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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 25 April 2007

Mercredi 25 avril 2007

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Deborah Deller

Greffière
Deborah Deller

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 25 April 2007

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 25 avril 2007

The House met at 1845.

ORDERS OF THE DAY

ENDANGERED SPECIES ACT, 2007 LOI DE 2007 SUR LES ESPÈCES EN VOIE DE DISPARITION

Resuming the debate adjourned on April 17, 2007, on the motion for second reading of Bill 184, An Act to protect species at risk and to make related changes to other Acts / Projet de loi 184, Loi visant à protéger les espèces en péril et à apporter des modifications connexes à d'autres lois.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated April 23, 2007, I am now required to put the question.

On March 28, Mr. Ramsay moved second reading of Bill 184, An Act to protect species at risk and to make related changes to other Acts. 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.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1846 to 1856.

The Deputy Speaker: All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Ferreira, Paul	Mossop, Jennifer F.
Balkissoon, Bas	Flynn, Kevin Daniel	Munro, Julia
Bartolucci, Rick	Fonseca, Peter	Oraziotti, David
Bentley, Christopher	Horwath, Andrea	Peters, Steve
Berardinetti, Lorenzo	Kormos, Peter	Qaadri, Shafiq
Broten, Laurel C.	Leal, Jeff	Ramal, Khalil
Brownell, Jim	Levac, Dave	Ruprecht, Tony
Caplan, David	Marchese, Rosario	Sandals, Liz
Chan, Michael	Marsales, Judy	Savoline, Joyce
Chudleigh, Ted	Matthews, Deborah	Smith, Monique
Colle, Mike	McMeekin, Ted	Van Bommel, Maria
Di Cocco, Caroline	Miller, Norm	Wilkinson, John
Duncan, Dwight	Mitchell, Carol	Zimmer, David

The Deputy Speaker: All those opposed, please stand and be recognized by the Clerk.

Nays

Martiniuk, Gerry

The Clerk of the Assembly (Ms. Deborah Deller):
The ayes are 39; the nays are 1.

The Deputy Speaker: I declare the motion carried.
Pursuant to the order of the House dated April 23, the bill is ordered referred to the standing committee on general government.

SAFEGUARDING AND SUSTAINING ONTARIO'S WATER ACT, 2007

LOI DE 2007 SUR LA SAUVEGARDE ET LA DURABILITÉ DES EAUX DE L'ONTARIO

Resuming the debate adjourned on April 18, 2007, on the motion for second reading of Bill 198, An Act to amend the Ontario Water Resources Act to safeguard and sustain Ontario's water, to make related amendments to the Safe Drinking Water Act, 2002 and to repeal the Water Transfer Control Act / Projet de loi 198, Loi visant à modifier la Loi sur les ressources en eau de l'Ontario afin d'assurer la sauvegarde et la durabilité des eaux de l'Ontario, à apporter des modifications connexes à la Loi de 2002 sur la salubrité de l'eau potable et à abroger la Loi sur le contrôle des transferts d'eau.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated April 24, 2007, I'm now required to put the question.

On April 12, 2007, Ms. Broten moved second reading of Bill 198, An Act to amend the Ontario Water Resources Act to safeguard and sustain Ontario's water, to make related amendments to the Safe Drinking Water Act, 2002 and to repeal the Water Transfer Control Act.

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.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1900 to 1910.

The Deputy Speaker: All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Flynn, Kevin Daniel	Mossop, Jennifer F.
Balkissoon, Bas	Fonseca, Peter	Munro, Julia
Bartolucci, Rick	Horwath, Andrea	Oraziotti, David
Bentley, Christopher	Kormos, Peter	Peters, Steve
Berardinetti, Lorenzo	Leal, Jeff	Qaadri, Shafiq
Broten, Laurel C.	Levac, Dave	Ramal, Khalil
Brownell, Jim	Marchese, Rosario	Ruprecht, Tony
Caplan, David	Marsales, Judy	Sandals, Liz
Chan, Michael	Martiniuk, Gerry	Savoline, Joyce
Chudleigh, Ted	Matthews, Deborah	Smith, Monique
Colle, Mike	Mauro, Bill	Van Bommel, Maria
Di Cocco, Caroline	McMeekin, Ted	Wilkinson, John
Duncan, Dwight	Miller, Norm	Zimmer, David
Ferreira, Paul	Mitchell, Carol	

The Clerk of the Assembly (Ms. Deborah Deller):

The ayes are 41; the nays are 0.

The Deputy Speaker: I declare the motion carried.

Pursuant to the order of the House dated April 24, 2007, the bill is ordered referred to the standing committee on justice policy.

REGULATORY
MODERNIZATION ACT, 2007
LOI DE 2007 SUR LA MODERNISATION
DE LA RÉGLEMENTATION

Mr. Peters moved third reading of the following bill:

Bill 69, An Act to allow for information sharing about regulated organizations to improve efficiency in the administration and enforcement of regulatory legislation and to make consequential amendments to other Acts / *Projet de loi 69, Loi permettant l'échange de renseignements sur les organismes réglementés afin de rendre plus efficaces l'application et l'exécution de la législation de nature réglementaire et apportant des modifications corrélatives à d'autres lois.*

Hon. Steve Peters (Minister of Labour): Welcome, everyone, to the Legislature this evening. I take this opportunity to move this chair out of the way and, just to start, to say thank you to some people, because often we lose sight of the individuals who work so hard behind the scenes to make sure that we develop good legislation, we consult, we take legislation to committee and then we bring it back to this House.

First, I'd like to recognize the Inspection, Investigation and Enforcement Secretariat within the Ministry of Labour. Particularly, I want to thank assistant deputy minister John Stager and his dedicated and hard-working staff. As well, the Regulatory Modernization Act drafting team from the Ministry of Labour, but as well the staff in a number of other ministries: the legal policy and operational staff from the 13 regulatory ministries and legal representatives from the Ministry of the Attorney General. As well, there are a number of individuals within my ministerial staff whom I'd like to thank. I had to promise them this evening that I wouldn't mention their names, but they know who they are and I do thank them very much.

I am honoured to be here tonight to initiate third reading debate on the proposed Regulatory Modernization Act, 2006. I'm very proud that the proposed legislation would, if passed, improve the way the government deals with Ontario's businesses and assists them in improving compliance capabilities. And I'm proud that this bill, if passed, would enable the province's 13 regulatory ministries and their associated delegated administrative authorities and agencies to share information more effectively and work better together. Through improved communication and co-operation, we would better be able to protect the public and more effectively help businesses meet their regulatory obligations. Improved communication would mean less duplication in compliance activities and targeting enforcement efforts where they count.

It is with our stakeholders' help that we've been able to create this balanced piece of legislation. The business community and our own field staff have helped identify opportunities for greater co-operation and information sharing in the area of regulatory compliance. It is clear that we need to modernize the way we share information and work together within government if we want to provide the level of protection that Ontarians expect and deserve.

Our proposed Regulatory Modernization Act, 2006—and I think from this point forward I'm going to call it the RMA—is an integral part of this modernization process. The proposed act has the following key components and would, if passed, allow the collection, use and sharing of compliance information across all regulatory ministries.

It would give field staff the authority to provide other ministries with a heads-up if they observe something during a site visit that may be relevant to the mandate of another ministry, and it would authorize ministers to create special teams of field staff to work together.

It would authorize ministers to publish compliance-related information under designated legislation in order to better inform the public and to act as a deterrent for non-compliance.

It would authorize prosecutors to request that a court consider relevant prior convictions under any provincial law in the sentencing of a defendant; for example, a corporation, director, officer or owner. It would require the court to provide reasons when it decides that a previous conviction raised by a prosecutor does not justify a more severe penalty.

This bill is about government being better able to help businesses meet their regulatory obligations. It's about more effectively protecting the public interest. It's about ministries communicating and co-operating more effectively. It's about reducing compliance activities.

One of the things that has certainly struck me since we've taken office is that many times, using an agricultural analogy, we work in silos within government. This bill gives us the opportunity to get out of that silo mentality and better work in a more co-operative manner interministerially. And I'm proud of that.

We met with many stakeholders in the development of this act: businesses, associations and various government ministry staff. We talked to representatives from both municipal and federal governments. We met with a number of business associations and with dozens of small business owners. They all expressed a common need: that government needed to reduce duplication, whether it's how information is collected or in the coordination of our inspections. Our own staff, especially those individuals who are out in the field week after week inspecting facilities, spoke of the importance of being able to work together and to share information. They want the tools to be able to co-operate with their colleagues in other ministries to ensure organizations are complying with Ontario laws and to ensure that communities across Ontario are safe and healthy.

Almost every stakeholder told us how important it is for us to target the businesses that seek an unfair competitive advantage by constantly and consistently breaking Ontario laws.

We also consulted, very importantly, with the Office of the Information and Privacy Commissioner. I personally spoke with the commissioner, and she is comfortable with the approach we are taking with this bill.

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By and large, our stakeholders support what we are trying to do, and we have worked and will continue to work with our stakeholders to make this bill a solid and progressive piece of legislation.

At the end of March, in the standing committee on general government, we heard some of our business stakeholders and the Ontario Public Service Employees Union. They had questions about the bill. They also underscored some of the important benefits they see in the bill, should it pass. OPSEU said they believe that this bill will help its members, its field staff in the work that they do.

I'll take this opportunity to thank Leah Casselman for her service as president of OPSEU for well over 10 years. We thank Leah for her commitment and we wish Leah all the best in her future endeavours. I'll take this opportunity to welcome the newly elected president, Smokey Thomas. We wish Mr. Thomas well in his endeavour as the new president of OPSEU.

But Leah in her role as president of OPSEU spoke about the importance of the bill, the very thing I just spoke about: breaking down silos of information within government. In their written submission to the committee, Parkdale Community Legal Services, a provider of legal advice and representation to low-income communities in Toronto's west end, urged the committee to move forward with the bill in order for government agencies to better protect low-income, marginalized groups that the clinic represents.

I'd now like to highlight some of the individual components of our proposed bill.

(1) Information sharing:

The act would, if passed, change the way regulatory ministries and other regulators could collect, use and share information obtained through their inspections and other compliance-related activities. Currently, the general approach is that ministries work independently of each other. They undertake separate compliance-related activities from their respective statutes. There are obstacles, including legislative restrictions, which limit or restrict how information can be shared amongst other ministries.

I've spoken to many business owners and members of the public who are surprised at these restrictions. They ask, "How can government be efficient if government ministries cannot talk to one another?" This means that our own compliance activities often operate in those ministerial silos that I described. To be more effective and to provide the level of protection expected by Ontarians, ministries need to be able to communicate and cooperate more effectively.

For example, small businesses in Ontario may be regulated by a number of provincial ministries. This means that small businesses may be asked to submit similar types of information, such as the company name, address and business activities, to several different ministries. Business owners are using up valuable time submitting duplicate information to different ministries, time that could be better spent on actual business. The information sharing tools in the bill would help ministries better coordinate how information is collected from organizations.

We believe that this bill, if passed, would also help us gain a better understanding of the organizations that commit serious repeat violations of Ontario laws. All businesses, small, medium and large, have made it clear that government needs to deal with this small but significant element of the regulated community in order to ensure a level playing field for the business community and in order to ensure a higher level of public protection. The information sharing provision would mean that ministries could better work together to conduct targeted activities to address these organizations that repeatedly break the laws of Ontario.

We've also heard from stakeholders that government must be prudent and vigilant in managing the information we collect. This is why we've included several safeguards in the bill.

First, I'd like to point out that the proposed legislation would not—I repeat, would not—if passed, expand upon the types of information that can be currently collected from businesses.

Second, prior to any information being collected, used and shared among ministries, the legislation under which the information is collected must be designated by the Lieutenant Governor in Council.

Third, any person who shares this information must be authorized by the minister responsible for that legislation, or his or her delegate, prior to undertaking any information-sharing activity. I reiterate: We have worked closely with the Office of the Information and Privacy Commissioner, and they are comfortable with this approach that we are taking.

(2) The heads-up authority:

This legislation would provide field staff with clear statutory authority to give a heads-up to colleagues in other ministries. For example, a Ministry of the Environment inspector might be in a workplace and notice someone cutting metal without safety goggles. The inspector would be able to give the Ministry of Labour a heads-up about this potentially unsafe workplace situation. The key here is that staff can help one another when it comes to making observations that might be relevant to the administration of, and compliance with, another statute.

This legislation is not about fishing expeditions. Field staff would be limited to recording and disclosing to another ministry information that they observe. Field staff making observations would not have the authority to change hats and start conducting inspections on behalf of another ministry. We recognize and we respect the level

of expertise and technical capability of each member of our compliance staff and what they bring to the administration and enforcement of legislation. The heads-up authority would facilitate the government working in co-operation. That's why we are providing our inspectors with the tools they need to do their jobs more effectively.

(3) Special teams through multiple authorizations:

A large part of our regulatory modernization effort is to make better, more efficient use of our high-quality existing resource. That high-quality existing resource is our people, a public service that we're proud of, a public service that is committed to looking after the welfare of the citizens of Ontario.

This legislation would provide ministers with the authority to create teams made up of inspectors from their ministries to carry out special compliance projects. For example, inspectors from the ministries of environment, transportation, and labour might work together on a special compliance project, perhaps to find out how they can work together to assist small business owners, such as auto body repair shops, to understand, manage and comply with provincial legislation, or perhaps to do joint inspection sweeps of facilities in a specific sector that repeatedly disregard environmental, transportation and occupational health and safety laws.

I think this is important to stress, because we heard this at committee and during our consultation. This bill is not about, and they have no intention of creating, super-inspectors or super-inspectorates with this proposed legislation. We recognize that super-inspectors would not be a feasible option, because we recognize that ministry inspectors within those 13 ministries deal with complex and technical issues of inspection and enforcement. This is specific work to specific ministry staff.

We have therefore included safeguards in this section of the bill. Where a special compliance project team is set up, relevant ministers would be required to set out in writing specific limitations, including the types of information to be collected by the team and the purposes for which the information would be shared, as defined in the bill. The written authorizations would also have to specify clearly the powers and duties to be exercised by the team, members under each authorized statute, and the time period during which these powers would be exercised.

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(4) The publication of compliance information:

The bill provides the ability to publish compliance-and conviction-related information about organizations and conviction information about individuals under designated statutes. Again, we've heard concerns from compliant businesses that government needs to do more to address companies that commit serious, repeat violations of Ontario's laws. By identifying companies that repeatedly contravene Ontario's laws, we believe this would act as a deterrent for repeat offenders and better help to keep the public and employees safe. Companies should, and we trust do, value their reputation within their communities. Greater transparency and published information

about regulatory contraventions can be a motivating factor in companies achieving compliance with our laws.

We also know that there are some situations where publishing this information is a matter of public safety. For example, in the past, the Ministry of Agriculture, Food and Rural Affairs issued news releases about actions it was taking in response to information received regarding activities at meat-processing plants. We need this kind of practice to be consistent across all ministries. And let me reinforce that the publication of any information about individuals would be in accordance with the Freedom of Information and Protection of Privacy Act or other clear statutory rules.

Again, we consulted with the Office of the Information and Privacy Commissioner. We also heard the business community's concerns about the publication of complaints. If the bill passes, our government will ensure fairness for individual businesses and the business community as a whole in the publication of information about complaints. This is a responsibility we take very seriously.

This is one of the reasons why we've voted to amend—again, I repeat, we voted to amend—the bill at standing committee, so that it comes into force eight months after royal assent. This will give us the time required to prepare guidelines that would facilitate responsible and consistent publication practices across those regulatory ministries. In developing these guidelines, we will work with our stakeholders, including the Office of the Information and Privacy Commissioner.

(5) Sentencing considerations:

Where a company repeatedly disregards the laws, the bill, if passed, would allow a prosecutor to ask a court to consider previous convictions under any act when sentencing an offender convicted of an offence under a regulatory law. By authorizing the prosecutor to ask the courts to consider a defendant's previous convictions, we hope that the sentences imposed on repeat offenders will reflect their repeated contraventions of Ontario's laws. In other words, the greater the number of prior convictions in a defendant's record, then potentially the more severe the penalty—for example, a higher fine. This could be imposed by our courts.

Allow me to give you an example. An unlicensed home renovator might have a history of convictions under multiple statutes, for example, under the Occupational Health and Safety Act, the Environmental Protection Act and the Consumer Protection Act. If the renovator were found guilty of an additional regulatory offence, the proposed act would authorize prosecutors in their sentencing submissions—

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: Pursuant to standing order 23(b), I would ask the Speaker to please direct the member to make sure his comments speak directly to the bill.

The Deputy Speaker (Mr. Bruce Crozier): Well, standing order 23 does require that and we'll all listen very carefully to that point.

Hon. Mr. Peters: I appreciate the interjection from the honourable member. It gave me a opportunity to have

a drink of water. I would hope, in bringing this forward, that the honourable member would recognize that what I'm trying to do is to show examples as to how this bill, if passed, could work. I think perhaps the honourable member is a little surprised that we're dealing with many of the issues that he expressed concern about.

Again, I'll repeat, if the renovator were found guilty of an additional regulatory offence, the proposed act, if passed, would authorize prosecutors in their sentencing submissions to present this unlicensed home renovator's record of convictions under other statutes. This could then lead to the imposition of a more severe penalty by the court. If the court were not to impose the more severe penalty, the proposed act would require the court to provide written reasons for its decision.

Interjection.

Hon. Mr. Peters: If you're so interested, we could ask for unanimous support right now and just pass this bill.

Interjections.

Hon. Mr. Peters: All of these components of the proposed legislation are just part of our broader modernization agenda.

Mr. Kormos: Steve, say hello to members of the scouting movement.

Hon. Mr. Peters: Welcome. I'd shake your hand with the left hand. You're not supposed to wave back at me, but welcome here, and I hope that this will ensure that you receive a badge. We thank you and your leaders for what you do. The scouting movement is a great opportunity, and so are Girl Guides. By the way, if you're ever buying Girl Guide cookies, my niece is on the box twice—Olivia Peters. So make sure you buy some Girl Guide cookies and support my niece, Olivia. But welcome to the House this evening.

Mr. Kormos: I just want to assure you that I'm a left-winger.

Hon. Mr. Peters: I'm a centre man—that's the Liberal approach.

The Regulatory Modernization Act, 2006, is a fundamental part of a broader regulatory compliance modernization agenda that represents a balanced approach to compliance. The broader agenda includes performance-based strategies to recognize companies with outstanding records and compliance and to target enforcement efforts toward those companies that are serious repeat violators. We're working on developing strategies that would publicly recognize companies with exceptional records of compliance and companies that perform in a highly responsible manner. By recognizing excellence, we hope to encourage other organizations to model themselves after these leaders and to take action to achieve higher levels of compliance. In turn, with more companies taking their compliance responsibilities seriously, we can use our enforcement effort to focus on those organizations that repeatedly violate and seriously do not obey Ontario laws.

We are responding to what businesses have told us. It is important for us to target the businesses that seek an unfair competitive advantage by consistently breaking

Ontario laws. This might mean doing target inspections of that small portion of the regulated community that commits repeat serious violations of Ontario laws. The proposed Regulatory Modernization Act, 2006, is a great example of how the McGuinty government is committed to improving the way government works. The proposed legislation is also an excellent example of how the McGuinty government is on the side of small businesses and entrepreneurs.

We have met and listened to dozens of small business owners and associations in Ontario. They have told us that for them to grow and prosper, we need to reduce duplication in compliance activities and better help businesses meet the regulatory compliance obligations. There are 13 provincial ministries and their associated delegated administrative authorities and agencies responsible for compliance activities. Many small businesses we've spoken to, such as auto body shops, are regulated by as many as seven or eight different ministries.

These small businesses and their owners don't necessarily have issues with regulation. They know that regulation is necessary to ensure responsible operation; for example, to ensure that the health and safety of their staff and of the public is protected. But these businesses do want us to know and understand the challenges that they face. They have told us that they provide some of the same types of information over and over again to various government officials. Some auto body shop owners may be required to complete around 70 different forms that pertain to their businesses.

The bill proposed would help reduce duplication in compliance activities and would benefit the Ontario business community, including small business owners. By reducing duplication, we'd be better able to target enforcement activities to where they count: towards businesses that commit serious repeat violations. The business community has clearly underscored the importance of that last point.

Small businesses are put at a competitive disadvantage by organizations that break Ontario laws—for example, shadow organizations that set up operations, operate illegally, close their doors and then set up shop again under a new name. The bill, if passed, would help ministries work together to better address non-compliant organizations, but more importantly, create a level playing field for responsible organizations.

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Small business owners have also told us that they have trouble keeping up. They want to follow the law. They want to understand the regulatory obligations. In response, we have begun an extensive modernization process designed to help small businesses in their efforts to comply with our laws. In addition to Bill 69, our government has introduced a new approach to help small businesses meet their regulatory requirements.

One year ago, Premier McGuinty announced the creation of a separate ministry for small business called the Ministry of Small Business and Entrepreneurship. I discussed with Minister Takhar ways that we can better

assist small businesses in complying with the laws of Ontario. I've also spoken at the Small Business Agency of Ontario. My parliamentary assistant has spoken as well to the Small Business Agency of Ontario on initiatives the Ministry of Labour has undertaken to assist small businesses. My parliamentary assistant, Mario Racco, the member for Thornhill, sits on the Small Business Agency of Ontario and keeps me updated on their discussions.

Last summer we launched an easy-to-understand online tool kit for the auto body repair sector. The Auto Body Repair Compliance Information Centre helps auto body shops find information from across ministries that they need to be in compliance. We have received rave reviews from the auto body industry as a result of our efforts. One review said, "Having one place to go for compliance questions will save a lot of time for shop owners. It's a big step forward to be able to quickly access the information we need to run compliant businesses."

We've also expanded the successful initiative to manufacturers of plastic products, and we'll be launching an online compliance information centre for them this spring.

Let me again emphasize that the proposed Regulatory Modernization Act is a critical part to the continuing success of these projects. This act, if passed, would enable inter-ministerial collaboration on projects similar to these. We want to improve and expand on these pilot projects because the McGuinty government is on the side of small businesses and entrepreneurs, and we are committed to supporting them whenever possible.

We are removing the challenges to doing business. This can only help to contribute to a successful, vibrant economy. The bottom line is that the bill makes sense. It makes sense for Ontario businesses, it makes sense for Ontario regulators and it makes sense for Ontarians.

We consulted with many stakeholders. The small business community and employees of the Ontario public service contributed significantly to helping us find areas of improvement. They gave us suggestions on how ministries could share information and better work together. I want to thank them for their ideas.

If we truly want to move forward, help businesses and increase opportunities for ministries to work together, we need this bill to pass. We want to strengthen the government's ability to provide excellent service to Ontario businesses, the public of Ontario, and to work in modern ways. We want our businesses to know and understand their regulatory obligations. We want to find solutions that are good for business, solutions that are good for working people and, above all, solutions that are good for everyone in Ontario.

The McGuinty government's modernization initiatives will help build a strong and prosperous economy, better protect the public interest and provide Ontarians with the best quality of life, second to none.

I'd like to now conclude. To summarize, we believe the proposed Regulatory Modernization Act is a strong and balanced bill. The act is vital to our broader efforts to

modernize Ontario's regulatory activities so that there is more co-operation among ministries and agencies to help businesses meet their regulatory requirements, less duplication in compliance activity for businesses and their organizations, and better protection of public interest. And we are confident that Ontario's business community will appreciate the benefits of our modernization agenda as we move forward. Our approach is good for business, it's good for government and, most importantly, it's good for the people of Ontario.

To our Scouts who are up there right now, I will just close with this, and I trust my colleagues will allow me to indulge in it: One of the things that we can all do in a very non-partisan way in this House is to promote young worker health and safety. These young individuals who are here in the audience today are our future, and we need to do our part to help make sure that if we plant that seed in those young people now, it's something they're going to carry forward with them for the rest of their lives.

As the Minister of Labour, I say to each of you up there right now that when you get into that position and you have your first job, remember that the Occupational Health and Safety Act is there to protect you. Do not ever allow somebody to put you in an unsafe work position. You have the right to say no. Each and every one of us in this assembly tonight, from all three parties, needs to do our part to promote the importance of young worker health and safety.

Speaker, I thank you for the opportunity and I trust that we'll see speedy passage of the Regulatory Modernization Act.

The Deputy Speaker: Questions and comments?

Mr. Ted Chudleigh (Halton): As we talk about labour law in Ontario, I think the thing I've learned over the period of time I've been in this House is the interest in the word "balance." Certainly there have been companies in Ontario that would take advantage of labour, and there is labour in this country that would take advantage of management. To strike that balance between how labour is treated by management and how management is treated by labour is what is going to make the Ontario economy, Ontario manufacturers and Ontario business successful.

Of course, in the last three years we've seen what amounts to probably the decimation of a lot of manufacturing in Ontario. This hasn't been brought about at the hands of labour, it hasn't been brought about at the hands of management; it's been brought about by the circumstances in which business in Ontario finds itself today. Those circumstances to some degree are the responsibility of this government. This government hasn't had the balance that is required between government, management and labour in order to create the atmosphere for the manufacturing of products in Ontario to compete with places around the world. That's too bad, because 15% of the manufacturing industry has disappeared in Ontario and it's extremely difficult to get back. It took years and years to develop that manufacturing base, and

to see it decimated in the way it's been decimated in the last three years is a sad commentary on this government's initiatives.

Mr. Kormos: I want to comment on that portion of the minister's speech that made reference to the Scouts in the gallery, because of course we join him in welcoming these young people here to Queen's Park. This is their building as much as it is any other Ontarians'. It's good to see these folks in the visitors' gallery.

I ran into them in the hallway before the 6:45 session started and I apologized. I indicated to them that tonight's debate may not be quite as exciting as we would wish in the context of having a live audience like these young people, notwithstanding that Mr. Martiniuk, the member for Cambridge, will be speaking for an hour on Bill 69, he being the party's critic and responsible for that leadoff speech. Of course, after that one hour by the member for Cambridge is done, and there are 10 minutes of questions and comments, I will have the floor for an hour. I look forward to the opportunity to address Bill 69 in the broadest sense. We'll not be tunnelling long and deep. We'll be looking at this from the broad perspective, and I'm sure the minister won't mind. I'm sure the minister will appreciate it.

I do want to note that the parliamentary assistant, the member for Thornhill, who did all the heavy lifting, who carried this bill through second reading, who stewarded it through committee with great skill, gets pushed aside when it comes time to take the glory. The minister sends his parliamentary assistant out to do the heavy lifting, but when it comes to the glory days and the spotlight, here's the minister instead of Mr. Racco. I find that remarkable.

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Mr. Kevin Daniel Flynn (Oakville): It's a pleasure to join the debate. Contrary to what has been said, I think the Ontario economy is moving along quite well, and this can only add to the stability of that economy.

When I had a chance to work for Minister Peters and for the former Minister of Labour, Mr. Bentley, one part of the job as parliamentary assistant that I looked forward to the most was sitting down with representatives from business and labour at the same table and seeing how we could move forward together on legislation such as this. One thing that became clearly evident is that business and labour did want to work together. They understood that both parties needed and wanted the enforcement of workplace safety legislation in Ontario to be more effective and more efficient. Both parties came forward and said, "Focus on the bad guys. Focus on the repeat offenders. Make sure you get those people who routinely try to flout laws such as this to use to their own competitive advantage. They are the people we want you to target this legislation at."

So, obviously, as a government we've hired more inspectors, and both parties—labour and business—want to make those inspectors work more efficiently. That's what this proposed bill did, that's what this proposed bill is intended to do, and, should this House choose to pass it, that's what I think we'll see in practice on a daily basis in the workplaces around Ontario.

When they leave in the morning, everybody expects loved ones to return home. Quite often in Ontario, unfortunately, that's not always the case. Somebody leaves for work, and during the day there's a phone call made that that person is in the hospital. This bill and the support of this bill can only strengthen our ability to make sure that when you go to work in the morning, you come home to your family at night.

Mrs. Julia Munro (York North): I'm pleased to have the opportunity to make a few comments on this bill this evening. I want to first of all congratulate the Scouts for being here. I think it is very important that they have the opportunity to be here. I have to tell you that one of the things that is so easily forgotten in our system is the fact that there are many people around the world who would love to have what we have—so often we forget that—and that would be the opportunity to have this publicly debated and to have you here to join us.

With the remarks that the minister made on this bill, the issue that I think will be the method upon which it is judged as successful or not is the whole notion of needing rules and compliance, but the balance that is required to make sure that this—yes, you need inspectors, yes, they have to have a legislated mandate, but they have to remember that there is more done with the carrot than the stick, so a clear understanding and good relationships with those people who, as the entrepreneurs within our community, are providing the jobs and the service. Most people don't willingly do the wrong thing. They are looking for opportunities to conduct their business in a way that allows them to stay in business and to have a safe workplace. So I think one of the tasks is to ensure that kind of balance.

The Deputy Speaker: Minister of Labour, you have up to two minutes to respond.

Hon. Mr. Peters: I want to thank the members from Halton, Niagara Centre, Oakville and York North for their participation in the debate this evening. Yes, we recognize that we are facing challenges on the manufacturing side in this province, but that's why we have not given up on continuing to make investments. I remind the member from Halton that the next time he drives down to visit my riding, as he drives by Woodstock, to look at that Toyota plant, the first greenfield automotive plant in 15 years going up in this province. Look at the CAMI plant. I'm proud to have bought a new Equinox from that CAMI plant that's built by my friends and neighbours, built right here in Ontario. We made a substantive investment in there as well.

To the member from Niagara Centre: This is exciting legislation. This is exciting, I say to the member, because it's groundbreaking. This is the first time we're getting government out of a silo mentality. We've got 13 ministries working together to better share and coordinate information. That is exciting. You didn't do it when you were in government. I'm excited that we're able to move forward with our IIE secretariat to make this happen.

I do recognize—and I pointed this out in my speech—and thank my parliamentary assistant, Mario Racco, for

his work on carrying this bill forward. I thank Mario very much. And I thank my former parliamentary assistant, the member from Oakville, who is also witness to the investments that our government is making in manufacturing in this province, to see that flexible Ford Oakville plant making those wonderful vehicles such as the Ford Edge. Those are investments in our future.

To the member from York North: I agree with you. We've got to strike that balance between rules and compliance. But for somebody who is going to put the health and safety of a worker in this province at risk or do anything to destroy or harm the environment in this province, I have no sympathy. The arm of the law of this province needs to address anyone who breaks our laws.

The Deputy Speaker: Further debate?

Mr. Gerry Martiniuk (Cambridge): I wish I could say—

Interruption.

Mr. Martiniuk: Oh, I've lost my audience. The Scouts are leaving. I was going to tell them about the ad that I have for the Scouts in my annual calendar. I think they're a great organization and they share a page with the Girl Guides in my calendar. I got their attention before they left.

It's my pleasure this evening to address the matter of Bill 69, which I think is a very important but terribly flawed bill. It's such a pleasure; it truly is a pleasure to really get talking about the law again. You know, we've got day after day of crooked lotteries. We've got day after day of millions being given to the friends of the Liberal Party, just handed out willy-nilly, no application forms. They don't even ask who they are, just, "You want some money? You've got it." They keep saying, "Oh, we're giving it to good people." They're not giving any to Cambridge, they're not giving any to Kitchener. It's all located where their friends are. They're all here in downtown Toronto. But in any event, I'm not discussing that tonight, thank goodness, because I'm tired of hearing about all of that mess.

We're here to talk about Mr. Peters' bill, and, boy, has he been sold a bill of goods by the bureaucracy. That's the only way I can put it. I would like to be able to say what Henry VIII said to his wives, "I won't keep you long," but unfortunately, I am afraid I'm going to take at least an hour or as much as the Speaker will permit me to speak. Basically, I'm just a warm-up act for the member from Niagara Centre. That's what I'm known as. He is known throughout this Legislature as a magician of verbosity, a raconteur extraordinaire, and he will make these dull, drab sections come to life. I can hardly wait. I'm looking forward to it. So I'm the warm-up act and I'll do my best, but the *pièce de résistance* is yet to come.

We're dealing with Bill 69, which is An Act to allow for information sharing about regulated organizations to improve efficiency in the administration and enforcement of regulatory legislation and to make consequential amendments to other Acts, and there are 13 other acts that are, in fact—

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): Which ones? You've got an hour.

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Mr. Martiniuk: We'll come to that. We'll be reading them section by section for your enjoyment. You will enjoy it, I'm sure.

If I just may say a few preliminary comments, basically this is an act that was dreamed up I believe by the bureaucracy and, as I say, our minister, who has been sold a bill of goods. When you first read it, it seems very innocuous, however I really believe it is a set-up for big government to fight big business. My concern is that in this fight it is small businesses that are going to suffer and suffer terribly in this province.

Small businesses in this province are the backbone of our economy. They produce well over half the jobs every year in Ontario. We heard from a number of organizations that deal with small business, and I will be going into their presentations at great length.

However, to lay the groundwork, first of all, we heard from the Canadian Federation of Independent Business, which represents across this nation about 80,000 businesses, if I'm not mistaken, and almost half of those are in Ontario. We also heard from the Canadian Restaurant and Food Services Association, the Retail Council of Canada, COCA—the Council of Ontario Construction Associations—the Ontario Medical Association and, lastly, the Canadian Vehicle Manufacturers' Association, which also had some strong objections to Bill 69. The last one is not the most important, but this is the one that is in the news to a great extent these days. This is the 160,000 manufacturing jobs that we've lost over the last year or so—

Mr. Robert W. Runciman (Leeds–Grenville): Gone.

Mr. Martiniuk: —that are gone, and a great number of them came, unfortunately, from the automobile industry which that association represents.

This is a serious matter. I believe this bill has created a bureaucratic nightmare which affects not only big business but also small businesses. It institutes super-inspectors. We're no longer satisfied with ordinary inspectors trained in one particular field; we're now going to have super-inspectors with enormous powers marching into small business with all the resources of the Ontario government and, I believe, closing them up.

There's a section in here on which I still haven't got an explanation. I asked at committee and I listened to the explanations. We are going to incorporate gossip and innuendo into a legal bill in this Legislature. There is a section in here that permits inspectors and the government to publish innuendo and gossip in the way of complaints, with no verification of those complaints. This is a smear tactic, and I don't even know why it's in here. We're not talking about convictions now; we're talking about complaints made by who knows what. Not only will these be compiled and distributed in the government, they could be published, unfortunately. They could be libellous and slanderous, but they can be published. I

think that has no place in our regulation of industry in this province.

The super-inspectors will now be able to—will I use the word “spy”?—look the matter over for other inspectors. I call it spying, but you can call it what you wish. There are a couple of problems with that, because they are not trained in the field that they’re making these observations about, and lastly, they’re not under any obligation to even tell the individuals, the business that they’re inspecting. They’re not even under an obligation to warn them and tell them that there is, in fact, a danger there that they perceive. They are not trained in that field so they could be completely wrong. However, if they do perceive a breach of the law that could be a safety issue, they’re under no obligation. I find this amazing that they are under no obligation to prevent an accident from happening that they have observed. We tried to rectify it, and I’ll come to that later.

This is all in the background. We’ve talked about these complaints and these innuendos and libel and slander, and of course, you can’t sue the civil servant. We’re now hearing about our friend Dr. Smith, who may have caused enormous and irreparable harm to some of our citizens in Ontario through his actions as a coroner. He is no doubt protected, as are the civil servants, the inspectors, under this act. They can make mistakes. They can act in such a manner that can cause irreparable harm, and you cannot sue them—just as we are finding out that individuals who have testified at a court trial cannot be sued because they are no doubt protected under a similar section under the act.

What could we, as an opposition, do about it? Let me tell you what we tried to do. In committee—not in this chamber, but in committee—we have the opportunity as an opposition to bring forth certain amendments and suggest that these could assist and help the statute in question. The presentations, especially that of the Canadian Federation of Independent Business, said very simply, “This act is built for large government versus large business. Let us exempt small businesses from the working of this act, and we don’t have a problem with it.” So the first problem is: What’s a small business? So I brought three motions.

The first motion read:

“I move that section 2 of the bill be amended by adding the following subsection:

“(2) Nothing in this act applies with respect to an organization that employs 200 or fewer people and, without limiting the generality of the foregoing,

“(a) an authorization made under section 7 or 13 does not authorize the collection, use or disclosure of information respecting an organization with 200 or fewer employees;

“(b) observations may not be recorded and disclosed under section 9 with respect to an organization with 200 or fewer employees; and

“(c) section 10 does not authorize the publication of information with respect to an organization with 200 or fewer employees.”

That was defeated. As a matter of fact, I think I was the only one who voted for it. They didn’t feel that that was a small business.

We wanted to give them a choice, because we wanted to give them a chance. So my second one read similarly—if not identically—except that it lowered the definition of “small business.” And it read:

“I move that section 2 of the bill be amended by adding the following subsection:

“(2) Nothing in this act applies with respect to an organization that employs 100 or fewer people and, without limiting the generality of the foregoing,

“(a) an authorization made under section 7 or 13 does not authorize the collection, use or disclosure of information respecting an organization with 100 or fewer employees;

“(b) observations may not be recorded and disclosed under section 9 with respect to an organization with 100 or fewer employees; and

“(c) section 10 does not authorize the publication of the information with respect to an organization with 100 or fewer employees.”

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I thought that 100 employees is getting fairly small. In the first one, I think I set the bar too high, but this one seemed like it was in the ballpark. I was fairly confident that we’d have a good discussion and that it would pass. It was unanimous that they turned it down.

Mr. Chudleigh: You voted for it.

Mr. Martiniuk: I voted for it, but everyone else voted against it.

I’m just trying to give them a choice. We started off at 200 and then 100. My next one was 50, because I figured 50 employees is a pretty low number; let’s consider that a small business. Nope. It was indicated that that didn’t look like it was going to pass. So what I did is the following:

“I move that section 2 of the bill be amended by adding the following substitution:

“Nothing in this act applies with respect to an organization that employs five or fewer people, and without limiting the generality of the foregoing;

“(a) an authorization made under section 7 or 13 does not authorize the collection, use or disclosure of information respecting an organization of five or fewer employees; and

“(b) observations may not be recorded and disclosed under section 9 with respect to an organization of five or fewer employees; and

“(c) section 10 does not authorize the publication of information with respect to an organization with five or fewer employees.”

I can honestly say I was shocked when this was turned down by a majority of the committee, who I guess were under orders to just throw out any and all—I mean, this is a mom-and-pop organization. There’s no doubt it was described as such at the hearing and everybody agreed that less than five is a pretty small number. Though as I understand it, from a small business standpoint, some

75% of our small businesses employ less than five. We could have prevented these super-inspectors, this monster of a bureaucracy, walking into a mom-and-pop organization. Here we've got not five but only two, with mom and pop running this thing, and in come the super-inspectors with the enormous powers given to them by this, and they just fling them out. What chance do these people have? What chance? None.

I thought for sure—I mean, the mom-and-pops. I know the Minister of Labour; he's a nice person, a forthright person, and I know he believes in small business. And yet they were ordered to turn this down, probably by the centre; the bunker told them this wasn't a good thing to do, so they turned it down.

I'll tell you, it was difficult to go on. I was really disheartened. If it wasn't for my friend Peter Kormos being present, constantly giving me the support and enthusiasm, I would have given up. I said, "No, we are going to go on with this bill."

The next section I really got concerned about, and people making presentations indicated their great concern, was paragraph 7 of section 4 of the act.

Mr. Tim Hudak (Erie–Lincoln): I think the minister is reconsidering.

Mr. Martiniuk: Well, I hope so.

Here it is. This is the section that provides that the minister and his inspectors can collect information to be used and "disclosed." That's the relevant word. It's one thing to be collected, but the minister and his inspectors have the power to publish and disclose this information. The information is about complaints, and it reads, "Information about complaints filed in respect of an organization where the complaint is regarding conduct that may be in contravention of designated legislation." Here we go. Here's a section that says that if the minister becomes aware of a complaint against a company, they don't have to record who made the complaint, they don't have to record whether the complaint was made in good faith, they don't have to look at the bona fides, they do not have to check the veracity of the complaint; they can take that information and publish it to the world.

I can honestly say that I have never seen a section like this in my short tenure of 12 years in this Legislature, and when I asked the bureaucracy why they would put in a section like this, the answer I received was, "We've always done this." In any event, I thought, "Oh, for sure we can have this section eliminated." But I was disappointed again, unfortunately. That motion was turned down.

But I wasn't going to give up, because I had a compromise, and the compromise was very simple: that before the complaint was published, it would not have to be verified as a valid complaint; all they would have to do is verify the fact that the complaint was made bona fides, in other words, that it was made in good faith and not for an improper purpose. I presented that and we had prolonged discussion, and I was disappointed again. It just kept happening.

We moved on to section 9 of the bill. Section 9 provides that one of these individuals who is making an

inspection in their particular field can spy for other ministries and make observations and report those observations to their spymaster, whoever they might be, whatever silo there is. I tried to get that removed, but they wouldn't remove it. I said, "Well, here's a compromise. Let's work on this. There could be a problem of safety in this observation." This person has recognized, even though they're untrained—there's no doubt they're untrained. We're talking about using unskilled labour in this inspection, because they're not in any way trained for the field other than that they're there. For instance, if they were there doing an inspection for the finance department and an audit of the books for GST and they noticed a health-related problem, which they are totally untrained for, they could disclose that problem to an inspector designated in that field. I thought that if there is a health problem, then surely it's important that the observation be brought to the attention of the proprietor of the business. He has other employees, including themselves; if it's a mom and pop, there's only two of them. If there's something improper with the flooring, for instance, that people could slide, that it didn't comply with the regulations, then they should be aware of it before that inspector leaves, for their own safety. I thought that was a fairly reasonable request. But unfortunately, the members of the government party who were sitting on the committee unanimously turned that down too. I was getting somewhat dispirited, I must admit.

We're just going to continue. There was subsection 10(4). I'll just have to get it; this is printed on both sides, so it's somewhat difficult. I just don't have this enormous staff that the minister has, who are writing his speeches for him and things of that kind. I have to do it all by myself. We'll work on it.

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In any event, paragraph 3 of subsection 10(4) dealt again with "Information about complaints filed in respect of an organization where the complaint is regarding conduct that may be in contravention of the" act. That was similar to one I'd already moved, and it again was turned down.

I think there was a total of nine amendments made by the official opposition, and all of them were turned down by the government party. Just to put this in perspective, there were a number of changes and motions for amendment of the bill brought by the government in that committee, and of course all of theirs passed. It's not as if amendments do not pass in committee. It just depends, I guess, who is proposing them—whether they're reasonable or not doesn't have much to do with it.

You've gotten the picture. We attempted a number of amendments that I thought were reasonable and would be improvements to the bill. Some of the motions, rather than black and white, were shades of grey: small business being defined from 200—which was unacceptable—to 100, to only five, a mom-and-pop business. That still wasn't suitable. I bent over backwards to be as reasonable as possible, but unfortunately the committee was not hearing any part of it on that particular day. Maybe I got

them on a bad day—I can't say—but unfortunately we did not succeed with any of the amendments.

But we do have the presenters. The Canadian Federation of Independent Business was most concerned about this bill, because they do represent primarily small businesses. It's especially important because, as they indicated to us:

"The Canadian Federation of Independent Business's December 2006 survey of small business performance expectations shows that confidence and optimism declined in Canada for the fourth quarter.

"The National Business Barometer Index is at 107 points, more than a point-and-a-half below its September level, which indicates the Canadian economy remains in a stable though less spectacular shape.

"Similarly, business optimism in Ontario has been persistently losing traction in the last year, trailing the national average for a fourth consecutive quarter.

"The quarterly Business Barometer Index for Ontario, which reflects how well businesses in the province expect to perform in the next 12 months"—and we're in the first quarter of the next 12 months now—"has lost one or more points since September and now stands at 106.3.

"Only a year ago, Ontario ranked third among all provinces, just behind the surging economies of Alberta and British Columbia. It is hard to accept that in 2006 the province was quite confidently surpassed by Nova Scotia at 111.1 and New Brunswick at 107.4 and now shares the fifth spot with Saskatchewan."

Their survey indicates some concern with the small business sector in Ontario, which makes this bill all the more onerous if it eventually passes this Legislature in its present form. So they wrote to the committee and testified, by letter dated April 28 on the letterhead of the Canadian Federation of Independent Business, directed to the Honourable Steve Peters, Minister of Labour:

"On behalf of CFIB's over 42,000 small and medium-sized independent business members in Ontario, we write to express our deep concern with the recently announced Regulatory Modernization Act, 2006.

"Let us be very clear about one aspect of regulation at the outset: CFIB and its members do not believe that regulation is inherently a bad thing. On the contrary, adequate regulation is an absolute necessity for a decent and prosperous society. And, to go even further, it is possible to identify a laudable, good-for-society objective in almost every regulation now in existence.

"There is, however, another very important but too often ignored issue. It is this: Is the accumulated amount of regulation within the capacity of businesses to cope and the capacity of government to administer?

"Government's capacity to administer regulation is finite. Regulation requires significant government resources—policy development, communications and enforcement. Much of the government regulation that already exists is inadequately communicated and enforced. The Regulatory Modernization Act, 2006 reflects the Ontario government's own assessment that, at present, its ability to administer regulation is not all that it should be. What about business's capacity to cope?

"Consider point 4 in the enclosed CFIB information sheet, the Need for Regulatory Realignment. There is a huge gap between the existing amount of government regulation and the capacity of small business to comply. This regulatory burden comes out of their personal and family lives. This is more than adequately documented in the enclosed CFIB report, Prosperity Restricted by Red Tape.

"Consider the Regulatory Modernization Act of 2006 in this context: It will ramp up, you stated, Minister, the enforcement of '85 statutes and almost 600 regulations'."

That's what they're saying: It's affected 85 separate laws or statutes and almost 600 regulations. I can assure you that you're not going to read in a weekend 85 statutes and 600 regulations. It's going to take you more than a weekend to read and comprehend the importance of those regulations and statutes. I would say it's more like two to three weeks, if not a month, depending on how rapidly you read.

"There is a mountain of related interpretative material and case law connected with these statutes and regulations. Does the Ontario government expect the owners of small businesses to have the capacity to read, understand and cope with all the requirements involved? With respect, this would be a preposterous expectation.

"As a consequence, small businesses are 'sitting ducks' for the measures contained in the proposed act. The idea of posting 'rule-breakers' on the Internet is not unlike the long-discredited practice of placing citizens in stocks in the public square.

"The Ontario government obviously doesn't believe that it could train individual civil servants"—who, by the way, don't have a business to run—"to meet its expectations of business. According to the minister's statement, 'By creating teams of field staff from different ministries, we could work together to target repeat violators. This would remove the competitive advantage these rule-breakers seek to gain and support reasonable businesses that comply with the laws.'

"The Ontario government requires teams to do the job. How can it imagine for a moment that individual small business owners have the capacity to deal with the existing monstrous overload of regulation? They can't, particularly when one considers that these same small business owners face a mountain of federal and municipal regulation as well.

"In light of the above, we respectfully ask you, Minister, to refrain from putting the proverbial cart before the horse. The need is to streamline and reduce Ontario's regulations of SMEs, do a better job of communicating the requirements and, where appropriate, deliver compliance assistance before any ramping up of enforcement is in order.

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"The ancillary pilot project to streamline regulation in auto repair may indeed be headed in a positive direction. But that tiny initiative certainly is no excuse for an about-face to the old regulation-enforcement paradigm that brought us to the quagmire we're in today. The CFIB

strongly recommends that before the substance of the Regulatory Modernization Act, 2006, (i.e. the enforcement push) is brought to bear on SMEs, the regulatory burden must be brought into line with the capacity of SMEs to cope with it. To do otherwise would be the height of harshness and unfairness. This approach, moreover, would be in line with the Premier's pre-election commitment to the CFIB and its members 'to reduce the bureaucratic workload on small business.'

"We must note that your government has substantially increased this workload in the past two years, while sadly, we are unaware of any requirements that have been removed. May we please have your assurance, Minister, that you will substitute the approach we advocate for the one that you have announced."

It's signed on behalf of that organization, the Canadian Federation of Independent Business.

I don't know how much time I have, but possibly we will go to a very important—

Mr. Hudak: Not enough.

Mr. Martiniuk: I know that I stand between you and hearing from my friend from Niagara Centre, who can hardly wait. He's sitting there, and he can't contain himself at all. He's looking forward with great expectation and excitement to performing another miracle—that's the only way I can put it. He's a man of miracles; however, he's going to have to wait. So bear with me.

I thought that the Canadian Vehicle Manufacturers' Association was most appropriate, especially with the loss of 130,000—I think the last figure was greater.

Mr. Chudleigh: One hundred and thirty thousand manufacturing jobs.

Mr. Martiniuk: One hundred and thirty thousand manufacturing jobs. Those manufacturing jobs, by the way, are good-paying jobs, and they're being replaced in many cases with part-time and contract work without benefits, without good pay.

We don't have a plan. I'm becoming concerned, not so much for myself but for our children, that we're careening down a path and we don't know where we're going to end up. We do know that we're losing good-paying jobs, 130,000—the city of Cambridge just reached 130,000 population. That just happened during the last year. We like to think that we're a good-sized municipality—the former municipalities of Preston, Hespeler and Galt—and we're talking about exactly that number of people losing their jobs, an army marching into the darkness. It truly is totally unfortunate.

I've been involved personally with some groups that have lost their jobs in my municipality. Everybody digs in to help. Our labour council sent down people. We met in my constituency office, and we processed about 100 of the employees who had lost their jobs, with the help of representatives of the labour council of our region and with the help of the municipality. So the community is joining in, but I really am concerned for the future, that maybe our children will not be as well off as we are, because we are a wealthy people in southern Ontario. It's unfortunate that I'm a little gloomy about the future, but

I'm not alone. I've talked to many people from my municipality, and they are really uncertain about the future of their children.

In any event, let's talk about the Canadian Vehicle Manufacturers' Association letter. For the most part, this is big business speaking. They say, "The CVMA generally supports the intent of proposed Bill 69—Regulatory Modernization Act, 2006; however, we have some specific concerns related to the broad scope of the proposed legislation and the potential for unintended consequences that may therefore result."

It's a phrase I am very partial to: "unintended consequences." Many times, we in this Legislature speak to draft laws or draft amendments with the best intentions, but we've not been able to foresee all the ramifications, some of them adverse, some of them beneficial. The beneficials are a plus, but it's the unintended adverse consequences we didn't envision that somehow can surprise you, unfortunately very unpleasantly. That's what they're talking about: It doesn't matter what the good intentions behind this bill are if there are adverse consequences.

"Some clarification has been provided by the government about the objectives in the bill since it was introduced, but we are concerned that such clarification has not been reflected in the bill as currently presented. CVMA believes it essential that the standing committee address these concerns and propose appropriate amendments so they are reflected in Bill 69.

"Our specific concerns are as follows:

"1. Section 4—The types of information which may be collected, used and disclosed under the bill are defined extremely broadly and beyond that necessary to meet the policy intent of the bill. The types of information include 'any other type of prescribed information', 'statistical information about an organization', 'information in connection with an examination, test, audit, inspection, investigation or other inquiry', 'information about complaints filed' and 'information about an organization's compliance with designated legislation'. Business statistical information and information in connection with examinations, tests, audits, inspections, investigations and other inquiries would appear to include information independently collected by a business, including information collected by the organization about its environmental or health and safety performance. Compliance information would appear to include information generated by the organization such as self-assessments. To include these types of information could unnecessarily place at risk business confidential information and discourage organizations from improving their performance by conducting self-assessments and collecting metrics on their performance. These particular categories of information should be clearly limited to such information that is required by law to be provided to the government.

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"Given the competing interests with regard to protecting confidential and proprietary business information and personal information, it is also important that the bill not contain such a broad regulatory discretion as 'any other prescribed information.'

“While we would prefer that the types of information that may be collected, used and disclosed under the bill be specifically limited to types of information that are actually required to be shared by ministries to assist in enforcement, we recognize that it may be difficult for the ministry to achieve this objective. One method of addressing concerns about the broadness of ... disclosure of information, would be to add a purpose clause to the bill. This purpose clause could specify the purpose of the legislation and therefore, serve to assist in interpreting the intent and scope of the bill.” That just wasn’t done.

“(2) Sections 5(8) and 5(9) and (10)—The provisions relating to the collection, use and disclosure of information to the public are too broad. The proposal to make public business statistical information and business-generated compliance information is of concern as it could affect the willingness of businesses to continue to collect statistics internally to track their performance and conduct self-assessments. Public disclosure of complaints filed may unjustly injure a company’s reputation. In our view, it is not appropriate and would be premature to disclose complaints against an organization as such complaints could eventually be determined to be not well founded and may be triggered by extraneous circumstances. As noted above, only compliance or business statistical information that is required by law to be submitted by organizations to the government and that is not confidential business information should be disclosed to the public. Only the government’s response to complaints or convictions or contraventions under designated legislation which result from judicial process should be disclosed to the public. Finally, by including ‘any other type of information that may be prescribed’ within the category of information that may be made available to the public, it could unnecessarily undermine the ability of organizations to maintain business confidential information and to operate competitively.

“In the event that information is posted to a website, we would strongly recommend that guidelines be developed to address the issue of maintaining the currency of such information. We would recommend that information older than three years be removed.

“(3) Section 5—The inclusion in the purposes for which information may be collected, used and disclosed in this section of ‘any other prescribed purpose related to the administration and enforcement of designated legislation’ is again too broad. It appears to take away certainty as to how the legislation would apply and provides the government as a whole with too much discretionary power especially when there are competing public policy issues of privacy and confidentiality of business information.

“(4) Section 7—The authorization process as written does not appear to be sufficiently robust to prevent abuse. In our view, the minister should not delegate the power to issue authorizations. If authorization is delegated it should not be below the director level. We have noticed that there does not appear to be any requirement for notice to an affected organization or mechanism to dis-

pute that the scope of the authorization granted does not comply with the statutory authority.

“(5) Section 9—In order to ensure health and safety and protect the environment, we would strongly recommend that the bill require a person who makes an observation that is likely to be relevant to the administration of another act or regulation and intends to give a ‘heads up’ also provide notice to the regulated organization. Such notice will help to ensure that any such concern is addressed on a timely basis.”

That is the letter from that organization, which is the Canadian Vehicle Manufacturers’ Association. It’s certainly an important organization, as we know.

My time is fast coming to an end. I realize that not only the viewing audience but also the audience in the cheaper seats, in the bleachers, on the other side are looking forward to hearing from my good friend and colleague the member for Niagara Centre, but I think you’re going to just have to wait a few moments longer. I’ll let the expectations build up.

Unfortunately, I don’t know if we’ll have time to read the Retail Council of Canada’s concerns. However, this is an important organization. It represents a great number of businesses, and employees, for that matter, in Ontario. Nationally, they generated \$391 billion in sales in 2006. In Ontario, the retail sector is a vital part of Ontario’s economy. In 2006, it achieved more than \$140 billion in sales, an increase of 4.1% over the previous year. There are more than 85,600 retail establishments in Ontario. Without going through the details, they were most concerned with sections 4, 13 and 10, which we’ve already heard about from other organizations. Their concerns were similar.

To wind up, I think this act was dreamed up by a bureaucracy that could only see one side of the picture. It was a bureaucracy gearing up with super-inspectors to meet big business head on, when in fact it’s small businesses that get in the way, it’s small businesses that we rely on in this province for our prosperity, it’s small businesses that employ the greater number of people, and it’s small businesses that we as a Legislature have the obligation to nurture and let prosper. Unfortunately, this bill negates that possibility, or could cause harm to our small businesses in Ontario.

I thank everyone for your thoughtfulness and patience, but I know you’re waiting to hear from my friend and colleague, and I’ll sit down at this time.

The Deputy Speaker: Questions and comments?

Mr. Kormos: I want to thank the member from Cambridge. It was a pleasure working with him on the committee that dealt with Bill 69. I’m going to speak about that at some greater length when I rise in around eight minutes’ time to commence my one-hour lead. I know that the member for Cambridge had a whole lot more to say about this issue, because he contributed a great deal to committee, he introduced a significant number of amendments, and he demonstrated, in particular, as he spoke of again today, a sensitivity for small businesses—the real small businesses, as he put it, and as we all recognize them, the mom-and-poppers.

Unfortunately, although I'm going to be permitted to begin my lead this evening, I'm not going to be able to finish it, because of course at some point around 9:30 the government is going to mention to the Speaker that it's 9:30 of the clock and the Speaker is going to then adjourn the House because that's what the rules require.

2050

I've got to tell you, I'm excited to be here tonight. I am enjoying sharing this experience with the joyful members of this Legislature sitting here alert and intrigued and engaged and oh so interested, riveted by the rather sophisticated discussion of this, as the minister put it, "very exciting" bill. The minister may risk credibility by persisting in referring to it as a rather exciting bill. But I'm prepared to do my very best.

Now, the member for York South–Weston is going to have a couple of minutes too. I'm looking forward to his comments and to Mr. Martiniuk's as well.

Hon. Mr. Peters: There were a couple of times where the honourable member went a little off-topic. I would certainly encourage him to talk to Ray Tanguay, the president of Toyota Canada, which is located in his home riding, and look at the investment that Toyota is making in this province. Drive down the 401 at Woodstock and Highway 2 and see that investment.

I was a little disturbed to hear some of his comments. I very much resent the fact that he implies I have been sold a bill of goods by the bureaucracy. That just shows the Conservative attitude to the hard-working bureaucracy, our dedicated public servants who serve the citizens of this province. They fired inspectors: They fired our meat inspectors, laid off fire and health and safety inspectors. It shows the Conservative disregard for the wonderful inspection regime that exists within this province.

I also very much resent the fact that he described inspectors in this province as unskilled labour. I think that is a very shameful thing to direct towards the inspectorate within 13 ministries in this province that we're bringing together.

This is a very important bill. I care about a business, whether it's a small, medium or large enterprise. But I also, as does I think everyone in this House, expect of our businesses that they make sure they follow the laws, that they follow environmental laws, health and safety laws, employment standards laws and so on. I don't think it's fair to have anyone undermining the laws in this province and using that as a competitive advantage to hurt and harm good businesses in this province. If there are individuals who are not following the laws, we're going to make sure that they do follow the laws. The Regulatory Modernization Act gives us that opportunity for 13 ministries to work more closely together.

Mr. Hudak: I appreciate the comments of my colleague for Cambridge, who worked very hard as the critic on this legislation and brought forward a number of sensible amendments to the bill, sadly voted down one by one by what he accurately described as a whipped Liberal committee. Whether whipped by the minister or

other members of cabinet who were here, they were whipped nonetheless.

I found it interesting that the minister talked about his determination to make sure that those who are undermining laws in the province of Ontario are taken to task. Living close to Caledonia and my riding bordering Caledonia, I'm sure residents of Caledonia would enjoy the minister's comments, to see the irony there, where we have ongoing lawlessness in that area. The same thing regarding the occupation of the railway track in Deseronto in eastern Ontario: I'm sure my colleague from Northumberland is quite concerned about how that took place. So it will be interesting to see if the minister truly will stand by his word that if somebody is undermining laws in the province of Ontario, they will be taken to task. We even have in Niagara, and I know in the Kingston area and I suspect in Windsor and other areas as well, people who are not following the Public Sector Salary Disclosure Act, who are not putting forward if they had made over \$100,000 in salary. Interestingly, the Minister of Municipal Affairs said it's not his responsibility. Heavens to Betsy, it's a provincial law. You would think, if you are going to be supporting provincial laws in the province of Ontario and going after those who are undermining them, we'd see some activity from the Minister of Labour in that regard.

My other interesting point was that the minister said we have a wonderful inspection regime in the province. There's no doubt that there are some very skilful and hard-working inspectors. Sadly, there are some on occasion who may not be as wonderful and skilful. I know that gas well inspections in the province are causing great concern in my neck of the woods, as well as Haldimand–Norfolk.

Mr. Paul Ferreira (York South–Weston): As I rise here for a very brief interjection, I think of thousands of my constituents who I'm sure are at home right now gripped in front of their sets trying to decide whether it's the hockey game or the evening session of the Legislature tonight. I realize that for them it's probably a most difficult decision, made much more difficult by the presentation of the member for Cambridge.

This was the first time I had in this House the opportunity to listen to his words, and let me tell you, his presentation was electrifying. I am only sorry that our friends the Boy Scouts left before he was fully engaged, because I think they would have earned more than one badge had they sat through his entire 52 minutes.

I only have a minute or so left, and given the government's recent actions to invoke anti-democratic closure on a number of bills, this may very well be my only opportunity to speak to this bill, on which—we don't know—closure may be invoked tomorrow, the way this government has been working.

I want to pay tribute to a great Ontarian who contributed to the final composition of this bill, Leah Casselman, who was referenced by the Minister of Labour, who led her union through great times and also difficult times. At the end of the day, Leah was there to stand up for her

members but also for all Ontarians. I believe that her contributions, not just on this bill but to the well-being of our province, deserve considerable applause from all members of this House. She is a friend and a supporter. She recently retired, and I was saddened to hear that she will not be around for most of September and October, which is unfortunate for those of us who have counted on her wise counsel in the past. She'll be traveling overseas. To Leah—I'm sure she's watching tonight—arrivederci, as she looks forward to her trip to Italy and beyond in the fall.

The Deputy Speaker: Member for Cambridge, you have two minutes to respond.

Mr. Martiniuk: I'd like to thank the member for Niagara Centre, the Minister of Labour, and the members for York South–Weston and Erie–Lincoln for their comments in regards to my presentation.

I'd like to clarify one thing: If the Minister of Labour would like to read Hansard tomorrow, he will find that when I referred to inspectors being unskilled labour, I was referring to the peripheral scope presented by this act. That's exactly the great flaw in this act: that you've got an accountant sent in to do an audit on GST or retail sales tax and you expect him, without any training, to somehow make an observation in regards to the health and safety of employees on the premises without warning them if you observe something. That, unfortunately, I believe is unskilled labour in that peripheral way, and it won't work. I don't believe it'll work. It'll cause more harm than good.

The Deputy Speaker: Further debate?

Mr. Kormos: I want to commend the member for Cambridge for his incredible interest in the bill and his work in committee. He presented a number of thoughtful amendments, attempting to respond to the submissions made to the committee, and he demonstrated a very thorough understanding of the issues being discussed in Bill 69.

Let's understand, this bill has been around for over a year now. Government sat on this since February 2006.

Just on Saturday night, the member for Erie–Lincoln and I were down at Club Rheingold on Yager Road in Port Colborne because they were having their 55th anniversary celebration and dinner. The member for Erie–Lincoln—he was there with his wife—leans over to me and says, “Pete, when do you figure they're going to be calling Bill 69?”

2100

Mr. Hudak: That's a reasonable question. I had forgotten about it.

Mr. Kormos: Hudak notes that it has been on the order paper for a year-plus now. It was presented to us as something of, oh, significance and great importance, and the minister suggested that there was some urgency.

So here we are at Club Rheingold, the 55th anniversary of that group. I should tell you also that it was fabulous, because I ran into Werner and Bertl Ratz from Welland. They had just celebrated their 60th wedding anniversary. They've been members of Club Rheingold

ever since they came to Canada in 1953. I was so pleased to find out that they had celebrated their 60th; so was the member for Erie–Lincoln.

While he and I spent some time discussing Bill 69, I interjected a little bit about Werner and Bertl Ratz—truly remarkable people. Werner had started shipping out from the port of Hamburg at the age of 14, in Germany, and by the time he was 18 had visited Africa, South Africa, had sailed most of the oceans of the world. Of course, the war came. He was drafted, became a submariner as a teenager, as a very, very young man. Fortunately, he survived the war, and in the tragic aftermath of the war in Germany, 1947, found time for love and married Bertl. The member for Erie–Lincoln will remember that right after our conversation about Bill 69, I mentioned to him how Werner had come to Canada preceding—his wife had two babies by then. He worked on the tunnel at the hydro production facility down in Niagara Falls, at Sir Adam Beck.

Shortly afterwards, Bertl came—his wife—and two kids, the youngest a one-year-old, still a babe in arms. She worked as a housekeeper because she didn't speak English. She worked at the Humberstone shoe factory—hard, hard work; dangerous work too. Then she worked at Lanark, down in Dunnville. It's shut down now. They built wiring harnesses for cars—again, hard, hard work; very low pay. There was the great Lanark strike, of course, when workers fought back. I remember that Yvette Ward was one of the key people in a leadership role in that strike. I was just mentioning that Werner and Bertl Ratz are just tremendous people, great Canadians, lovely people. They raised their two daughters—grandkids, great-grandkids—and they're still as lively and vibrant and active in their community as anybody could ever expect.

One of the things we had occasion to mention is that their story was the story of German Canadians, and the story of German Canadians is the story of so many Canadians, people who immigrate here, people who work incredibly hard, people who have a passion for their new country but a love for their heritage, their culture and their homeland, and that's an incredibly important thing.

As a matter of fact, just earlier tonight I was sitting here and I was reading. This was an interesting comment, because it's applicable to our multicultural community: “Enhancement, not elimination, of human diversity must be our goal.” It's so brief, pithy in itself. Enhancement of diversity, not elimination of diversity, must be our goal. I intend, quite frankly, member for Erie–Lincoln, on plagiarizing that line over the course of the coming months and hopefully the coming years as I speak to multicultural groups like you and I have occasion to attend.

Bill 69, Speaker—because I know that you are a person who's guided by the rules, and I say to you that we're within the context here of Bill 69.

One of the remarkable things was the presentation made to us about small business, and just as the member for Cambridge indicated when he was introducing amendments to try to provide relief for small business from the most onerous provisions of any number of regulatory

regimes—there are some people in this country, in this province, in this chamber, who think that a small business is 150 non-union employees. When you took the data that was made available to the committee, it wasn't 150; it wasn't 75; it wasn't 50; it wasn't five. Most small businesses are two—mom and pop—the kind of business my family had.

My grandparents had a small business; they ran a small grocery store back in the 1930s, before the supermarkets came. They ran a little store on Crowland Avenue; the building is still there. Mind you, they were illiterate in their own language, never mind English—it's true—but they managed to calculate the prices. One of the remarkable things is that even now, 20 years later, when I campaign in provincial elections—of course, 20 years ago, when I first campaigned, there were more of these folks still alive. There are folks who, if they don't remember—because many of them are dead now—their kids remember how they ran up a tab at this little grocery store, this little mom-and-pop grocery store. They ran up a tab. This was during the Depression—right?—when it was all that much more important.

When we're talking about small business, my own parents ran a small business. My father was a factory worker, but they ran a small business in addition to that, and of course, that was a family-run business. My parents worked there, the kids worked there; my older brother and myself after school, on Saturdays and on Sundays, we worked there. That was the nature of the beast.

I appreciated the member from Cambridge's efforts to not only recognize and understand and acknowledge and try to illustrate to people what the real world of small business is, but his effort to provide relief. Unfortunately, I couldn't concur with him in the method. It's an argument that's there, and I don't want to put words in his mouth, because as you just heard for an hour, he's very capable. He wanted to provide exemptions, if you will, from at least some of the provisions of regulatory standards for small business. I said no. I don't believe that that's the approach. If there are bad regulations—and we heard some wacky examples. Whether they were apocryphal or not, who knows? But even if those particular examples were apocryphal, you can bet your boots that somewhere, somehow, somebody has been dinged.

What was one of the illustrations given by the member for Cambridge? It was about the change in the right-to-unionize notice that was to be provided, or the employment standards notice, and a small business that had been fined, according to this report, for not having put up the new poster, when in fact they claimed they weren't aware of the new poster. It was a very small business. It didn't have, in and of itself, consequences. Look: Whether that happened or not, we didn't get the details. If it did happen, and one can suspect that it maybe did, it was an exercise of less-than-mature discretion on the part of somebody in terms of laying the charge, as compared to merely providing a warning and making sure that the new notice or new posting was put up.

I think, as I recall very clearly, there was, both on the part of the member for Cambridge and certainly on my

own behalf, a very clear understanding of the very important role that inspectors from any number of ministries play and the very professional job that they perform. Our concern was the dilution of that skill set. Our concern was the creation of inspectors who are Jacks or Jills of all trades and masters of none, by virtue of creating mega inspectors. That's what our concern was. Nobody suggested for a minute, at least not from the opposition ranks, that those inspectors were anything less than the most committed and well trained and professional people.

2110

As a matter of fact, on Saturday, April 28, the day of mourning for injured and dead workers across the province, as we gather in our respective communities with working women and men and as we recall—because there isn't one of us who won't be able to—the workers who have been slaughtered in the workplace in our communities, we also reflect on the fact that those workplace deaths, those workplace tragedies, those workplace crimes are preventable. At 8 a.m. Saturday I'm going to be down in Welland with Rob McCallion from the Welland and District Labour Council, down at the injured workers' monument at Merritt Park, right beside the canal—most appropriate, in view of how many lives that canal took over decades and generations in the course of building it. I'm going to be there, I'm sure, with other elected persons. I'm going to be there, I'm sure, with working women and men and trade union leaders.

I might be there with Robyn Lafleur's mother. After we leave the monument at Merritt Park, we're going down to Port Robinson, to the old site of the Esquire Canada plant, where Robyn Lafleur died in that horrid explosion in November 1999. The coroner's inquest that examined the circumstances around the slaughter of Robyn heard evidence that there hadn't been an inspection since 1995 at that site. It was a non-union plant. I firmly believe, I sincerely believe—we're talking about health and safety Ministry of Labour inspectors here. I want to make it very clear that it was nobody's fault in the health and safety Ministry of Labour's inspectors; there simply weren't enough at the time, and the priorities that were established for them by the brass didn't focus on plants like Esquire Canada. Robyn was just a young woman at the time. Her mother, when she attends these memorials, carries, embraces, holds close to her breast and her heart this portrait of Robyn. We're going to go out to that Esquire site—it's just a concrete pad now—up alongside the canal in Port Robinson. There's going to be another memorial service, and a moment of silence, I'm sure, for Robyn and other injured workers.

I'll probably think about an old buddy of mine, a teenage buddy. We used to hang around in the streets in Crowland together, used to hang around Belasky's joint and more than a little bit of time at Blackbeard's pool hall on Severn Street. Donnie Beauchamp was my age. Donnie was operating a crane—a land-based crane, not an overhead crane—and the crane toppled over. He's dead too.

We're going to understand that this business of inspections is not just a matter of wanting to impose red tape on anybody, big business or small. It's a matter of saving people's lives. It's a matter of saving people's limbs and their eyesight and their hearing and their backs from being broken. Donnie Beauchamp, another young worker: The minister knows full well—he made reference to it earlier today—that young workers are at greater risk than seasoned workers, the more mature workers. They are.

A worker who goes into the foundry knows that, notwithstanding all the ear protection in the world, by the time they put in 30 years, they're probably going to have impaired hearing. It's just inconceivable not to. You walk around Welland and you know who worked in foundries or who worked at one of the pipe mills. Have you ever been in a pipe mill? The pipe rolling down, clanging one into the other: That's going on steady as you're producing pipe. If you're one of us who has visited—jeez; Lord thundering—you think the roof is collapsing. It's just a load of pipe rolling down.

I've been in the forges—Haun Forge; shut down now. I told you about that once already. Haun Forge, with a very low-tech safety device: The workers are shackled to their machines. The purpose of the shackles is to prevent their hands from getting—they're handcuffed and chained, and you can't move your hands any further than what the chain allows you, hopefully keeping your hands out of the hammer as it drops or the horizontal hammer.

If you walk around Welland or Port Colborne or Thorold or Hamilton or Sudbury, you know who worked in these places. They're the fellows sitting at the Tim Hortons with the hearing aids, right? If you're looking for a foundry worker, they're the ones who really do have to take their shoes off to count to 10, not 11. That's the toll it takes. Nobody—nobody, nobody—should suffer those kinds of injuries, never mind death, in the workplace. But somehow, an 18- or 19-year-old kid who wants to be an accountant or a doctor or a veterinarian or a parliamentary clerk or an architect and who goes into the foundry to work a summer to try to make some money to pay for his or her tuition—somehow that kid walking away without a hand or an arm really just seems a little bit more tragic, doesn't it?

One of the problems is that we don't have, in our high school curriculums, a basic—and look; please. Here I am, going to suggest something that puts yet another load on teachers, who are already overburdened with expectations and demands. But have you ever been to the course that workers take in terms of toxic chemicals and how to deal with them in the workplace? Most of us have. We've dropped in on those courses or we've stopped in on a graduation day to help give out the scrolls to the workers who have graduated—unless, of course, we're resigned to this province being totally deindustrialized.

Let's talk about the farm. One of the most dangerous workplaces in this province is on the farm or in the agricultural sector. I'm telling you, it's one of the most dangerous workplaces. One of the things that's going to

be happening on Friday is that various health and safety activists are going to be going to any number of high schools talking about workplace injuries, talking about things like the right to refuse unsafe work, hopefully. But the problem is that the right to refuse unsafe work isn't much of a right if you don't know what constitutes unsafe work. That's the problem. The right to refuse unsafe work doesn't amount to much of a right if you don't know what unsafe work is. And let's face it, our workplaces are as varied as can possibly be—the ergonomics issue and repetitive strain injury, RSI. And do you know what one of the issues is? Do you know this, Hudak?

2120

Mr. Hudak: What's that?

Mr. Kormos: You've got places like Canadian Tire Acceptance, the largest single employer in Welland now, which also, as a financial institution, happens not to have workers' comp coverage. It's a wonderful community of workers. There's an incredible workplace culture there; you know that. They're out there involved in fundraising activities, in volunteer activities. They're out there running marathons, all raising money. It's a fascinating culture that's developed at Canadian Tire Acceptance, to talk about that call centre in particular; there are others that have equally capable and conscientious workers. But there's no workers' comp coverage. Of course, the RSI doesn't happen right away. It doesn't happen when you're at the workplace one year and have just turned 21 so you can perhaps choose another career. It happens to you when you're 55, and when the likelihood—because your arms are all crippled up, huh? You've got carpal tunnel, and it just ain't going to happen anymore.

One of the remarkable things, of course, is that workers and their injuries are, unbelievably, still the brunt of jokes sometimes. You know the joke about the person: "Oh, their bad back" or "Oh, yeah, sure, carpal tunnel." Please. We're talking major pain. We're talking major debilitation. We're talking about the incredible psychological impact of chronic pain.

Esquire Canada: Robyn Lafleur died in November 1999. The place hadn't been inspected since 1995. And it manufactured explosive substances—I don't know, calling it a firecracker factory. But it had tons of this damn stuff that exploded. It was an explosion.

So this is where I'm going to, Minister: We will cautiously—and, indeed, do cautiously—support your proposition about eliminating the silos. Now, for the life of me, in the real world—because you see, we got a chance to talk to some of your civil servants involved in the preparation of this bill, who were very helpful in committee. One of the comments that was made is that this is to a large extent preventive, because the suggestion was that, to a large extent, that information gets transmitted back and forth anyway. A conscientious inspector wouldn't do otherwise. I know you raised it as an illustration, but again, Lord love a duck, if there was a Ministry of the Environment inspector who saw somebody welding without goggles, and I can't think of one

who wouldn't know that that's dangerous, I have no doubt—because I know them; not all of them, but I know a whole whack of them—that that person would say to the plant manager or to the foreman on their way out, “By the way, I saw buddy over there without goggles. Don't you think he should be wearing them?” Come on. In a real-world, practical scenario, that's what happens, because these people are conscientious people, in and of themselves. So this bill is not going to change the reality.

Our concern is about the dilution of the expertise, because it's a two-way street. A meat inspector may not have the expertise to deal with an environmental predicament. On the one hand, you don't want the meat inspector, the person with the expertise in meat inspection, to unnecessarily shut down an operation because of an unjustified apprehension or fear of an environmental crisis; on the other hand, you don't want a meat inspector turning his head away from a potential environmental crisis. Again, for the life of me, the suggestion that somehow inspectors historically have seen what they know to be serious, community-threatening, life-threatening, worker-threatening, environmentally threatening

things happening, and somehow just go “la-di-da-di-da”—how's Hansard going to deal with that: “la-di-da-di-da”?—back to their office and ignore it is just inconceivable. It's just not an accurate reflection of the reality out there.

By the way, on Saturday at 8 a.m., Rose Bisson is going to be joining workers, their families and elected leaders down at the workers' memorial at H.H. Knoll park in Port Colborne. And later that day, at 4 o'clock, we'll be up in St. Catharines, right across the road from CKTB radio station, where the workers' memorial is, on St. Paul Street.

Back to small businesses: While the New Democrats couldn't support the proposition of exemption of small businesses, we do have concerns about the need for small businesses to get assistance in terms of compliance with appropriate regulation. I'll be pleased to pursue that when this debate resumes the next time the order is called.

The Deputy Speaker: Thank you. It being 9:30 of the clock, this House is adjourned until 10 of the clock on Thursday, April 26.

The House adjourned at 2130.

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Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Chatham–Kent Essex	Hoy, Pat (L)	Kitchener–Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley-Est	Caplan, Hon. / L'hon. David (L) Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lanark–Carleton	Sterling, Norman W. (PC)
Don Valley West / Don Valley-Ouest	Wynne, Hon. / L'hon. Kathleen O. (L) Minister of Education / ministre de l'Éducation	Leeds–Grenville	Runciman, Robert W. (PC)
Dufferin–Peel– Wellington–Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Durham	O'Toole, John (PC)	London West / London-Ouest	Bentley, Hon. / L'hon. Christopher (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglington–Lawrence	Colle, Hon. / L'hon. Mike (L) Minister of Citizenship and Immigration / ministre des Affaires civiles et de l'Immigration	London–Fanshawe	Ramal, Khalil (L)
Elgin–Middlesex–London	Peters, Hon. / L'hon. Steve (L) Minister of Labour / ministre du Travail	Markham	Chan, Hon. / L'hon. Michael (L) Minister of Revenue / ministre du Revenu
Erie–Lincoln Essex	Hudak, Tim (PC)	Mississauga Centre / Mississauga-Centre	Takhar, Hon. / L'hon. Harinder S. (L) Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	Cansfield, Hon. / L'hon. Donna H. (L) Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (IND)
Etobicoke–Lakeshore	Broten, Hon. / L'hon. Laurel C. (L) Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry–Prescott–Russell	Lalonde, Jean-Marc (L)	Nepean–Carleton	MacLeod, Lisa (PC)
Guelph–Wellington	Sandals, Liz (L)	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
		Niagara Falls	Craitor, Kim (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	Mossop, Jennifer F. (L)
Nipissing	Smith, Monique M. (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Northumberland	Rinaldi, Lou (L)	Sudbury	Bartolucci, Hon. / L'hon. Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oak Ridges	Klees, Frank (PC)	Thornhill	Racco, Mario G. (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oshawa	Ouellette, Jerry J. (PC)	Thunder Bay–Superior	Gravelle, Michael (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	North / Thunder Bay–Superior- Nord	
Ottawa South / Ottawa-Sud	McGuinty, Hon. / L'hon. Dalton (L) Premier and President of the Council, Minister of Research and Innovation / premier ministre et président du Conseil, ministre de la Recherche et de l'Innovation	Timiskaming–Cochrane	Ramsay, Hon. / L'hon. David (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa West–Nepean / Ottawa-Ouest–Nepean	Watson, Hon. / L'hon. Jim (L) Minister of Health Promotion / ministre de la Promotion de la santé	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa–Orléans	McNeely, Phil (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Smitherman, Hon. / L'hon. George (L) Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Ottawa–Vanier	Meilleur, Hon. / L'hon. Madeleine (L) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Toronto–Danforth	Tabuns, Peter (ND)
Oxford	Hardeman, Ernie (PC)	Trinity–Spadina	Marchese, Rosario (ND)
Parkdale–High Park	DiNovo, Cheri (ND)	Vaughan–King–Aurora	Sorbara, Hon. / L'hon. Greg (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Perth–Middlesex	Wilkinson, John (L)	Whitby–Ajax	Elliott, Christine (PC)
Peterborough	Leal, Jeff (L)	Willowdale	Zimmer, David (L)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor West / Windsor-Ouest	Pupatello, Hon. / L'hon. Sandra (L) Minister of Economic Development and Trade, minister responsible for women's issues / ministre du Développement économique et du Commerce, ministre déléguée à la Condition féminine
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor–St. Clair	Duncan, Hon. / L'hon. Dwight (L) Minister of Energy / ministre de l'Énergie
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York Centre / York-Centre	Kwinter, Hon. / L'hon. Monte (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sarnia–Lambton	Di Cocco, Hon. / L'hon. Caroline (L) Minister of Culture / ministre de la Culture	York North / York-Nord	Munro, Julia (PC)
Sault Ste. Marie	Oraziotti, David (L)	York South–Weston / York-Sud–Weston	Ferreira, Paul (ND)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough East / Scarborough-Est	Chambers, Hon. / L'hon. Mary Anne V. (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse		
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	Bradley, Hon. / L'hon. James J. (L) Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		
St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General / procureur général		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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