime.”

Today is an interesting day in the House. As you know, it is the last day before we have our constituency week break, when we will be involved in a lot of our

Remembrance Day services through the province. Many of the rural members will have four, five, 10 different services they might attend over the next week. It's always a very emotional time to stand before the cenotaph and remember those who have gone before. So going out on constituency week is the reason for the last day of the House today for the next 10 days or so.

It's also the last day for this set of pages. Pages generally come into the House for about six weeks at a time. Your period was six weeks? About six weeks at a time. Sometimes it's a little shorter because of holidays or whatnot, the end of the House or those kinds of things. But this has been an excellent group of pages. It's fun to sit here and watch the pages as they first come in. They're kind of looking around, getting used to their new surroundings, feeling their way. They've been instructed as to what to do and they do their job well, but there are always things that come up that aren't quite what they expect. Then, gradually, you'll see that one or two pages, four or five perhaps, get a little confidence. They walk with a faster stride. They seem to have an aura of knowing where they're going and what they're doing. There are always two or three pages with a twinkle in their eye that might reflect a little bit of mischief, and those are the ones who perhaps are the most fun when they get to know their way around this House.

I've been known to encourage pages, to see if they can find their way to the attic, especially this time of year when Halloween is here, because there is a ghost that wanders the halls of Queen's Park and it's been here for many years. Before Queen's Park was built here, there was what was called in those days an insane asylum on this spot. And the rumours are that—this is a long way from the bill, I know, Speaker, but it's a reflection on Halloween—there was a person who was buried behind that insane asylum and their ghost still haunts the fourth floor, where my office is. A former member of the table was the last person I've met who saw and experienced the ghost as she—it was a female—walked down the hall in a white dress and walked right through him. Those are his words—a reputable gentleman who used to sit at this table and is now enjoying retirement.

This is the last day in the House of our Clerk, Claude DesRosiers. It's sad to see him go, because it's been a great opportunity for me to have met an individual of that quality and character in this place. As you come in as a young MPP—maybe not young, but as a new MPP—you look for someone to give you advice. And no matter what kinds of advice you asked for, whether it be to perhaps create some mischief in the House or disrupt the House, which of course the table would not think was the proper thing to do, regardless of what you wanted to do, you could always count on the table to give you the proper advice as to what was right and what was wrong and what the standing orders really meant when you were talking to them. I think those kinds of things flow from the top down. I think Claude had that effect on the people who work in that area as well.

So this is the last day on three fronts. It is also a day of debate on what is a huge omnibus bill. One of the things

that strikes me on this bill is that there are 54 sections and they deal with 47 different bills. When this government was in opposition and there were occasions when our government of the day did bring in omnibus bills, because from time to time government has some things to pass and we lump them all together, the government of this day used to rail against omnibus bills. They would scream from the rafters as to how unfortunate it was that democracy had sunk to such a low level in Ontario as to be able to bring in an omnibus bill of this nature. I think Bill 40 in our first term was such a bill that caused a great deal of concern for the members sitting over there who used to sit over here.

It's an insight into the government's thinking that here they have introduced their own omnibus bill—and this isn't the only omnibus bill that's before the House; there are one or two others before the House. It's being rushed forward for debate before the consumers and other groups that are affected by this bill, by the legislation, have even seen the bill or been able to read through or understand which parts affect them, much less being in a position to respond to this particular bill. It's sad that consumer groups and business groups that are going to be dramatically affected by this bill—as we heard from our last speaker, the funeral home business is going to be dramatically affected by this bill, yet they have not had time to fully understand the effect this bill is going to have on their businesses.

Omnibus bills seem to have been designed in order to minimize the ability to debate the subjects to any degree of substance, so that bills that come to the House in an omnibus fashion can quite often create future problems for the government in that they have passed a piece of legislation that they don't fully understand. I know that happened to us when we were in government. We would then have to pass another piece of legislation to fix the legislation we passed before or to fix some small clause of it.

#### 1640

That is what can very easily happen when you don't have time to debate to any degree the various sections of this particular bill. This bill talks to some of the problems of real estate fraud, as the previous speaker spoke to. There is a bill before the House, a private member's bill in the name of Joe Tascona—who is sitting in the Speaker's chair at the moment—Bill 136, the Restore the Deed Act. It is a vastly superior piece of legislation in that it does protect many of the people whom this bill does not protect.

As we heard earlier, in Bill 152 the owner of a house who has been defrauded out of his house can still expect to own his house. However, he can also expect to have a new mortgage that he didn't want and that he did not get any benefit from, but he is responsible for that new mortgage. A new mortgage on a house in Toronto could easily be \$300,000 or \$400,000. Here he is owning the house that he owned before, probably mortgage-free or with a very low mortgage, and all of a sudden, he still owns his house, thanks to Bill 152, but he also has a

brand new debt of \$400,000, \$500,000, \$600,000—whatever the perpetrator of the fraud thinks they can get away with in financing this house.

So Bill 136 addresses this. Bill 152 does not address the fraud as it's perpetrated on the banks or mortgage companies. It doesn't protect the real estate agents, it does not protect the lawyers for the buyer, the lawyers for the seller or the lawyers for the person who owned the original house. I guess, in true fashion, Mr. Speaker, although I know you are a member of the Law Society of Upper Canada, there aren't too many people in Ontario who would have a great deal of sympathy for the plight of lawyers, but I think they deserve the same kind of protection that any other person in Ontario deserves.

Bill 136 does give some protection in that area; Bill 152, this omnibus bill that we're debating in front of the House today, does not. That's too bad, because there's a better piece of legislation around that this government should have a look at. Hopefully, when it goes out to committee and they have the opportunity to amend this bill, indeed they will be able to amend it and give the protections that are in Bill 136, Mr. Tascona's bill. Some of those protections can be incorporated into Bill 152 and therefore give some protection to people who own their homes and, through real estate fraud, may some day find themselves not owning that home or, if they do own that home, owning it with a huge new mortgage from which they had no benefit.

This omnibus bill is a cookie-cutter approach to resolving a lot of consumer issues that require public debate. Again, as I said earlier in my time here, this debate is so short that it's so very difficult to cover 54 different sections in a bill in a 20-minute time frame. If you did speak to the bill at second reading, and if you could speak to the bill at third reading, that might give you 40 minutes of speaking time, or perhaps 30 minutes if it was a 10-minute time frame; it still isn't enough time to cover more than two or three sections of this act. That's a shame, when you're bringing in laws that affect businesses in this country and the citizens of this province in very real and dramatic ways, to not have the time to discuss these bills properly to get it right. It's more important to get it right than it is to get it passed. The member for Oriole suggests that we're going to pass this bill, and we're going to pass it very quickly. It would be far more important to me to make sure that we've got the bill right, rather than get it passed.

The consumer issues: One thing the government could do is to break out all the consumer issues that are in this bill, and some of those consumer issues are very good. Some of them are needed—for instance, the gift cards, which, in the two-minute questions and comments, the member from Scarborough talked about. It has always been a bugaboo of mine that if you buy a gift card and you pay them your 50 bucks to get the gift card, that gift card should be good for as long as your 50 bucks is good. Your \$50 can sit in your wallet for many, many years; so should that gift card be able to sit in your wallet. Provided that the company the gift card is written on doesn't

go bankrupt, that card should be good. To have that card expire after you've paid your hard-earned money for it I think is wrong. This bill corrects that, and that's a wonderful section of this bill. But it's only one section of the 54 sections. There are another 53 of them that I have some problems with. The bill isn't completely bad. There's one good section in it, I should say. The possible amendments to this bill would include incorporating Bill 136, the Restore the Deed Act.

If I could make a few short comments on the real estate fraud issue, real estate fraud was addressed by one of the members in a two-minute question and comment period. Reading a statement into the record that this is going to protect your home doesn't make it so. Although the member may believe it makes it so, it doesn't. As pointed out by the previous speaker, although it protects his deed as such—he can still be the legal owner of the house after he pays his legal fees and after he goes through the legal gyrations that could cost him, with legal bills, another considerable sum—he's also going to have a new mortgage that he has no benefit from, as I've mentioned before. That's going to create a lot of adversity for a lot of people if these loopholes aren't covered up, aren't changed and made to be far more tough and stringent than they are in the current bill.

The unsafe electrical products portion of this bill: This government is focusing on enforcement after the accident, and parents and children will still be at risk. What we need is enforcement at the distributor level for products that are manufactured off-shore and shipped into this country, so that defective products don't get into the store and don't get into the consumer's hands. The CSA has done that for many, many years, and it has done an excellent job of it. I don't know why this unsafe electrical products section was put in here. Actually, it seems to weaken the current system, as opposed to strengthening it.

Enforcing something at the consumer level means that someone has to be injured, someone has to go through some injury or some discomfort in order for the product to be found to be less than sufficient, to be defective. I think that in Ontario that's wrong. That's not the way we've done things in the past. In the past, that has been done at the wholesale level, at the distribution level. Before you buy something, if you're a distributor, before you take on that product to distribute it, it's tested to see that it's safe. You take one apart to make sure that it's manufactured in a proper way. After that testing, if you're satisfied that it's going to be a good product, the Canadian Standards Association can put their seal of approval on it. It's a good way to protect consumers. The way they have this bill structured, it doesn't seem to be a step forward; it seems to be a step back to me.

**1650**

Finally, I'd like to make one comment on the Internet gaming prohibition on advertising. Again, this is a subject that is near and dear to the hearts of the Ontario horse-racing industry. They are losing huge amounts of money to offshore Internet gambling, where no taxes are

paid. The owners get no benefit from the betting that takes place or the wagering that takes place in Internet gaming. To prohibit gambling doesn't seem to go far enough. The racing community is in favour of this section of the bill. They want to see it go through. It's a small step. They know it's not going to solve the problem; it's going to drive the problem further underground. The whole Internet industry is available to most people through local providers, and to take some action against local providers who provide an offshore gambling process seems to be something that would be a lot stronger in legislation than this piece of legislation that merely is going to drive the industry underground. And although this is a step, it is only a very small step and it may be a step backwards as opposed to a step forward. But again, if this was taken out of the bill and was made into a separate piece of legislation or grouped with some other pieces of legislation which are more acceptable to more people, it would be a positive thing for this bill.

I see that I'm out of time, Mr. Speaker. Thank you very much, and I want to wish you very good luck on your Bill 136. It's by far a superior piece of legislation to what we have before us.

**The Acting Speaker:** It's time for questions and comments.

**Mr. Prue:** I listened intently to the speech from the member from Halton. I even copied down one of his lines, because I thought it succinctly said exactly what needed to be said. He was talking, of course, about the member from Scarborough Centre and what he had said during his two-minute hit. He said, and I hope I got it down—I'm not Hansard, but I hope I got it down—"Reading out a statement that your home will be protected does not necessarily make it so."

I think really that is the legislation we have here today, and I hope to deal with that when I get my own 20 minutes. That, in a nutshell, is the whole conundrum about this piece of legislation: whether this great big, thick act is going to protect people's homes or is not going to protect their homes; whether they are going to stay in their homes or are not going to stay; and, if they get to stay, whether they are going to have a mortgage that they never signed for and never expected. That's the whole thing that is in this act.

I want to commend the member for bringing it down to that one simple statement. It is not enough for government members to simply stand up and say, "Your home is going to be protected." I want to see that and we all deserve to see it within the four walls of the legislation. Try as hard as I might, I cannot find it within the four walls of the legislation. As a matter of fact, when I get my opportunity to speak, I'm going to show you how convoluted this legislation is, even for anyone to try to understand what is contained in it, because it is in schedule E where the whole statement is made about who owns the home, how a debt is incurred, and all of those things.

Quite frankly, I don't know how the member from Scarborough Centre can justify what he said, but I do

commend the member from Halton for showing in one small sentence exactly the preposterousness of what was said.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** Mr. Speaker, I didn't have an opportunity to wish the Clerk a happy retirement, but I wanted to do that on the record. We have an excellent Clerk and an excellent table that you work with, Mr. Speaker, and he will be missed greatly.

But in the remaining time, I just want to comment briefly on comments made earlier. I have to reiterate—I mentioned this last week when I spoke briefly on this bill—the number of calls that I've received in my office regarding the issue of mortgage fraud and the potential for people losing their properties.

I think one of the key issues is that a lot of seniors came to see me or phoned me and said, "Mr. Berardinetti," or Lorenzo, "I don't understand. How can it be that I could lose my home? I saw on television" or read in the newspaper "that someone can fraudulently file a document under the Land Titles Act and I could lose my home." I think to a person, to a senior, after their health being the most important thing they have comes their home property. At least in my riding I find that that's the case: health and then your home. You want to make sure you keep your home, so that in your later years of life when you're retired, you don't have something happen suddenly where you realize there's a fraudulent instrument that has been filed.

Reading from part of the act here, it says that if there is a fraudulent instrument that is filed, a party can put the proper instrument afterwards in order to rectify that situation. Also, "A person who ... suffers a loss can recover compensation from the land titles assurance fund if the person has demonstrated due diligence and is not otherwise restricted from recovering compensation from the fund." So it helps through compensation. That part of the bill is crucial, and we've acted very quickly to rectify a very serious problem.

**Mr. Ted Arnott (Waterloo-Wellington):** I'm pleased to have a chance to respond briefly to the member for Halton, who gave an interesting presentation this afternoon about Bill 152, An Act to modernize various Acts administered by or affecting the Ministry of Government Services. I'm pleased to see that the Minister of Government Services is here in the House, late on a Thursday afternoon before constituency week, to listen to this debate. We do appreciate your interest in the comments that are being brought forward by the opposition parties.

I know the minister would agree with me that this is a long bill, a complicated bill, with some 43 sections, with a diverse number of issues being raised involving the Alcohol and Gaming Regulation and Public Protection Act, the Athletics Control Act, the Bailiffs Act, the Condominium Act—it would take me more than two minutes, probably, to mention the 43 sections that are involved in this bill. I think you could argue that this bill, being 180 pages, would be characterized very much as an

omnibus bill, the type which to members of the Legislature is a challenge in terms of dealing with all of them in a short speech, a 20-minute speech. Even if we have a second reading debate that goes three or four days, we probably don't give sufficient attention to each of these issues.

The minister will probably agree to sending this bill to committee. I would hope that's the case so that we can have some public hearings and ensure that people who have an interest in this bill and the various acts that are opened by this legislation would have a chance to respond to it.

I want to compliment the member for Halton, Mr. Chudleigh, for the excellent presentation he made this afternoon. I think the government would be wise to listen carefully to the comments and observations he brought forward in this debate. I'm looking forward to the speech that's going to be coming forth this afternoon from the member for Oxford as well, I understand, and hope the government will listen to it.

**Mr. Bas Balkissoon (Scarborough-Rouge River):** I'm very pleased to add my comments to the debate on this particular bill. A lot of the comments and debate to this point have surrounded the Land Titles Act, title fraud and mortgage fraud.

I just want to share that a lot of residents in my riding have raised the issue since this was at the forefront of the news several months ago. My office has been in touch with these people and I've explained what the minister is doing here, which is, if such an instrument is registered against title, that such instrument will be declared null and void through the process and the land title assurance fund will help those people if they had to go through a legal process to restore title to their property. Although I was able to explain to my constituents that the incidence of fraud was very minimal compared to the number of transactions that the ministry does per year, there was still a little bit of concern. The public wanted to know that this will not happen to them. After I explained what we're doing with the new bill, they were quite satisfied.

I just want to add some comments on another part of the bill that recently was in the news in a particular area that I serve, and that is the new powers in the Electrical Safety Authority to proactively protect Ontario families from unsafe electrical products. The police in York region and the Toronto Police Service actually raided many stores in the region where I am, and north of me, in recent months and seized a lot of these products that were getting into the country that were not approved to be sold in Canada. I think it's great that we're doing this, because we have to be concerned about public safety. A lot of this—

**The Acting Speaker:** It's time for response. The Chair recognizes the member for Halton.

1700

**Mr. Chudleigh:** I thank the members for Beaches-East York, Scarborough Southwest, Waterloo-Wellington and Scarborough-Rouge River for their comments. Comments are much like debate itself; sometimes the comments being succinct and to the point can make just

as strong a point as a 20-minute ramble on a piece of legislation.

This is a piece of legislation that I think needs more than that two minutes. It certainly needs more than 20 minutes in order to express oneself about the concerns that this piece of legislation has. I didn't get into the funeral home issue in my speech. That would be one that I could spend some time on, as the member for Parkdale–High Park did. She made some very good points. I think I could go a little further, dealing with pioneer cemeteries and the kinds of things that face those cemeteries. There's also the issue of open graves that this legislation I don't believe touches, but it's a real concern to the people who run cemeteries across this province.

I would like to add my comments to those of the member for Waterloo–Wellington. It's often the charge of a parliamentary assistant to carry a bill through the House, so we don't always see a minister of the crown sitting and listening to the debate. In this case, the minister of the crown dealing with this, Mr. Phillips, is sitting in the House, listening to the debate, and I'm glad to see that, because this is a very interesting piece of legislation that a lot of comments are going to be made on. The member mentioned 46 or 54 sections of the bill. I'm sure the minister will pick up some comments and concerns and do his utmost to make things right for the people of Ontario.

**The Acting Speaker:** Further debate?

**Mr. Prue:** I welcome the opportunity to enter the debate. There's 20 minutes. I want to talk about a few specific sections.

Although it has received a lot of airtime, the issue that is most important to me, and I believe to my constituents, is that of the land titles; there is no question. I have had people into my office, people have sent me e-mails, people have sent me letters, people have sent me copies of Toronto Star articles where elderly people have been cheated out of their homes, and, quite frankly, the demand is fairly overwhelming that people want an end to this abuse. I have responded to all of them over the last number of months that I was awaiting the legislation of the government, and if the legislation would ensure that their homes were sacrosanct, that they would keep them, that they would not be the subject of having to pay penalties or monies, I would support the legislation. I do look forward to supporting that legislation, but I have to tell you that I want to assure myself on their behalf that this legislation is going to do exactly that.

Now, I am not a lawyer, although I have spent my entire working life around lawyers, whether it be in government as a politician or whether it be in government in my former life as a civil servant. Questions are always questions of law and how laws are interpreted. So I went to the precise section, schedule E, which is found on page 164, if any of the members want to follow along, just to try to determine how and why a house would be registered or unregistered and how the government would deal with it.

I have to tell you, I'm not sure where the government's going. If there's a lawyer in the House, if there's

anyone who can interpret what this actually means to assuage my fears, please come forward and I will cede the floor for just a moment.

Page 164, subsection (9), reads as follows:

“Effect of perfection or non-perfection and priority

“(9) Subject to subsections (10), (11) and (12), subsections 7(3), (4) and (5) apply for the purpose of ascertaining the location of the debtor in order to determine the law governing the effect of perfection or non-perfection, and the priority, of a security interest referred to in subsection 7(1), whether attachment occurs before, on or after the day subsection 3(2) of schedule E to the Ministry of Government Services Consumer Protection and Service Modernization Act, 2006 comes into force.”

Any takers?

**Mr. Duguid:** It's a piece of legislation.

**Mr. Prue:** My friend from Scarborough Centre says, “It's a piece of legislation.” This is what I need to assuage my own fear and the fears of my constituents, because they want to know if they are going to be protected by this bill. This section I just—

**Mr. Duguid:** Yes.

**Mr. Prue:** No, no. I'm not sure they are. Just hear me out. This section of the bill and the one I just read out talk about the “debtor.” In large part, they could end up being the debtor, under the terms, regulations and definitions that have been contained in this bill, if in fact the bank lends out money or mortgages the house, whether or not they are party to that mortgage.

This is an incredulous and a very strong thing that needs to be done, and I'm not sure that the bill here—I take the minister at his word, because I heard him over the course of several days while I was in the Speaker's chair tell debater after debater what he intended to do. He intends for this to go to committee—and I commend the government for sending it to committee—and he intends to make whatever changes the opposition, the government or anyone else who comes forward makes that are deemed practicable.

I want to make sure that that happens, because in the end we need to protect the legitimate owner of the home. This is not about somebody fraudulently moving into the home and kicking out the owner. That doesn't happen. This is a manipulation of the money market. It is a manipulation of the banks, which always seem to come off okay in this. I don't know why they always seem to come off okay. People are wondering why the bank, the mortgage company, the brokerage house or whoever arranges the mortgage is somehow held safe, and this legislation will largely hold them safe. In the end, they will not be losing anything. They will have insurance, they will have lawyers and they will have the courts. But the person who stands to lose the most is the poor homeowner who, unbeknownst to them, has their land sold out from under them. They don't know because nobody comes and says, “This is my house now” until long after the fact. They don't come and say, “This house is about to be mortgaged, Mr. Jones. Do you have any say on this?” It is done electronically and, quite frankly, in a

number of cases that have come to light, it is done very sloppily by the banks, the mortgage companies and the lawyers involved.

There should be due diligence required of all of these people, and I don't see that in the legislation. Banks should be required by law to do an inspection. Banks and the lawyers should be required by law to go out and knock on the door to ensure themselves that the person seeking to remortgage the house, the person seeking to sell the house, is in fact the one they have been dealing with, but they do not do that. In the end, it all comes down to a question of law.

I listened intently to two speakers, two lawyers who stood up and explained what this law will and will not do. Although he was good, my friend from Niagara Centre was not the most succinct. The one who was the most succinct and clear on what can happen under this laws as it exists before us was the member from Whitby–Ajax. She's a relatively new member of this House, but she has enormous experience in the whole area of mortgage law, of lending and of land transfer. She has huge experience. She explained in some detail how it is possible, under this law that is contained here, for someone to fraudulently take away a person's house. We know how that is done already.

**1710**

What disturbed me in listening to what she had to say, and what I feel needs to be reiterated to the minister who heard the speech from her—and I'm sure it's far more articulate than my own here today—was that you have a secondary action if the person who fraudulently got the house then legitimately sells it to a third party. It has to be flipped twice. That's the difficulty at that point, because it is then not a fraudulent sale or a fraudulent purpose. This is the difficulty that I can see happening.

These guys are sharp. These guys who buy these houses and do these things are pretty smart people. I don't know how many of you have ever been the subject of a fraudster or how many of you know of people who have had identity theft committed upon them, and how very smart these people are in defrauding the banks, the companies, the gas companies—all of those people who use credit cards. I always wondered who these guys were and how they always seemed to get away with it. And they do get away with it.

I myself, as I have said before in this House, was the victim of identity theft. Someone came along, claimed he was Michael Prue, came up with a fictitious address, even a different date of birth from my own, and the banks and the credit companies fell all over themselves trying to issue credit cards. In the period of one week or two weeks, that individual, whom I never met—nor did the police—and who was never arrested, defrauded the Bank of Nova Scotia, the TD Bank, the Royal Bank, Canadian Tire, Sears, gas companies, and I don't know how many other people before disappearing into thin air.

In the end, it didn't cost me any money. I didn't sign any of those forms. None of those were my credit cards. But in fact, it took me literally months and months and

months of effort and work to clear myself from Canadian Tire, from Sears, from the gas companies, from the credit card companies, from the banks, from the consumer bureaus, from the people I had to phone and phone and phone to say that that was not me and that I didn't owe them that money. In the end, it was all resolved. In the end, I ripped up all my credit cards because I didn't want to be stuck like that any more. It was a long time before I got another one. And to this day, when I try to make a purchase, I get questioned. I get questioned at some great length, using my own legitimate credit card, whether it is me. I have to get on the phone oftentimes and explain to the person at the other end, with my date of birth and secret codes and everything else, that it is in fact me. This is what happened to one individual.

What happened to me is minuscule compared to what happened to the people who've had their homes sold from under them. I want to ensure that when this law is finished, when it's gone through committee, that it doesn't matter whether it was sold once or twice or three times, or whether any portion of it was legitimate. If there was an illegitimate action en route, then the law should ensure that the original owner keeps the home, without any penalty, without any courts, without spending tens and hundreds of thousands of dollars on lawyers.

The law needs to be very clear that the compensation only goes to the innocent buyer of the house, if in fact there is an innocent buyer down the road. That is the person who needs protection for their money. The homeowner needs to be protected for their home. That's what I'm looking to see in the end, and I think that's what the public is expecting to see, not that the innocent homeowner loses their home in the end but is adequately compensated for it. Because a home is more than just the value of the property. It's more than just the \$100,000 or \$500,000 that you will get when it's settled. A home has memories. A home is where people bring up their children. A home is where people retire and expect to live for the rest of their lives. In some instances, people hope to die in their bed in their home. A home is a sacred thing to them. Money cannot compensate. In the end, they need to be protected so that their home is theirs. And the buyer, the unknowing person who comes down the road, who is himself or herself a victim of the fraud, needs to be compensated. That's what I'm looking at to see what happens.

I'm looking, Mr. Minister, to see action in four additional areas, and you've heard them before, that the land titles assurance fund will be adequate and sufficient monies made available to people for compensation, should these fraudsters get hold and should they take hold. I have no doubt in my mind that this has been successful several times. Minds far brighter than my own are out there trying to finagle and think of new ways of perfecting this.

I want to make sure that there is a clear law on who can register documents and that documents need, in many cases, to be put in by hand. Documents that I would suggest need to be not electronically done but put in by

hand are any ones that require a power of attorney. It may be as simple as that, that if a document is by power of attorney, it must be registered by hand, it must be seen by officials who must authenticate the veracity of a power of attorney. That was used in a couple of cases. If that's done, I'll think that's a safer thing too.

I'm looking to see a notification system where the banks and mortgage companies and others who lend out the mortgages must, by law, notify the previous owner of the house to see whether they are still the owner of the house. It would cost a 51-cent stamp or a visit or something, but it would ensure that that is done. When you're looking at millions of dollars—or hundreds of thousands of dollars for an individual home—it doesn't seem to be much, considering everything else that one pays.

I'd like to look at the whole use of powers of attorney for the sale of houses. Powers of attorney are fairly easy to get. I have a power of attorney for a family member. They're fairly easy to get. You sign them over. If the person feels that you are trustworthy, they can simply do that. Many people are unsuspecting, and we need to look at the powers of attorney when it comes to something as large as the sale of a home.

Having said that, that's what I'm looking for in that particular section. There are some other sections I'm looking at, but they're not as near and dear to me. The whole issue of the liquor act has been mentioned before. I don't know how strongly this bill is going to stop date rape drugs being put into drinks if drinks are taken into the washroom. I do know that in my previous life as a mayor and on the board of health of the city of Toronto, questioning about drinks and washrooms, the standard answer was given that drinks were not allowed in washrooms because it permitted intoxication. It permitted people who would take a mickey or a small flask into the washroom to pour that into the drinks. The bartender, the servers would not be suspecting a person who had ordered one or two drinks in a night of being intoxicated and then would suddenly find them that way either in the bathroom itself or on the floor or somewhere in the restaurant and would be legitimately perplexed—and responsible in law for how that person got into that circumstance with the limited alcohol that was being consumed. That's why drinks were not allowed in the washroom.

If they're now going to be allowed in the washroom, we also run the risk—I just want to tell you, I'm not opposed to this section, but there is the risk—that we will go back to a time and a place where people took alcohol in with them—in a purse, in their back pocket, in their suit pocket, whatever—and will be able to add to the drinks in the washroom. It's cheaper. People do it mostly for money, but we also have—that's the other side of the coin.

1720

I also wonder about the bingo halls, because as the mayor of East York and as a megacity councillor—I'm not sure which one I was—the city of Toronto looked at the whole issue of bingos, how the monies were given to

bingos—there were a lot of people wanting to come and make money off the bingos—and who got the proceeds, which charities got them. I was the vice-chair of the bingo committee at the city of Toronto for a while, and I remember asking about how the bingos could make more money and innocently posing the question, “Why don't you serve alcohol? You could make some money if you served alcohol, if you had beer or wine.” To a bingo and to a patron, I was told that they did not want to get into that game. If they went into it, others would go into it. It would become a never-ending cycle, and the people who were their patrons did not expect or desire to have alcohol in the bingo facility.

In fact, one older woman who came before the committee put it succinctly to me in a way that I had never really thought about. She said that going to bingo was her little piece of heaven. It wasn't so much the bingo and all the smoke that was in it and that stuff that was heavenly; it was her opportunity to escape from her house. It was a place where there was no violence. It was a place where there were no drunks and no alcohol. It was a place that she went to get respite from all of that. She put it very succinctly and very calmly in a couple of sentences, and that was the reality. I'm not sure; I've not heard a single bingo operator or a single bingo patron come up to me and say that they want alcohol in the bingo halls.

Some have told me that they want smoking back. I've heard that, and I'm sure you have too, Mr. Minister, but I've not heard a single one say they want alcohol. I don't know why we're going in this direction, unless of course there is a community request for it. If there is, fine, but if there isn't, I'm not sure that it's going to serve any real purpose.

I've only got a minute left. I was going to get into the last section. I'll just say what I've received: a couple of letters. One was addressed to Minister Phillips on November 1 from the Institute of Communications and Advertising about Bill 152, asking for an opportunity to appear before committee. I'll just quote the one sentence: “Given the impact of Bill 152 on the advertising business in Ontario and across the country, the ICA was both disappointed and surprised that the government made absolutely no effort to consult stakeholders on the bill.” I trust that they will be invited to committee and will have some say and input.

There are some other editorial comments on the same thing: “Online Gambling to Be Targeted” in the Lindsay Daily Post of yesterday, and “Blame Ontario: Internet Gambling Ads Under Attack,” October 27, 2006. We need to have a good look at what is being said here and see whether the law will stack up to everything that is supposed to take place.

I thank you for the opportunity.

**The Acting Speaker:** The Chair recognizes the minister.

**Hon. Gerry Phillips (Minister of Government Services):** I appreciate the thoughtful comments from the member from Beaches–East York. I'll focus my comments on the real estate fraud, the title fraud.

Just to assure the member, at the core of what we're doing here is to ensure that no one will lose their title to fraud and no one will have a fraudulent document registered against their title. In other words, you can almost lose your title if someone registers a mortgage that you're going to have to pay. At the core of the bill, that's what we are doing here. I'm satisfied legally that it's sound, but we may find that we need to tinker with the wording. But that's the core intent of what we've got here: to make sure no one loses the title or has a fraudulent document registered.

There are several other things in the bill as well. We're giving the registrar, the person who can dictate who has access to the system, more power to either revoke or suspend licences for suspected fraudsters by us working with our legal community and with the enforcement community.

I would say that there are some other things we have to do. We have to improve the land title insurance fund, and we will improve that. We have to do more on determining who has access to the system. There are three parts of it: viewing the title system, registering documents, and transfers. Transfers are where you transfer title. In my opinion, that has to be the most restrictive. Registering documents: I think we'll have to look at who can do that—mortgages and liens.

I just want to assure the member on his key point: The intent of the bill is very much that no one loses their title, nor would anyone have a fraudulent document registered against that title. You can begin to reassure your constituents that that's the intent of the bill. I hope it's the content of the bill; if it's not, it will be.

**Mr. Chudleigh:** Those are interesting comments from the minister. Of course, a lot of those authorities might be contained in regulation and it might very well happen, but from the way the bill is structured now, from the comments from the member for Whitby, from the comments from the member for Parkdale–High Park, that doesn't seem to be the way it's going to work. There's a great deal of concern that although you are going to maintain ownership of your home, that ownership may have clouds on it. You may be in debt, either through legal fees in order to get your home back or with a mortgage that you had no point in taking out, that you hadn't intended to take out, especially in your sunset years. You work all your life to pay off a mortgage, and all of a sudden—boom—you have a new one.

The member for Beaches–East York has a long history in dealing with local politics. He was a former mayor of East York, I believe, and has a long history of dealing with people and talking to them on the streets. The difference between a municipal politician and a provincial politician is that municipal politicians are in their ridings all the time, and they meet and know and understand people's concerns. I think this member pointed out in his speech the real concerns people have in a couple of areas of this bill.

Again, I would reiterate that it's too bad this bill is so big, so onerous, that it's very difficult to get through the

huge number of sections that are in this bill. There seems to be some debate as to exactly how many sections there are, but it's up around that 50 mark somewhere. It's too bad that these important items and issues before the people of Ontario won't be properly debated in an omnibus bill form.

**Mr. Berardinetti:** I appreciate the comments that were made by my friend the member for Beaches–East York. I just wanted to make a very brief point, and that is that I'm not practising law right now. I am a lawyer. But when I did practise in the early 1990s, one of the biggest problems my partner and I had was in the real estate area. Insurance claims against lawyers went up tremendously, and the reason was that lawyers were offering to do real estate transactions for a ridiculously low price. In fact, the prices were so low that my partner and I couldn't understand how they could possibly make a profit, unless they handed the materials off to a law clerk or a secretary to review and then the lawyer would just sign off on the document and file it.

As a result, a lot of improper registrations took place, and a lot of problems occurred. As a result, many people ended up suing the lawyers who were involved in these cases, and it created the new insurance for lawyers, which, to this day, is quite expensive for a practising lawyer. I paid into it when I did practise law, and it kept going higher and higher. I think one year it was near \$6,000 per lawyer just to cover the costs of these fraudulent transactions.

I think this bill is trying to deal with documents that are fraudulent being registered. Part of this can also be human, and we hope that the law society and those who govern lawyers keep an eye on the few bad apples who are out there, as in any other profession, unfortunately, who may not do due diligence on their part and may file something that is fraudulently registered and not properly examined.

Those are my comments.

**1730**

**Mr. Hardeman:** I would like to thank the member from Beaches–East York for the presentation made on this bill. I think it's indicative of the problem with this bill, its magnitude and the fact that, as you read it, it doesn't seem to deliver on the purpose of the bill as it was addressed by the minister upon the introduction of the bill and was again explained in the two-minute presentation the minister just made. I think all of us would agree that the intent he expressed is what we would all want to see, particularly as it relates to mortgage fraud: that no one's home should ever be lost because of fraudulent action on someone else's part. You should not lose title to your home, nor should you wake up some morning and find that you had a home that was paid for but now, with your limited income, you can't make the mortgage payment that someone else has created on your home and in fact you lose it only a few weeks down the road.

That's really the purpose of that part of the bill, and as was presented by the member from East York and as I

read the bill—I don't purport to be an expert on mortgage fraud either, but I don't think the bill actually deals with that issue. That's why I think it's so important that we have the debate and hear from not only this House but from the public at committee hearings. We take the minister at his word when he suggests that is the intent of what he wants in the bill and that amendments will be made to the bill to actually accomplish that goal.

**The Acting Speaker:** It's time for a response.

**Mr. Prue:** I'd like to thank the four members of the House who stood to comment on my statements, the Minister of Government Services and the members from Halton, Scarborough Southwest and Oxford.

First of all, I want to commend the Minister of Government Services. This is the first time in the five years I have been here, not that a minister has been here but that I've actually had a minister respond to the bill, take my suggestions, assuage my fears and promise to do what I have requested be done in order to make a good bill better. I wish this would happen every day. I want it on the record that having a minister here who does what Minister Phillips has done here today would certainly make bills' passage through this House and through committee much easier and much more amenable to all members, especially members who are not on the government side. We do want to make sure that the legislation is as good as it can be, and our job in the opposition is of course to point out any potential flaws that may be contained therein. Having spoken to the bill and having listened to the minister, I thank him. We will see what happens on the whole issue of mortgage fraud in committee. Hopefully, if there are any errors or omissions, they can be improved.

I also want to thank the members from Halton, Scarborough Southwest and Oxford for speaking in terms of things I had initially raised in my 20-minute speech. All too often that doesn't happen either, but the members seem to have been attentive and were dealing with the same issues. I thank them for their comments.

Hopefully, when this bill goes to committee, we can do what is right by all the residents of Ontario and ensure that mortgage fraud is made history in this province.

**The Acting Speaker:** Further debate?

**Mr. Hardeman:** I'm pleased to comment on Bill 152, An Act to modernize various Acts administered by or affecting the Ministry of Government Services. I think it's rather important. For anyone watching, and I'm sure the people in this Legislature are listening, it's the same thing everyone has been debating since routine proceedings and question period finished. The reason I think it's important to read the title is that the title would imply that it's just a housekeeping bill to deal with a number of issues just to modernize the language and the processes put in place in the legislation that affect the Ministry of Government Services. Having said that, I do believe, as we look at the bill—let me check. I think it's 179 or 180 pages. That's a lot of housekeeping and a lot of modernizing that's required. I was taken with that, to think that a bill that would just be dealing with the issues

at the Ministry of Government Services would require that much housekeeping. Then of course we checked the bill, and we found that it deals with quite a number of issues well beyond what one would consider the modernizing of the legislation. I just want to go through the list of some of the things it does.

We've heard a lot of debate in the House this afternoon about real estate fraud and changes to the land registration system. I think, if we look at the bill, that's likely the section that's going to get the greatest amount of debate, because the fraud that takes place in the real estate industry has one of the larger impacts of the issues that we're dealing with here in this bill. So I think it's natural to assume that that would require a lot of debate. But at the same time, I think it's not natural to assume that one would think that was just modernizing an act in the Legislature. I would be more inclined to think that's something that should require thorough debate and a piece of legislation that dealt just with that, so we could actually have the people who are involved in that and the stakeholders be aware that this was taking place and they would have an opportunity to make their presentations to that very important issue.

The second one I wanted to mention was the gift cards and prohibiting expiry dates. I think that would be on the other side of the ledger. I truly believe it's an important issue. I don't think that if someone buys a gift card and pays the Queen's currency for that and gives it to someone, and just because it's misplaced and it's laying there for a while, at some point the seller of that certificate could not honour what they took in good faith. They took the obligation to provide that service or that product for that money and I think they should be held to that. That's a very good part of the bill and I think it would come to modernization and the housekeeping part of it. I think that would fit.

Identity theft protection measures: Again, I think that's a very important issue. The member from Beaches–East York mentioned the fact that he had had trouble with someone using his credit card and how difficult it was to solve the problem. He had convinced the credit card company that he didn't owe the money, but at the same time he had a lot of trouble getting all the people to recognize that his credit wasn't bad; it was someone else using his credit card.

As recently as about six months ago, I got a call one Monday morning questioning me as to what I was doing in St. Thomas and whether I was using my credit card this morning. I said, "No, I'm not in St. Thomas and I'm not using my credit card." "Well, could someone else be using your credit card, because there's some erratic spending going on on your credit card?" They gave me some of the numbers of what was being spent, and I said, "Well, when was all this done?" He said, "This morning. That's why we're calling you, because all these purchases were made this morning." He said, "Could someone else have your credit card?" I said, "No. There are two copies. I have one and Reta has the other one, and she is at work in Sweaburg, so she is not in St. Thomas."

So obviously there was no one spending my money in St. Thomas. "Well," he said, "they may not be spending your money, but they're using your credit card."

It turns out that \$2,400-plus had been spent that morning, and he called me at about 11. I have no idea how they did it, but they had spent it and I did get in my next statement a listing of the expenditures and where it had been spent. I was fortunate, a little more fortunate than the member from Beaches-East York. I was told immediately I would not have to pay the bill, and it never was on my statement again. But at the same time, that's how easy it is for someone to get your private information and use private credit cards. So I think it's very important that we look at the issue of identity theft and protection measures.

The expansion of ServiceOntario: I support the minister's suggestion as to what needs to be done there, that ServiceOntario could be doing more than it's presently doing. It's a service that the government has, and the more services we can provide through that to the people of Ontario, the better. I think that's a good issue.

#### 1740

The Internet gaming and prohibition on advertising Internet gaming, I think we would agree, is not a bad suggestion. Yet, as we look at the comments that have come in from people who deal with that issue and look at that, there are a lot of people suggesting that stopping that advertising may not be as simple as the legislation purports it to be because of the breadth and size of the Internet system, where most of what's happening is happening outside of Ontario—or outside of Canada, for that matter. So it's going to be very difficult, and there are a lot of people who suggest that the bill may not meet the objective that the minister has set in doing that.

Liquor licence changes, including allowing patrons to take drinks into washrooms: I have some concerns. I think we all have been reading the stories in the paper and recognizing in our community that this is happening a lot: People go into a bar, and then have to leave the bar itself and go into the washroom, and then they come back and something has been added to their drink. I don't think that's an acceptable thing to happen, so it's appropriate to look at how we can correct the problem. But we need to be careful on that, just suggesting, as we do in this bill, that we may regulate the expansion of the licensed area so that people can take their drinks with them when they walk out of the actual licensed area and go into the washroom or out into the hallway. It sounds to me like it's not very well thought out in the bill as to what that actually does. If that is the answer to the problem of date rape and slipping the goods into the drink, I would suggest that the minister automatically would have just changed the licensing system to include all licensed areas. Obviously, in order to get a licence, you have to have the washrooms, and you have to have it defined, and that's all inspected when the premises are licensed, that you would include those areas just in the licence area. The bill doesn't do that. The bill suggests that that will be an option the owner of the establishment will make, whether he will allow that or not.

I guess the question would be, if the owner of the establishment decides he has some concerns about what will happen when he allows that—it's been brought up in the debate previously and I've heard it in my community—then, if someone takes their glass out of the licensed establishment on their own, they may very well come back with their drink replenished because they brought in their own. So they now go into the bar and don't have to buy their next drink because they brought it in the bottle. Or it may very well be that people go to exchange drinks with someone else, and that someone was not served underage but 10 minutes later may be sitting in the licensed establishment with a drink that they never really purchased there, but it was purchased there in a roundabout way. We have no way of protecting the owner of the establishment or the servers to make sure that they are not serving underage drinkers.

If those concerns are addressed, or are weighed against the protection of the drink, I think the government should make the decision as to which one weighs the heaviest. Will carrying the drink with them protect society better, and will that be more advantageous than the risk they're taking? If the bar owners and the owners of the establishment are asked to make that decision, then the public, I would think, would have a concern as to why one establishment would allow that to happen and the other one wouldn't. If it's good for one, why wouldn't it be good for everyone? If the government is sure that it's the right thing to do, I think they would do it for them all, or they would say, "I don't think this is going to work, so we won't do it for any." I think the minister needs to be more definitive. If that's the answer, let's get on with implementing it in all drinking establishments so the safety of our patrons is the same regardless of which establishment one goes into.

The access-to-privacy changes: I know that's required as we look at the issue of enforcement and going across ministries. Obviously there is a need to have regulations or legislation to allow the exchange of information between ministries. I don't see any problem with that, and if we're going to have a more efficient operation within the government services ministry, I think that's a good idea.

The electrical safety, changes to regulations and enforcement regarding unsafe products: My understanding of that section, and the minister can correct me, is that the enforcement of the regulations is with the consumer who purchased the product as opposed to the distributor who was distributing the product that doesn't pass a certain standard. It would seem to me that we would have a better answer if we were actually stopping, or doing our best to stop, the unsafe products from being on sale as opposed to telling people after they bought them that they shouldn't use that product because it doesn't meet the safety standard.

The changes to the Business Corporations Act are one of those things that do relate directly to the title of the bill, housekeeping, a modernization of the corporation act as to who is on the board of directors. It seems like a reasonable approach to modernize that.

Changes to the bereavement sector legislation: I think we've had some debate about that, the issue of the bereavement sector and changing the fact so that if the funeral home is private sector, it's treated differently than if it's a public sector, not-for-profit organization. I think there's a real concern there that you have to have a level playing field for all the players in the game. To give preferential treatment tax-wise and so forth for the not-for-profit sector I think is not fair to the good folks there.

The other thing that was mentioned earlier was the issue of not having to be a funeral director to be in the business of selling that service to customers. Having gone through it a time or two with family and so forth, I think it's very important that the people who do the facilitating of the funeral and the whole bereavement process are the type of people who understand the situation and have the experience to deal with that. That's very important. I think that's the type of thing that would come out at the committee hearings to make sure not that we restrict what people could or couldn't do but, at the same time, that only people who are qualified to do certain things are the ones doing them.

There's another list in the bill that actually house-keeping. The Athletics Control Act contains search warrant provisions.

Changes of name: I think that's one of the things that our constituency offices had a lot of concerns with, when people want to change their name and the length of time it takes and the things that they have to go through. I think it's a very good idea to look at being able to facilitate, to modernize the systems as it's going through and to dispense with the publication of notice for the name change in the Ontario Gazette.

The Condominium Act: Again, that's just a change in the time periods for notice for prosecutions.

The Real Estate Business Brokers Act, 2002: It would ensure that brokers and salespersons maintain insurance. I think that's a very important thing. That's a real consumer protection item to make sure that people who are providing a service are insured for anything that goes wrong with the service they're providing.

**1750**

There are a couple of others—the Repair and Storage Liens Act—to create the cost-control mechanism for seizures of property. Again, I think it's important that there is some standard, but in that one, I think it's very important that we also make sure that we don't put something in place that prohibits the ability of business to do business, that they don't get hung out to dry on the lien part and the seizure part because we've set limits that are well below what they should be.

I just wanted to go back to the original premise of the bill and the fact that I have concern with the size and the number of issues that are in there. I think it's very important that most of the bill be passed, and I support it going through as expediently as possible, but there are things in it that require a lot more debate. So I think that's very important.

Seeing that the minister is listening attentively, I have here a quote that relates to this, and I thought I'd like to

read it into the record: “As previous members have said, this is an extremely complex bill. It amends 27 different acts”—and, of course, this one here amends about that many—“and creates two new acts. We're truly dealing with an omnibus bill. I happen to think it's inappropriate to do this, but the government can do whatever it wants, and I think that's unfortunate.” That was Gerry Phillips on November 7, 2002.

Incidentally, the bill he was talking about was a budget measure, the Keeping the Promise for a Strong Economy Act. I think it would likely be quite a bit similar to this one right here. I couldn't have said it better myself. I know the government can pass it, and I expect they will.

The one other thing, though—I don't know where I've got it here, but it was another quote that I just wanted to read in.

“I can tell you that even before the bill was introduced we asked the government not to introduce a bill in an omnibus form. We said that if there were four separate special advisers who came up with four separate sets of recommendations affecting four separate and distinct communities, then surely, logically and in fairness there ought to be four separate pieces of legislation.”

That was Dalton McGuinty on December 20, 1999. That was on the Fewer Politicians Act. It would seem to me, if that's the way it was then, I expect that's the way it is now. So I'm concerned that we have some major changes as it relates to the mortgage fraud situation and so forth.

I just very quickly wanted to say—and I was pleased to hear the minister say again that no one should lose their house or be stuck with a mortgage on it. If that is not what the bill says—as I read it, it doesn't—I hope that before we get through with the public hearings and the amendments it will do those two things: that no one would lose title on their house; and no one, through fraudulent action, would end up with a mortgage on their house that they had no part in putting there.

Thank you very much for the time allotted for me to speak to this bill. We look forward to much further debate and committee hearings to make sure that when it's finished, it will be in the best interests of all Ontarians.

**The Acting Speaker:** Time for questions and comments. The Chair recognizes the member from Beaches—East York—oh, the minister? The member from Beaches—East York gives his time to the minister.

**Hon. Mr. Phillips:** I appreciate the comments from the member from Oxford and his going through the bill in quite a few areas. I can only touch on a few of them. Your comment regarding if the bar should be mandatory: I think there are 11,000 licensed establishments in the province of Ontario, and some of them are like a Swiss Chalet. I'm not sure that the Swiss Chalet has the same needs as a large bar does. We were trying to be conscious of reflecting the needs of our business community and not trying to have sort of a one-size-fits-all proposal.

On Internet gaming, that's quite a little debate. What we've found there—and the member for Halton knows

the horse industry very well. They came to us and said, "Listen, we're being very dramatically and negatively impacted by Internet gaming. Internet gaming is illegal. We're playing by the rules. What are you going to do?" This was one step that we, the province of Ontario, could see we could take as generating some fair interest.

The Ministry of Government Services does have quite a few different areas that we're dealing with. It's a cliché, but what I find is that we live in a rapidly changing society and the needs change quickly. Real estate fraud is a good example of that. We're trying to keep up. I think we, the Legislature, have to find ways in which our laws can keep pace with the pace of change that's going on in society, and that's the purpose of the bill, trying to modernize our acts.

**Mr. Chudleigh:** In the time remaining, it's a well-thought-out speech, as you might expect from the member, who has dealt with municipal government and knows full well how to discuss issues with people and the issues that concern people. His large network of contacts allows him to understand how the system works and to reflect those comments in this place.

With a bill of this size, it's difficult to get the reflection on each and every section of the bill. I was particularly interested in his comments and quotes from members who are now sitting over there and were at one time sitting over here in frustration. I can well imagine that there are probably enough quotes from the member for St. Catharines on omnibus bills and time allocation motions that they would fill up several binders of Hansard if we could pull them all together. That might be an interesting project if someone had an intern to pull together the member for St. Catharines' comments in those areas. Certainly when he was sitting over here—I think he sat there—he would go on for an hour in those days when he had that opportunity to talk about time allocation motions and omnibus bills, which he used to say stifled debate in one way or another and didn't make for good legislation when it came before the House. I would never have admitted it when I sat over there, but when I sat way over there at the back, I may have agreed with some of those issues.

**Mr. Prue:** I listened intently, as always, to the member from Oxford and what he had to say. He offered very many things to the debate, some of which had been said by other members, but what I wanted in my two minutes to zero in on is the whole issue about omnibus bills. It's omnibus bills that I think get him a little angry, and perhaps all members of the opposition, because what you have here is a 200-page bill with 40 sections, 40 different laws, and trying to put some kind of thought and careful analysis behind what is contained in the body of it.

There is no doubt that the overwhelming number of speakers have spoken about the mortgage fraud issue. There is enough in that particular portion of the bill to justify its own bill. There's no question. That would occupy the amount of time necessary to carefully look at that within this Legislature.

I understand the need for omnibus bills. I understand omnibus bills when there is a whole set of non-contentious issues that do not need to occupy the time of the Legislature. But he is correct: This one portion of the bill has grabbed public attention like very few issues that come before this House. The number of phone calls, the number of e-mails and the number of people who came in to visit me, worried about what was going to happen to their house, was far more than I see on literally every other single issue before this Legislature. I would hope that the government is listening. I would hope, although it won't have anything to do with this particular bill, that in the future, if there are omnibus bills, and I know there will be, contentious or huge issues not be included in them. They need to be separated out. They need to be debated solely and on the merit or non-merit of them.

**The Acting Speaker:** Questions and comments?

Time for response. The Chair recognizes the member from Oxford.

**Mr. Hardeman:** First of all, I want to thank the minister for his comments on my presentation and also thank him for the answers to some of the concerns. Although I agree that there are differences between Swiss Chalet and a bar, I think we need to make sure that public protection is the same regardless of which bar they go into. That's really the point I was trying to make.

I do want to quickly point out an article in the Toronto Sun on October 20: "But critics warn when it comes to the fastest-growing crime of identity theft and mortgage fraud—which has ripped off innocent victims of billions of dollars and tossed them from their homes—the Liberals' new laws don't go far enough." That's referring to the laws being introduced here. That was introduced, of course, on the 19th.

In his statement when he introduced the bill, the minister he committed to—and I think this is important—"actively question who should be able to register documents in the land registration system and what requirements they need to meet regulation authority" and to "consider a notification system that notifies property owners when certain dealings are registered against their property." The question really is, Minister, "actively question" and "consider" should be done before the introduction of the bill, not after. One would think that we would have an answer to that, that we could be debating whether it was the right answer rather than just to actively question and consider who that should be.

That's really the problem I have with the bill, and it relates to the mortgage fraud issue. Is what is in the bill going to be any better than what we presently have? That's a real concern I have. I hope that at the end of the debate and at the end of these committee hearings that will be answered, "Yes it will, and it will solve the problem."

**The Acting Speaker:** It being past 6 p.m. of the clock, this House stands adjourned until Tuesday, November 14, 2006, at 1:30 p.m.

*The House adjourned at 1802.*

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