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**Journal
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(Hansard)**

Tuesday 14 December 1999

Mardi 14 décembre 1999

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 14 December 1999

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 14 décembre 1999

The House met at 1845.

ORDERS OF THE DAY

PENSION BENEFITS STATUTE LAW
AMENDMENT ACT, 1999
LOI DE 1999 MODIFIANT DES LOIS
CONCERNANT LES RÉGIMES
DE RETRAITE

Resuming the debate adjourned on December 13, 1999, on the motion for second reading of Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996 / Projet de loi 27, Loi modifiant la Loi sur les régimes de retraite et la Loi de 1996 sur le régime de retraite des députés.

The Deputy Speaker (Mr Bert Johnson): Further debate?

Mr Michael Gravelle (Thunder Bay-Superior North): I'm glad to have the opportunity to join debate tonight on Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996, which is actually significant. We had some debate last night that was rather extraordinary for its intensity, particularly expressed by my colleagues, and the member for Renfrew-Nipissing-Pembroke in particular, about the fact that we really are now in a situation with this legislation where there are some elements of it that are indeed ones we strongly support. We strongly support the ability of people in deep difficulties in a financial sense or through catastrophic illness to access their retirement benefits in a fashion they hadn't been able to. I have had constituents contact me in that regard and I had written letters to the Minister of Finance in relation to that, hoping it would be done.

What's unfortunate is that in the midst of this valuable and necessary legislation, we see an element thrown in relating to the MPPs Pension Act of 1996. At that time it was ensured that the members who had been elected before 1995 received a benefit which they were not able to access till the age of 55, and they were then subject to a locked-in retirement benefit. This legislation before us today basically brings forward a benefit to those members, 61 of them who are still in a position to receive it, that is not accessible to other members of the population, other citizens of this province. In other words, it provides a very special benefit to members of Parliament, which those of us in the Liberal caucus find unacceptable, abominable in fact.

My colleague from Renfrew-Nipissing-Pembroke is one who, as he pointed out last night, would benefit perhaps the most or more than any others, although certainly the Premier, the Minister of Finance and various other members of the government side would also benefit from it, by allowing them to access their retirement benefits as an RRSP type of benefit. To be able to take the entire amount out, if they so wish, is not allowed to any other, and it's quite stunning.

What this comes to ultimately is that it's a real test here, I believe, for those of us who are here representing our constituents, all 103 of us. I would hope the government members would be conscious of that and will be doing what they can to persuade the Minister of Finance to amend this bill, to change this bill, in fact to withdraw the bill, to take out the aspect which is of such benefit to MPPs.

We have people who tend to be pretty cynical about politicians these days, and I understand why it happens and why it's happened. It's very important to me that I represent my constituents, obviously, in a hard-working manner, one where I try very much to be open and honest, and certainly one where I do not expect to receive a benefit greater than anybody else in this province is able to receive. So what's happened is that we are now in a position where, if this legislation goes through, members of Parliament are going to be treated in a far more favourable fashion than members of the rest of the province. This perhaps explains, this rather extraordinary benefit, why people feel very cynically about politicians.

The reasons this bill has been brought forward are startling. As I said, the aspects that affect the general population in terms of allowing access for those people with catastrophic illness or those with real financial hardship—and may I say the MPP pension changes don't need to be there, because they would also be able to make their case to the superintendent who will be in charge of this, in terms of catastrophic illness or financial hardship; they could still do it. To add this extra part that really gives them an extra benefit is something we find unacceptable. Frankly, all 103 members of this Legislature should find it unacceptable. There's no reason in the world why we should be getting a special benefit that is not available to all citizens of this province.

Again, it comes down to this: Do we want the people we represent to believe that we deserve to be here for the right reasons, that we're here to fight for the best for them? I would submit that, based on the government's actions in putting forward this bill, that is not the case.

It's rather sneaky too. There's no question. The elements of the bill that are very, very good are being threatened by the fact that there is this other aspect of the bill which benefits members of Parliament, particularly the 61 who would be benefiting. For people like myself who were elected in 1995, it doesn't even have any impact on us, but for those who were elected before that, it has an extraordinary impact on how they can access their retirement benefits. As I said earlier, we very strongly feel this is the wrong thing to do.

You want to hope that the government would at least be true to its word. We know that on April 10, 1996, the finance minister stood up and made it very clear that this was a locked-in retirement benefit that was going to be going to members of Parliament, one that they would be able to access in a certain fashion, where they wouldn't have the freedom to simply withdraw it all. And there were some rather extraordinary payouts, as you know, for members. The whole purpose of course was to get rid of the gold-plated MPP pension. This is how the government sold this, how they ran in their 1995 election: "We're going to get rid of those gold-plated MPP pensions. We understand that people won't put up with that any more." We all supported that. Then, three years later, to try and sneak something through—which obviously we're not allowing them to do because we're speaking strongly in opposition to it—that would change that act and give a special benefit to members of Parliament is something that the government should be ashamed of. That really is pure hypocrisy, as far as I'm concerned.

We see so many examples of actions that this government has taken that make people cynical. We recognize that people sometimes feel quite cynical about their politicians. I know they don't feel that way about you, Mr Speaker, and I hope they don't about me, but I recognize that we're all put in this big pot called "politicians" and people feel pretty much that sometimes we're just out for what we can get for ourselves.

When I first ran in 1995, it was very important to me, and it continues to be, that the priorities of my constituents and the people I'm fighting for are what it's all about. I've said, certainly to many people in Thunder Bay, that this is the best job I've ever had and I'm very proud and honoured to be in this position. I hate to see it sullied by the actions of this government by putting forward legislation like this when they know full well parts of it are very important to get through. So what do they do? They sneak in this other aspect of it.

We have seen so many actions by this government that have made people cynical. You've got a Premier who runs a campaign in 1995 based on no new user fees, and what happens? Suddenly seniors and people with disabilities are charged user fees for prescription drugs, \$250 million a year going into the coffers of the province, based on a promise that is absolutely broken.

Even in terms of property taxes, we see a government that apparently supports business creating extraordinary havoc for the small business community in this province. Certainly those in my riding are incredibly upset about

the fact that they needed to get through eight pieces of legislation to get to the final property tax bill, which ultimately ended up meaning that people who had received decreases were having them clawed back.

There are all kinds of reasons why this government continues to make people feel cynical. I'll tell you, this particular piece of legislation is something that the government should not be allowed to get away with. It is not appropriate. It is not right. It is not morally right to allow members of Parliament, the 61 who are in this particular plan, to be able to access it in a more favourable fashion than every other citizen in this province. It appals me that they tried to sneak it through.

One could speak about why we think it's happening or why this legislation is going forward, and I'm not going to, in the sense that I have some of my own suspicions as to who perhaps wishes to access it and why they do. I hope it's not the case. The important thing is that this legislation needs to go forward for the parts that are important. Quite frankly, it's rotten of the government to sneak in this particular aspect of it.

Interjection.

Mr Gravelle: You know it is wrong, morally wrong to sneak in this benefit to members of Parliament that is better than a benefit that'll go to any other citizen.

Interjection.

Mr Gravelle: If you want to complain, please complain, but tell me, how could it be right to have a piece of legislation that includes a benefit to members of Parliament that is not equally available to all people who live in this province? Please explain. There is no explanation for it. It's quite astounding. Again it makes one think about the things the government said they would do and it makes one think about why people have become so cynical about politicians.

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The truth is, we should be making every effort we can at every turn, regardless of what party we are, to clearly do the best we can for our constituents and for the people in this province. I will even accept that the government believes that their way of doing things is the right way to go. I'm not one to talk about "evil" this and "evil" that; that is not my belief. My belief is that you believe your approach is superior to ours, and that's what democracy is all about, and you're sitting there and I'm standing here.

But it's very important that people do not look at us as trying to give ourselves a certain advantage, and that's what is coming out of this legislation. It seems to me that it's entirely possible for the Minister of Finance, based on his own remarks back on April 10, 1996, that this would be a locked-in retirement benefit, to withdraw or take out this part of the legislation that favours the members of Parliament.

I heard my colleague from St Paul's last night talking about the president of the United States previously having what was called a line item veto, where he could take out the piece of legislation that he didn't like, just take it out, which apparently the Supreme Court is not allowing

them to do any more. He could veto entire bills. The point is, that that's what we need. We need a line item veto here to take out this part of the legislation.

I defy any member on the government side to explain to me why this particular part of the legislation needs to be there. It's especially upsetting because of the elements of the legislation that are so crucial to people who really need this help; the legislation is quite sensitive to that. Those who have catastrophic illnesses and those who have severe financial hardship will be in a position, as a result of this legislation, to potentially access the funds. That shows a sensitivity and recognizes a need in our society. It's one we should thank the government for, and I will right here do exactly that.

However, to sneak in this particular other aspect—and that's all it is, to sneak it in. Granted, it's actually on the bill. But why put it in there when you know what the reaction is going to be? The only reason to put it in there is because some people want to change the benefit that the MPPs who were vested are able to receive. Somebody—as in the government—wants to allow them access to something that's special, that gives them a special advantage over anybody else.

Interjection.

Mr Gravelle: Again you're heckling me. I hope you speak in the two-minute opportunity, if only because I want to hear how you can possibly explain why there should be this special benefit.

The whole essence of what we do is to try to gain the trust of the people we represent, to recognize that people for many years have developed a series of negative impressions about politicians, which I personally think are frequently unfair. Having said that, how often do we sit here in the Legislature? We sat seven days up to October 25. We're going to sit until next week—I'm glad to hear that we're sitting until next week—and then we may not sit for three or four more months. People say to me, "I hope you enjoy your vacation." Like many members, I'll be working very hard during the break. I'll be going to my new huge riding which came about because they reduced the number of representatives. I get a little defensive about people saying that, but I don't blame them, because I recall that before I was elected I thought the same thing: "Why don't they sit more often?" It makes them cynical. The fact is that we need to find ways, in essence, to make people believe in us again, and a piece of legislation like this, I strongly believe, works against that in a rather dramatic way.

I implore the government, implore the minister, to recognize what is happening here as a result of this legislation. Very important aspects of it are being threatened, because I believe it's impossible, and should be for all of us, to vote yea for a piece of legislation that affords a greater benefit to members of Parliament than to every other citizen in the province. There's something very wrong with that.

Interjection.

Mr Gravelle: I'm sorry I can't hear your heckling, because it appears that you're trying to respond to me. I

do want to hear what you're saying, because it's just beyond me. I don't understand how you can possibly justify that, let alone why it would be put in this particular piece of legislation. Why couldn't it have been a separate piece of legislation? If you wanted to put it forward, why couldn't it have been a separate piece of legislation? It's like a poison pill, you know; you slip it in. It's not acceptable.

We have to recognize that we need to work every day to gain or regain the trust of our constituents and the people we represent. It requires us to be absolutely honest and not only to not have any extra advantage but not to appear to. That's where I think we've got a real problem. There appears to be an obvious extraordinary extra benefit being afforded to a very special class of people, 61 of them, some still sitting in the Legislature today.

My colleague from Renfrew-Nipissing-Pembroke spoke incredibly eloquently last night and made it very clear what his position was. I know that everybody always respects his remarks, as he speaks in an extraordinarily articulate way. But he was speaking very much from the heart. It was very important that he explain to the Legislature what his position was, being somebody who, because of his tenure in the Legislature, having been elected I believe in 1975, ultimately potentially could benefit the most. He opposes this piece of legislation based upon the fact that he doesn't believe that he or anybody else should get this special benefit.

It's disturbing to speak about this, from the point of view of hoping and believing that ultimately, despite our differences, we all want to achieve the same goals, we all want to be trusted and believed in by our constituents and by those we represent. A piece of legislation like this is quite shameful, because it literally is tacked on, sneaked in, only so it can be done on the back of legislation that's absolutely vital we pass. It's a dreadful way to do it, and you know it. That's what's so bothersome about this. I know that in your hearts as you sit there you recognize that this legislation shouldn't be going forward the way it is. I'm sure the Minister of Finance recognizes that. He will recall his own very strong comments made in the Legislature, which made it clear what the purpose of this pension act for MPPs was back in 1996. I certainly call upon you to look deeply within yourselves before you stand up and vote in favour of this, without asking the Minister of Finance to remove that special benefit. That shouldn't be there.

There's absolutely no reason in the world why members of Parliament should get access to a retirement benefit that is not available to everybody else in this province should they be in the position to have a retirement benefit. I don't think that's arguable. That's incontrovertible. I mean, there's no question about it: You shouldn't have a special benefit because you're a member of Parliament.

If you want people to truly believe in us again, to actually believe that what we're doing here is for the best purpose, to help them out, regardless of the fact that we may have a different belief about how we do it, then legislation like this is very much a very big step backward.

I feel strongly about it because I recognize that ultimately we're all tarred by this. We're all going to be tarred by this. I can say to somebody when they approach me, "I'm not going to benefit from that," which is true. But it doesn't matter; they will believe I have. It's like the beliefs many have that I do have a great big pension coming up some day, if I last long enough. The fact is that's not what it's about. It isn't what it should be about to be in this place. We're here because we were fortunate enough to get elected by our constituents to represent their interests, and representing their interests does not mean voting in favour of legislation that will improve our interests personally or the interests of members of Parliament in the future.

I feel strongly about this. I'm glad I've had an opportunity to speak about it, and I certainly hope the members on the government side will think about this and try to do what they can to get this odious aspect of the bill removed so we can move forward with the legislation that we know is important and should go forward in this bill.

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The Acting Speaker (Mr Tony Martin): Comments and questions?

Mr David Christopherson (Hamilton West): I want to commend the member from Thunder Bay-Superior North on his excellent comments. I share some of his concern about what this does in terms of how people view their own elected people.

The problem with Bill 27, in part, and I'll be able to expand on a lot of this when I get my opportunity shortly, is that the government, it would appear, has loaded up what they think—and I'm going to question that, but what they think—is a huge benefit to an awful lot of ordinary citizens in the first part of the act and sort of tucked in the MPP part as an addition, hoping that no one would really pay attention. That alone taints the whole thing.

I also agree with the member for Thunder Bay-Superior North when he comments on where this government has been vis-à-vis the issue of MPP pensions, and he's right that we all get tainted. Mike Harris thought that he was doing this great populist thing by going after the MPP pension plan, not to the point where he pared it back so that it wasn't gold-plated but reflected a little more reality. No, that wasn't good enough. He went all the way to the point where everything was eliminated, and in part this is here probably—I don't know this for a fact, but I suspect—because he's gotten some pressure from his own backbenchers, who have said: "You know, I think we went too far. And guess what, Premier? When I went door to door, people thought we still had the gold-plated pension plan just like the feds do anyway. We didn't gain anything, and now I'm worried about what's going to happen when I will leave office."

I say this with such sincerity, as much as I can bring to it: None of us ever wants to see a repeat of what we've seen with a previous colleague in the last few years. I think that's the offsetting element of this debate.

Hon Jim Wilson (Minister of Energy, Science and Technology): It's just a pleasure to add my two cents' worth to this debate. Those members who are criticizing the MPP pension aspect of the bill don't know what they're talking about at all. For those of us who were elected in 1990 particularly—and I am one of about three who have a right to completely stand up on this issue. I would have been totally pensioned out at \$78,000 a year for the rest of my life at about age 42. I figured out that if I lived to age 73, that's about \$2.6 million that I personally gave up. I don't get anything. All of us get less than our secretaries do today, with a 5% RRSP contribution locked in, even under these rules, till age 55.

Those were not the rules I ran under, but I did run with Mike Harris and this party, the Conservative Party, to scrap the gold-plated MPP pension plan. This is simply a finalization, the final roll-up, of the gold-plated MPP pension plan. To be against this part of this legislation says to me that you're in favour of gold-plated MPP pension plans, because the only other option is to go back to where we were.

Let's wind this plan up. Let's make sure the public understands that we do not have pensions like our federal members, and that many of us, under the leadership of Mike Harris and all colleagues who voted for this in this House a few years ago to scrap the plan, made a tremendous personal sacrifice and our families made a tremendous personal sacrifice, because the pay was not adjusted after the pension went, which would be a normal thing that would happen in the private sector. In fact, in the private sector, I don't know in the history of Canada of anyone who has voluntarily given up their pension plan in this way.

So you should concentrate on the positive aspects of the bill. I think it's all positive, and I think it's positive that we took true leadership, all of us on all sides who voted to scrap the MPP pension plan. It helped us to make the cuts we had to make to balance the books, and I'm pleased that I was able to do my part. But let's not criticize it, guys. Let's wind it up.

Mr Mario Sergio (York West): My compliments to the member for Thunder Bay-Superior North for a wonderful explanation of the bad parts, if you will, of Bill 27. There are two major parts of the bill, which the member has explained very well. We are in full support of one part, especially two particular clauses that make changes to the statutes, section 49, which deals with making the pension available and flexible to those with a shortened lifespan because of sickness or otherwise, and section 67, under exceptional financial hardship. I think we all concur with that. It's a wonderful opportunity for those people to access those funds.

The portion that the member has so valiantly exposed is the way this government keeps on doing business. That shows you that when they did it in 1995, removing the complete pension for the members, they were wrong in the way they did it. Now they are coming to this House and saying, "Look, you guys, why don't you give us the

power to access those funds?" which run into hundreds of thousands of dollars.

But the ugliness of all this—and I hope the people out there will see and remember this—is that what section 66 of the bill says is that the locked-in retirement accounts not be considered as income or assets of the member. No other person in Ontario, and I believe even in Canada, has this particular privilege. I find that arrogant of the government. I am offended by the action of this government, that they can now withdraw hundreds of thousands of dollars and not pay any tax as it's not considered as income. I find that quite outrageous.

Hon Frank Klees (Minister without Portfolio): On a point of order, Speaker: The honourable member has just said that these withdrawals are without any tax consequences. That is absolutely not true. They will be paying tax—

The Acting Speaker: Please take your seat. That's not a point of order.

I recognize the member for Northumberland.

Mr Doug Galt (Northumberland): It's interesting to hear the words from the member for York West, who obviously doesn't understand this bill or hasn't read it, or both. It's most unfortunate that he would give such misleading information here.

It was interesting to hear the member for Hamilton West complimenting the Liberals.

Mr Sergio: On a point of order, Mr Speaker: I ask that both the member for Northumberland and the member from York North withdraw the "misleading" portion of their statements.

The Acting Speaker: I didn't hear it, but to suggest that somebody is misleading the House is out of order. If you've done that, either member, the chief government whip or the member for Northumberland, I'd ask you to withdraw it, please.

Hon Mr Klees: I'd be happy to withdraw, because the member, I'm sure, was just misinformed.

Mr Sergio: I will read section 66 of the act, which states, "Restriction, locked-in retirement account"—

The Acting Speaker: That's not a point of order.

Hon Chris Stockwell (Minister of Labour): Hold it. Point of order: I ask for unanimous consent to allow him to read it.

The Acting Speaker: I heard a "no." Member for Northumberland.

Mr Galt: Thank you very much, Mr Speaker, for the last few seconds in my two minutes. The one comment I did want to make is that the member for Thunder Bay-Superior North talked about sneaking it in. I'll tell you what's been snuck in around here: the underhanded tricks that the Liberals have played with the Millennium Memento with the poor kids in this province, leading them astray, giving them bad political advice and having them return a good book to the local MPP. Then to come here and deface these books with red stamps on them is even worse than the graffiti that the kids have been putting in them. That's the kind of sneaking in that's wrong here.

The Acting Speaker: Response, member for Thunder Bay-Superior North?

Mr Gravelle: I want to thank all those who responded, Hamilton West and York West. To the member for Northumberland, it's just shameful that a government would not give enough funding for textbooks in schools and yet would publish this piece of fluff.

It's important to deal with the aspects of what the member for Simcoe-Grey, the Minister of Energy, Science and Technology, said. The real element here, ultimately, is that we don't come here to get a special benefit. The fact is that we come here to represent our constituents.

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The facts are very clear on this. Something has been thrown into a piece of important legislation that will allow for early payout from pensions for catastrophic illnesses or for paying out in the case of financial hardship, which even the 61 MPPs would be able to access on that basis. That is the truth. In other words, they could still make their case for that help if they so needed it. There's no need for this extra benefit that's being afforded to members of Parliament.

I did note that when the member for Simcoe-Grey was speaking he made no reference to that at all, because it is the truth. What I got from his remarks was that he was saying we should have that extra benefit, that there should be this special benefit. What it comes down to is that no matter how you cut it, there is a piece of legislation before us today that gives a benefit to 61 provincial members of Parliament that is not available to other citizens in this province. That's the long and short of it.

The member for Renfrew-Nipissing-Pembroke made a real case about that last night. There's no argument. If you're going to respond and criticize what we're saying, tell us you think it's a good thing then. If that's what you believe, then say it; otherwise remove this part from the legislation.

Hon Mr Klees: On a point of order, Speaker: I would ask for unanimous consent to have the members of the opposition who are here tonight speaking against this provision in the act to stand up tonight and say they will unilaterally exclude themselves from this option.

The Acting Speaker: Unanimous consent? Do I have unanimous consent? No.

Interjections.

The Acting Speaker: Order. We can stand here all night if you like and you can banter back and forth. We're wasting time.

ROYAL ASSENT

SANCTION ROYALE

The Acting Speaker (Mr Tony Martin): I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her chambers.

Clerk of the House (Mr Claude L. DesRosiers): The following are the titles of the bills to which Her Honour did assent:

Bill 7, An Act to protect taxpayers against tax increases, to establish a process requiring voter approval for proposed tax increases and to ensure that the Provincial Budget is a balanced budget / *Projet de loi 7, Loi protégeant les contribuables des augmentations d'impôt, établissant un processus d'approbation des projets d'augmentation d'impôt par les électeurs et garantissant l'équilibre du budget provincial;*

Bill 8, An Act to promote safety in Ontario by prohibiting aggressive solicitation, solicitation of persons in certain places and disposal of dangerous things in certain places, and to amend the Highway Traffic Act to regulate certain activities on roadways / *Projet de loi 8, Loi visant à promouvoir la sécurité en Ontario en interdisant la sollicitation agressive, la sollicitation de personnes dans certains lieux et le rejet de choses dangereuses dans certains lieux, et modifiant le Code de la route afin de réglementer certaines activités sur la chaussée;*

Bill 14, An Act to implement the 1999 Budget and to make other amendments to various Acts in order to foster an environment for jobs, growth and prosperity in Ontario / *Projet de loi 14, Loi visant à mettre en oeuvre le budget de 1999 et à apporter d'autres modifications à diverses lois en vue de favoriser un climat propice à l'emploi, à la croissance et à la prospérité en Ontario;*

Bill 23, An Act to amend certain statutes administered by the Ministry of Health and Long-Term Care in relation to supporting and managing the health care system / *Projet de loi 23, Loi modifiant certaines lois dont l'application relève du ministère de la Santé et des Soins de longue durée en ce qui concerne le soutien et la gestion du système de soins de santé;*

Bill 26, An Act to amend the Audit Act / *Projet de loi 26, Loi modifiant la Loi sur la vérification des comptes publics.*

PENSION BENEFITS STATUTE LAW
AMENDMENT ACT, 1999

(continued)

LOI DE 1999 MODIFIANT DES LOIS
CONCERNANT LES RÉGIMES
DE RETRAITE

(suite)

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is indeed an honour to take part in this debate on Bill 27, the Pension Benefits Statute Law Amendment Act, 1999. It is a great honour for me, being a new member, to join these debates day in and day out. I do want to take the opportunity every time I get it, because everybody is so enthusiastic on this side of the House, and being a new member I sometimes don't get as much of a chance. I certainly am very proud of being a member of the government, a member of a government that does something, made up of people who are doers.

Interjection: Hear, hear.

Mr Gill: Thank you.

Day in and day out I see members opposite debate these different things even though internally they might be agreeing with them. In fact, a few seconds ago we had a challenge by the official whip that if somebody does not like the amendments, then they can certainly opt out. I don't think anybody was willing to take that. So this sort of adds to the credibility of some of these bills.

Sometimes members opposite just like to say no to everything, some of these things that might be beneficial to them. Some of the speakers speak 20 minutes, 10 minutes, and some of the other ones speak for an hour. Sometimes I sit here and I'm trying to intently listen. I've got my earphone in my ear. I want to hear everything; I don't want to miss anything. I'm a new member. A lot of times I see they speak for an hour and they haven't said anything. There's a lot of this dialogue. So it goes, day in and day out.

It's been my pleasure, again, to talk about this bill.

Let me bring you back, all the members, and reflect a little bit on the riding I come from, a very diversified, dynamic riding, Bramalea-Gore-Malton-Springdale, as you so nicely said, because it's a hard name to remember. The people in my riding are very hard-working. They live and they work hard and they enjoy the fruits of their labour. They very much enjoy that.

A number of years ago we all realized that the federal government, of course the federal Liberal cousins of members opposite, said the CPP will not have the funds to support our aging population. There was a great panic. I'm not going to go as far as saying, as some people are already saying, that the system is going bankrupt. That would be fearmongering, and I certainly don't want to say that. But it will not be wise to rely on government pensions. One must try to finance their own retirement as much as possible.

With those and other good intentions, hard-working people of this province try and put some money away for their sunshine years or the rainy days. But sometimes when people fall on hard times due to financial hardships or because of serious and terminal illnesses or disabilities, they hit their heads against the wall, they're so frustrated and disappointed and flabbergasted when they find out they can't access the money they put away in the hope that they could use it on a rainy day. They get totally blown away. They naturally turn to elected officials to get some help. When so many of them come to their respective MPPs, it is time to do something; it is time to rise to the occasion and make laws that can help the people of this great province of ours.

This bill allows changes requested by a large segment of the population. It allows pension reform commitments that we mentioned in our 1997-98 Ontario budget. We had extensive consultations held in 1998 and 1999 with the financial pension community. We needed a system that allows Ontarians more flexibility in accessing their own money when they need it most.

We want to deliver on our commitments. Ontarians want early access to their locked-in retirement funds when they have greatest need in terms of serious financial hardships or shortened life expectancy due to terminal illness sometimes, which is sad, but it does happen. It's a reality.

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During consultations in 1998 and 1999, people came up who were in despair, who needed access to their locked-in money sooner rather than later. Even in the short time that I've been in this House, I've met people who are in dire need to get their own money. They need this money for their upkeep and keeping the wolf away from the door sometimes.

We want to make sure that financial hardship will be well defined in the new year. People will have to apply to the superintendent of financial services. There will be no minimum age limit to access their own locked-in money, either in full or in part, as they need. Locked-in accounts include—and I'm going to mention some abbreviations—LIRA, which sounds like Italian money, which is locked-in retirement accounts formerly locked in an RRSP; LIF, which is life income funds; LRIF, which is locked-in retirement income funds. LRIF would eliminate the requirement for pensioners to purchase a life annuity at the age of 80. Pensioners would be free to transfer their retirement monies among locked-in retirement accounts; for example, as I mentioned, LIRAs, LIFs or LRIFs.

These kinds of rules exist and are being used very successfully in some of the provinces. One of them is Alberta. Bill 27 also harmonizes a number of rules that already exist in some other Canadian provinces. Several financial institutions have requested these types of changes, which will be good news for investors and institutions.

There will be MPP pension plan amendments also, as some of the members opposite have said. Let me assure everybody in the House now, as well as people listening at home, that there will be no more money going into MPPs' pensions. Our government had the guts to remove some of these golden pension plans for MPPs. The federal government has not had the vision to do something good for the taxpayers. They still have their golden pension plans whereby after six years of service, MPs—I'm talking about federal members of Parliament—qualify for a full pension at any age. There is no such pension in private corporations.

By the changes proposed in Bill 27, we want to give MPPs the same access—no more but no less—to their locked-in RRSPs after they pay the due taxes. I think one of the members opposite said they will be exempt from taxes. I think that information—I'm trying to find the right word, being a new member—may not be quite correct. It's after they pay the taxes, just like any other Ontarian.

By removing MPPs' gold-plated pensions, we are saving the Ontario taxpayers \$5.5 million every year, and

that will continue. There are no additional funds going into MPPs' pensions.

As we promised in 1996, this bill, if passed—and I hope it is, because I expect everybody will be supporting it—will complete the transition to an RRSP-type plan for the members who are affected. Only 61 members are affected. It's not a huge thing. We want to make sure the law in Ontario applies to everyone, that everybody has the same accessibility to their locked-in RRSPs as anybody else. Like I said, this change will provide affected MPPs, who took a considerable risk by leaving their regular careers to do public service, flexibility in planning for their and their family's future.

Let me reiterate that this bill does not in any way treat MPPs any better than any other Ontarians. They will have similar access to their money after they pay the due taxes. This in no way will mean double-dipping. MPPs will not be allowed to withdraw pension and regular paycheques. They will have to be retired and over 55 years of age to access their pension.

Our government takes the lead to do the needful things for the benefit of all Ontarians, including the members opposite. We have, as we've heard in this first session, reduced the size of this House from 130 members four years ago to 103 members. We reduced our own salaries by 5%, eliminated the tax-free allowance for MPPs, and eliminated gold-plated pensions, unlike the federal government, the federal cousins of the members opposite. We saw restructuring of hospitals to reduce duplication and reduce administrative costs, restructuring of municipalities to reduce the number of politicians. We do not need 58 councillors to run a city the size of Toronto.

The bottom line is that we want to provide Ontarians more flexibility to use their money in time of need, to use their money as they see fit. This is a compassionate bill. We are not coming out with a rigid approach. These changes come about after extensive consultations by the parliamentary assistants in 1998 and 1999. They reduce bureaucracy and they eliminate red tape, which is this government's forte, and we take pride in doing that.

I would suggest that we all do the honourable thing and support this much-needed bill for the sake of all Ontarians.

The Acting Speaker: Comments and questions? Oh, he's sharing; sorry. Member for Cambridge.

Mr Gerry Martiniuk (Cambridge): I proudly stand up on behalf of the riding of Cambridge. Actually, it really should now be called Cambridge-North Dumfries-South Kitchener. As a result of the last realignment, we have expanded the riding, as all ridings have expanded.

There's one thing I should mention. Some years ago, I set up a task force to apply for underserved status. We have a shortage in Cambridge of family physicians, and when I set up that task force, I ended up going with other members of our community to various doctor fairs to attract doctors. Strangely enough, the people we talked to, 90% of them, knew of Cambridge, but they didn't know where it was. I'm going to take this opportunity to tell the viewing audience that Cambridge is located one

hour west of Toronto on Highway 401. Perhaps the reason they didn't know where it was is because of a change some 30 years ago when the sleepy cities and towns of Galt, Preston and Hespeler became the city of Cambridge. As a result of regional government in 1973, if I recall, the metropolis of Cambridge was brought into being.

It is the home, as we know, of Canadian General-Tower, Toyota, and Babcock and Wilcox, plus there are a number of very auto-oriented industries. It is one of the fastest-growing communities in Canada and, I'm proud to say, has the lowest unemployment rate—shared with Regina—of 5.1%. It is a thriving community and a caring community.

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I'm very pleased to stand up in support of this bill. I remember when I was first elected in 1995, constituents infrequently, and since that time a handful of individuals, would come into the office to discuss hardship, in each case where they did have a pension plan but unfortunately there was no means of accessing money in the hardship they were suffering.

I say I'm proud to support the bill because this bill in no way affects myself as an MPP. I was first elected in 1995, as the majority of members of this House were, and there's nothing in this bill that would affect our pensions, simply because in 1995 all our pensions were eliminated. We ran on that platform in the Common Sense Revolution. I agreed with it at that time. I think a pension encouraged people to use this House as a lifelong profession, and I personally do not believe that is a healthy situation. As a result of the elimination of our pensions, unlike the federal House, which still has a gold-plated pension, we therefore are not concerned with the mechanics of this bill if we were elected first in 1995.

But this is a caring bill. It does not affect a great number of people. Unlike some of our restructuring of municipalities, for instance, which affects many people within their community, this bill affects very few people. As I said, since 1995 I've met a handful of them in my office, and on each occasion I have written to the Minister of Finance. I have discussed the matter with him on occasion and with his various parliamentary assistants, who have worked diligently to try to correct this matter, because it's a very small number of people, but they are important people. Sometimes we lose sight of it. We think of affecting a lot of people's lives, but these people are important, and I'm pleased the government is listening to the plight, a long-outstanding plight, of many people who are suffering even though they have a pension and a small income, but because of hardship they need access to their pension. At long last they are going to have that access. I applaud everyone who would support this bill and the government for bringing it forth. It is important to recognize these individuals.

The exact method of payment out after an application to the superintendent of financial services has yet to be determined in regulation. I'm sure all of us will have input into the requirements of such an application. But

we have the opportunity to help those, in many cases, less fortunate than ourselves to help themselves by gaining some access to their capital, which they have worked hard for, and I applaud the government for bringing this measure forth.

Mr John Gerretsen (Kingston and the Islands):

Let's get one thing straight: This is a good bill for the average Ontarian out there. They should be able to access their plans. It is not a good bill, though, when the government's own compendium to the bill states that the MPPs' pension benefit act will not apply to this particular act. That's where in effect the former MPPs, the 61 members who were here in 1995 and got a pension as a result of the changes that were made in 1996, are being given privileged treatment. Everybody knows the gold-plated pension plan is gone, but those 61 members got a platinum-plated settlement in 1996.

I don't know whether you recall, but the act was passed in April of that year, and it was somewhere between four to six afterwards that the individual members were told how much they got in each plan. There were winners on all sides of the House, anywhere from \$100,000 to well over \$1 million—and that was wrong. They simply could have carried on that particular plan for those members, without any further contribution after 1995, and seen how much it would cost. In some cases it may have cost more, if the members had a long life. In other cases, it would have cost a heck of a lot less.

Hon David Turnbull (Minister of Transportation):

You're absolutely wrong as usual. You don't know what you are talking about.

Mr Gerretsen: They keep talking about the fact that \$5 million a year is no longer going into it, but what everybody forgets is that it cost the taxpayers of Ontario \$25 million in 1996 to pay it out.

Hon Mr Turnbull: That's a lot less than—

Mr Gerretsen: It's a lot more than the \$5 million that it cost annually. That is the objection of the opposition. It is the platinum settlement that was made that is now going to be unlocked, when the Minister of Finance stood in this House and said it was going to a LIRA. You're now undoing something that you did in 1996.

The Acting Speaker: The Minister of Transportation will not shout in the House.

Further comments and questions?

Mr Christopherson: I want to comment on the remarks of the member from—correct me if I get this wrong; it's a long riding title—Bramalea-Gore-Malton-Springdale. Correct? Good.

I just wanted to mention that when he talked about the CPP, clearly it tells me that as a new member of the government caucus he drank fully from the glass of Kool-Aid well before he hit the campaign trail. What he did not talk about at all—and so far I haven't heard any of the other members talk about—is the fact that if there is not enough money in the CPP, then maybe there is something other than just saying to everybody, "You better hurry up and scramble or else you're just going to be destitute." That's basically what he said about it.

There was no discussion about the fact that maybe we ought to be looking collectively as parliamentarians at making sure that there is enough money there.

There's an awful lot of people who don't live in the same world that the honourable member does. They don't have nearly as much money. They don't have the RRSPs to worry about this legislation. It would just be nice, once in a while, to see some acknowledgement that there are people who are in very difficult situations and it's not easy for them to accept when the member stands up and says, "Just forget about it in terms of any CPP being there. You've got to look after yourself." That's just a non-starter for an awful lot of folks.

The other thing I would mention to the honourable member is that he seems quite comfortable with the idea that the notion of financial hardship will be defined by cabinet, yet again, after this law has been passed. Let me say to him, for us on this side of the House, we'd rather see exactly what "financial hardship" is going to mean before we go putting trust in Mike Harris's cabinet to look after working people in Ontario.

Hon Mr Klees: I just want to take a couple of minutes and respond to the comments that have been made regarding this legislation before us.

It's very interesting to hear members opposite railing against this legislation as it pertains to the settlement of the MPPs' pension. Members opposite know full well that the amount that was rolled into an RRSP for members was based on an actuarial calculation that took the present value of what was projected to be the full payout of the old, existing, gold-plated pension plan. Had it not been for this government, I would venture to say that the gold-plated pension plan would still be in place, because going into that 1995 election, there was nothing in the election campaign of the opposition parties that talked about withdrawing that gold-plated pension plan—not one thing. So we have to applaud and take credit as a government for at least taking that initiative.

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Now, I will say one thing, and that is that I agree with members opposite when they say that the same benefit that relates to unlocking those RRSP funds should be made available as well to the general public. I believe that and I'll continue to advocate with my colleagues here on this side of the House to do exactly that. I've spoken to the minister about that. But the minister himself, in a statement when this bill was announced, indicated this is the first step of reform of this pension act that has not been touched by previous governments until now. I credit the Minister of Finance for taking on this important task of reforming this bill.

Mr Gravelle: I would like to comment, if I could, on the remarks by the member for Cambridge. One of the things you said, which was somewhat startling, was that because you were elected in 1995 and it wouldn't have any impact on you or those members who were elected in 1995, therefore it didn't matter to you. It didn't have any impact on you.

I think it's really important that all of us in this Legislature recognize that it has extraordinary impact on us if we stand in our place and support legislation that gives an advantage to members of Parliament, whether it's past, present or future, that is not available to everybody else in this province. So for you to say that it doesn't matter to you or it's insignificant or it doesn't affect you, it does affect you. It affects all of us.

The fact is the public is going to see that this is a piece of legislation where, although there are elements of it that are incredibly important and we very much want to support, something has been sneaked in here that gives an advantage to the 61 members of Parliament who were vested out of their retirement plan. Suddenly the locked-in retirement plan disappears and they have far easier access to those funds.

As I said earlier, the member who potentially will be benefiting from it the most, the member for Renfrew-Nipissing-Pembroke, spoke very eloquently last night in explaining to the Legislature why we should not be supporting it, why it was morally wrong.

I would hope the member for Cambridge would also recognize that regardless of when any of us is elected, we have a responsibility for all the legislation that goes through. I think for you to say anything otherwise was unfortunate, and perhaps you may wish to withdraw that when you get your chance to respond.

It seems abundantly clear to me and certainly to everybody on the Liberal side of the House that this is a piece of legislation that provides a very special benefit to very few people. It's inappropriate and it's wrong and we are going to continue to stand up and talk about this as long as we have the opportunity to do so, unless the minister wishes to withdraw and change this legislation.

The Acting Speaker: Response? Member for Cambridge.

Interjections.

The Acting Speaker: We've done four. Member for Cambridge.

Mr Martiniuk: Thank you, Mr Speaker. I don't know what happened there.

I'd like to first of all thank all participants: the member for Kingston and the Islands, the member for Hamilton West, the member for Thunder Bay-Superior North and the member for Oak Ridges.

I'd like to comment very closely on the member for Thunder Bay-Superior North's comments. I did mention that I have no pecuniary interest, and I want to make that clear. That is not to say I am a disinterested bystander. I am interested in every bill that comes before this House as a member who represents over 100,000 caring people who are my constituents.

However, I do not have a financial, personal interest, unlike the 60 individuals who are included in this bill. That should not ever be construed as an abdication of my responsibility to this House or to my constituents. I think any implication of what I said in that regard is unfortunate.

This is an excellent bill. It is an excellent bill for those few people who are in hardship and it is an excellent bill for the 61 members who have faithfully served the public in this House and are entitled to access their registered retirement savings plan.

The Acting Speaker: Further debate?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I will be sharing my time this evening with the member from Thunder Bay-Atikokan.

I think, as I have listened to the debate on the bill before the House, the very best adjective that I could use to describe what we are considering is that it is an “incongruous” piece of legislation, incongruous in that the beginning of the bill, I believe, is very noble in its intent; in fact, very necessary in that it will provide people in Ontario who would find themselves in a situation of need or desperation to access some funds that would otherwise be kept apart from them. This would occur in the case of someone who came into financial hardship—perhaps someone has lost their job, for whatever reason, and would need to access some savings that would be locked in—or in the case of someone who would be terminally ill.

In my riding, I’ve been made aware of situations of people in this particular situation, so as a representative voice for my community, I’m very happy to see that part of the bill before us for consideration and would very much like to support the legislation that has been presented.

But I have to say the other part of the bill that I think is incongruous—the first part is intended to assist people who would find themselves in financial difficulty. That part that is added, that part that is intended for and that refers to MPP pension benefits, really isn’t meeting a critical need. That’s what I think is incongruous, in that we have a group of people who do need to access funds and the bill provides for that and, oh, by the way, at the very end we’re going to allow another group of people, not especially in need but people that we know and we like, a special deal to access some funds that otherwise they had agreed they would not access. They would be MPPs.

From my perspective, it begs the question why. Why this legislation?

I have one of the largest ridings in southern Ontario. As I’ve traveled through the communities in my riding, like Tweed and Marmor, Madoc, Maynooth, Sunbury, Inverary, Battersea, Napanee, Erinsville, Enterprise, Kaladar, Klein, in not one of those places has anyone come to me and said, “By the way, Leona—

Mr Richard Patten (Ottawa Centre): Metropolitan area Cloyne?

Mrs Dombrowsky: Metro Cloyne, yes.

“—there’s something in legislation that I think needs to be addressed, and it’s that part of the law that would lock in MPPs’ pensions.” In none of those locations has that come to me.

It really begs the question why. Why has the government chosen at this time, in this bill, to make this kind of

consideration? Can the government demonstrate that this is a burning issue for the people of the province? I haven’t seen any evidence to that effect.

I find it interesting that the member for Oak Ridges, just shortly ago, indicated that he in fact is an advocate of the mechanism that unlocks locked-in pension contributions that will be made available to members of provincial Parliament, that it should be opened up to members of the citizenry of Ontario. My question is, why wouldn’t it be considered first? Do we not put the needs of the people of Ontario before our own interests? Should that not be our first consideration as a Legislative Assembly, providing that benefit for the people of Ontario first? The government is certainly looking after MPPs, it would appear.

So I speak with very mixed emotions about a bill that I know will bring some benefit for people in my riding. But the whole moral issue that my colleague from Renfrew-Nipissing-Pembroke so very capably spoke to last evening and put in the clearest possible terms for those of us who were perhaps struggling with the terminology of the legislation—it makes it very difficult for me to come into the House and support legislation that, on the one hand, is good for the people but, on the other hand, sets a double standard for people in this House.

I would hope that the government would reconsider this, consider the needs of all the people of the province, and bring forward amendments that would allow this bill to better address the needs of all the people and not just the benefits of a few.

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Mrs Lyn McLeod (Thunder Bay-Atikokan): As my colleagues have said, it is frustrating once again to be dealing with a government bill which combines elements that we would think are in the public interest and might wish to support along with an element which clearly we are finding impossible to support, and that is the special treatment for MPPs who were elected prior to 1995. I, of course, am one of those people.

This is the third bill of this type that we’ve dealt with this week alone where the government has tried to slip something that is controversial into a bill that then gives them a public cover of something which we might want to support.

I want to spend the bulk of my time on my reasons for objecting to special treatment for MPPs who were elected prior to 1995, but before I do that I want to spend a little bit of time on my concerns about the part of the bill which I think we do generally support, because I certainly have had constituents who have contacted my office and who have said, “We would like some flexibility to access our retirement savings plans because of financial hardship that we’re experiencing.” That is the reason the government has brought forward this bill. That’s what they want the public to believe is the reason why they are supporting the bill, because they don’t want the public to notice that other part they’ve slipped in on MPPs’ pensions. But let me just touch on the reasons

why the members opposite believe that the parts of the bill we can support are there.

For example, the amendments in this bill would allow early payments from pensions for catastrophic illnesses. That is something that people have asked for and a number of members have spoken to. I guess my concern is, here we are in the province of Ontario in 1999, about to be 2000, and people are having to dip into their retirement fund in order to cover personal costs incurred because of catastrophic illness. What does that mean?

Does that mean the pensioner in my riding who has significant health problems, who has to leave Thunder Bay to come to Toronto on a repeated basis to have his health care needs met because they can't be met in Thunder Bay and who has already paid over \$10,000 out of his own pocket for medical care for himself and for his wife, who's also ill, has to dip into his retirement fund in order to cover those costs because this government absolutely refuses to recognize the cost of travel for medically necessary care? Should that be something which this constituent is encouraged to dip into his retirement savings for? Does this become a cop-out clause for a government that's not prepared to meet the costs of people who have catastrophic illnesses?

The other provision to allow the early payout of pensions where there's financial need—there have been a couple of things said in the course of this debate. I think it was the member for Kitchener Centre who said, "We shouldn't worry about this because we're only talking about \$15,000." I'm not exactly sure how the member for Kitchener Centre arrived at that particular figure, but he said, "You know, we're not talking about people being able to access a lot of their retirement funds, maybe \$15,000, so it shouldn't cause any financial hardship further down the road."

I guess I was struck by the \$15,000 figure. I found myself wondering, if you were 55 years of age and had one or two young people going on to college or university, what would be the annual tuition that you would have to dip into your pocket for to help support that young person going to college or university? I think in Mike Harris's Ontario it might well be that people have to have access to their retirement savings in order to support their sons or daughters going on to get a post-secondary education. It didn't used to be the case, but I can tell you right now it's virtually impossible for a young person to support themselves with the unregulated, sky's-the-limit tuition increases that we've seen in Mike Harris's Ontario. I'm not sure we want this government to have a cop-out clause that allows them to excuse huge increases in tuition and people having to dip into retirement savings to give opportunities to their sons or daughters.

Then I see the member for Peterborough. His contribution to this debate suggested that constituents in his riding have come in and said, "We're experiencing financial hardship because we're about to lose our home." Certainly that's financial hardship. Then I found myself thinking, in Mike Harris's Ontario, under what circum-

stances would a senior find that they were facing a loss of their home? I suspect, because in most cases seniors are not facing large mortgage payments and many have paid off the cost of their houses, that the thing which makes it difficult for them to sustain their own homes is property taxes. I submit that property taxes is the one part of taxation which the tax-fighting Harris government has not seen fit to take under its wing. In fact, what the Harris government has done to property taxes is to download costs on to municipal ratepayers. So the seniors may well have some difficulty meeting the tax payments on their homes and may face financial hardship and face losing their homes because of that.

I don't want this government using this flexibility in the retirement pension plans to be able to say, "We don't have any concern about the seniors who are about to lose their homes in terms of the hardship we've created for them." I will support this part of the bill because I believe this part of the bill is necessary to give people flexibility, but I don't want this government to say: "They're on their own. They've got retirement funds. Let them dip into their retirement funds in order to beat the hardships." The hardships in many cases have been created by the very government that is now allowing them the flexibility to pay their own way out of the problems.

If I had time I would get a bit philosophical, because I have a lot of concerns about what is happening to people who are moving into retirement age. I have a lot of concerns about whether, with an aging population and a much younger cohort of people who are going to be supporting our pension plans, the whole system is sustainable unless we are able to have adequate retirement provisions to ensure that we do not have to be a drain on the sons and daughters who might otherwise have to support us, either individually or as taxpayers.

I have even more concerns about what may happen to my sons—daughters, in my case, but sons of others of my age group—because I see an awful lot of them working on contract. They don't have a full-time job. They're not going to be in a job which makes them pensionable at the age of 65, or 55 for that matter. If you work for the government and you've been employed in recent years, chances are you're working on contract where you get absolutely no benefits at all. I worry about young people who are facing a long period of job insecurity, who when they do get a job are looking at very high mortgage payments, who are looking at high costs of education for their sons and daughters, who feel that before they can start to invest in an RRSP they've got to invest in an RESP so that they have an education savings fund for their sons or daughters. I don't know when my daughter and son-in-law are going to be able to start to put aside the kind of dollars that they will need to be self-sufficient when they reach retirement age.

I don't think as a society we have even begun to understand what it means to have an aging population and how we are going to support our seniors as they become the majority of our population. I don't think we've begun to think about it in terms of health care, I

don't think we've thought about it in terms of housing, and I certainly don't think we've thought about it in terms of the kinds of income that they will need in order to be self-sufficient. As I say, I'm less concerned about drawing down on retirement savings plans now than I'm concerned about the lack of any retirement savings plan for the generation that is just behind me.

That brings me in my last few moments to the part of the legislation which we quite clearly are concerned about and that is the special treatment that's being given to MPPs elected prior to 1995. I won't take a lot of time to reiterate the comments that have already been made. I know my colleague from Renfrew-plus—and I apologize for not having his new riding name down—quoted the Legislative Assembly speech of the Minister of Finance of April 10, 1996, in which Mr Eves made it absolutely clear, “All members with benefits earned under the old plan who have not yet retired will have the appropriate funds transferred to a locked-in retirement plan.” As my colleague said, nothing could be clearer than that in stating the government's intent.

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Now in presenting this Bill 27, the Minister of Finance finds that when they eliminated the old plan—and again I'm quoting from his speech just last week—he found that there was an oversight in the legislation. Perhaps it shouldn't surprise us that this government is inclined to make oversights in legislation, but I don't think this was the case when the original plan to change the pension plan was introduced. There was considerable discussion about the changes in the pension plan. Both the Liberals and Conservatives had campaigned in 1995 on the conversion of the pension plan into an RRSP. There had been discussions between the leaders of all the parties and the Minister of Finance on exactly what kinds of changes were going to take place. That was why when that legislation came into the House it had all-party unanimous support. We all agreed and we had all campaigned on our agreement that there should be no more gold-plated pension plans for MPPs.

Our whole argument at that time—and it was an argument on both sides of the House—was that there should not be special treatment for MPPs, that we should receive fair pension benefits but we should not be treated differently from anyone else. That was the debate—it wasn't a debate. That was the agreement in this House. It was with the full understanding that that was the purpose of the conversion of the old pension plan to the new plan that we all supported that plan. There was no misunderstanding, there was no room for oversight; it was absolutely clear.

This is why it's a little bit surprising that a very short time later, some three and a half years later, we have the government coming in and, according to Mr Skarica, the member for Wentworth-Burlington, in presenting the government's position, saying that all this does is complete the commitment that was made in 1995. I know the commitment in 1995. I know the legislation that implemented that commitment. I didn't know it needed to be

completed in 1999. I thought it was complete. I don't know why it has to be reopened for MPPs. I don't understand why the member for Wentworth-Burlington would not have some concerns about his own government having this tendency to bring in legislation which, two or three years later, it suddenly decides it has to reopen to fix again. It seems to me that anybody concerned about municipal amalgamation—and look at what's happened to the city of Toronto that was amalgamated such a short time ago and now faces legislation to change it again—anybody who is concerned about that kind of record of the government on amalgamation might be concerned about a government that wants to come in and start fixing things that were done in 1995.

I know how the public sees this. I want to read a letter that came to the Chronicle Journal in Thunder Bay from Helen Jackson, who does it in a somewhat humorous vein but I think she makes the point very well. She said she “got a chuckle out of the article entitled ‘Pension Funds to be freed up for the needy’ in which it was stated that our provincial government wants to make it easier for MPPs to access their locked-in retirement funds.

“While I'm sure, or at least I hope, that the government doesn't consider these folks to be particularly needy, the article fails to explain what their justification is for allowing MPPs to access such funds, while denying us lesser mortals the ability to do the same. Maybe it's Mike Harris's way of playing Santa Claus to his fellow MPPs, who knows?

“All I can say is that based on the information in the article it would appear that, if the proposed legislation is passed and you are not an MPP, you will only be able to access locked-in retirement funds if you can demonstrate financial need. MPPs, however”—and she's quite right.

My understanding of the legislation that's before us is that if you are not an MPP elected prior to 1995, you can only access this flexibility in drawing down your retirement funds for situations of serious financial need. You have to apply to the supervisor of the pension fund to establish that there is serious financial need in order to get the flexibility. She's quite right in her understanding, as I understand it, of what the legislation offers to those whom she terms to be “lesser mortals.” I think she's also quite right in saying that under this legislation, “MPPs, however, will be able to access the funds provided they are willing to pay the appropriate taxes.” I want to acknowledge that this is my reading of the legislation, that we would have to pay appropriate taxes.

“Now, correct me if I'm wrong”—and I urge the government whip to hear this message as well—“but if you're in a position to pay a few extra taxes, it hardly seems likely that you're in financial need,” which of course is why MPPs are not being required to demonstrate that they're in financial need in order to access their retirement funds.

“I must be missing something here. Can someone out there please explain to me why our MPPs should be entitled to do something the rest of us cannot, or have I simply misunderstood the situation?”

I think Helen Jackson has understood the situation extremely well. The government, in slipping this section into this legislation which provides needed flexibility for the average person, whom I don't consider to be lesser mortals, as Ms Jackson rather whimsically suggests they are, is in direct defiance of the original principle behind the change of the gold-plated pension plan into an RSP and locked-in retirement plan, which was what other people would receive.

I don't buy the argument that this is what other professionals receive. If this plan, as members opposite have suggested, is something good, something we should support—unfettered access without having to prove financial need to the superintendent of finance—if this is a good thing, then surely it's a good thing for everyone to have access to that. I think it was the government whip who said he believes that's the case and is arguing with his own government that this legislation should be amended. We look forward to that amendment, which will make a significant improvement to this bill.

Mr Christopherson: I appreciate the opportunity to respond to the member from Thunder Bay. She raised an interesting point that I'm glad is being discussed here; that is, if I'm not misinterpreting her comments, a reference to the fact that these restrictions were put in in the first place because the last thing the government wanted was that people would use this money for any reason other than retirement.

Accessing the money now, while it may sound like a good thing in the short term, where is that going to leave people at the end of the day? With tuition increases, user fee increases, all kinds of privatized services that were formerly in the public domain and are now in the private domain that you have to pay extra for, and if you're not part of the wealthy crowd in Ontario you've got a lot smaller share of this wonderful tax cut than the others in order to pay for these things, the government's agenda puts more pressure on individuals and families in the short term to want to have access or need access to these funds. If we're not careful, we may help solve short- and medium-term problems with individuals and families but create longer term problems.

I mentioned this earlier when another member spoke about CPP. I don't hear the government saying anything about what they're going to do to assist or prevent people from retiring into destitution because the money they had set aside in their RRSPs they've now had to access because of the emergency financial straits that a lot of your policies have put people into.

That is the other side of this. It's a question of paternalism versus ensuring that government is assisting people in being prepared for retirement and not just allowing them to overcome the financial hardships that your policies are placing on them.

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I enter this discussion somewhat reluctantly, because I know it's a bit of a mug's game to get into this sort of discussion about perceived benefits to elected politicians. What bothers

me most about this debate, and what I've heard from the opposition parties, is the suggestion that somehow government members are benefiting from elements of this legislation. That in no way is the case.

In fact, what we were talking about is that in terms of the MPP pension that was in place prior to our forming the government in 1995, it was disbanded. As we all know, it was a very unique circumstance. This was a voluntary disbandment of a defined benefit plan, I suspect the first time in Canada that that had occurred. There are certainly no rules governing this kind of situation. For the opposition to suggest that we're somehow bending or twisting or breaking rules—we broke the book in terms of disbanding a defined benefit plan.

The primary beneficiaries of that decision were the members sitting in the opposition benches. For them to suggest that somehow government members are benefiting is quite offensive. That is the reality, and it stands up to very modest scrutiny.

The whip indicated in terms of this initiative that this is a first step. This is a view shared not just by the whip but by all of us when we made this decision, that this is a first step. Doing it on a broader basis at this point in time has significant implications for financial markets, but certainly—

The Acting Speaker (Mr Michael A. Brown): Thank you; the member's time has expired.

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Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I want to join the debate and congratulate my colleagues from Hastings-Frontenac-Lennox and Addington, and Thunder Bay. I want to say to my friend the member from Brockville that I, for one, and I think all of my colleagues, have made plain that our difficulty with that part of Bill 27 that separates out members who were vested under the old pension plan is simply this—and we accept that those 61 members are from all three parties. Our complaint and our concern is that this policy offers a special consideration to those members, members with names like—and I repeat what I said last night—Conway, Harris, Eves, Bradley, Runciman, Ruprecht. Let it be very clear that they encompass members on all sides.

It is the special treatment of special people that I, for one, find offensive. It couldn't have been clearer what the government of Ontario intended in April 1996. My colleague Mrs McLeod, who has just spoken, was privy to those negotiations as leader of our party at that time. There was no talk then or since that time, publicly, about giving members, 61 of them, an exemption from the so-called LIRA sanctions.

If it's good policy, as my friend from Thunder Bay and my friend from Tweed have just observed, let it be good for everyone and let us do so now. If we're not prepared to do it now, let us amend Bill 27 to hold back any provisions for members until such time as we're prepared to do it for the general community.

Mr Tony Martin (Sault Ste Marie): I want to commend the member from Thunder Bay-Atikokan for mak-

ing some very good observations re this legislation, particularly pointing to the fact that this may lend itself to the government once again shifting responsibility for the health and well-being of individual members of our society from a government-sponsored program of assistance and help to one of private assistance through accessing one's retirement funds that have been put away to be there when one actually qualifies as a senior.

It also plays into the critique that I make of the bill, which is that it really doesn't go far enough in dealing with some of the pension requirements and issues that are out there. I brought to this House a year or two ago a situation where a number of older workers are now being laid off by big companies that are restructuring. They are moving these folks out, turning over to them severance packages that recognize that they have made contributions to their pension plan for a number of years, and in most instances recognize that there was a contribution by the company, but not always complete recognition of that fact. But never, ever, it seems, except in unusual circumstances, is there a recognition of the fact that the pension plan, over the years these people have been putting money into it, has been generating interest at sometimes an exponential rate. They end up getting their own money back, sometimes the money of the company, but never the interest that's been accrued or accumulated.

This bill, if it really wanted to help people, would have gone a distance to resolve and answer some of those questions, because there are a lot of older workers out there losing their jobs.

Mrs McLeod: I appreciate my colleagues from Hamilton West and Sault Ste Marie reinforcing some of the concerns I expressed underlying the parts of the legislation we are supportive of because we recognize the need for people to have flexibility to access their pension funds in times of financial hardship.

It would be said, perhaps, that I am becoming increasingly cynical and suspicious in my advancing years in the Legislature. But I am cynical and suspicious of a government which, in my view, has taken every possible opportunity to make people pay in order to reduce the government level of support and to support the tax breaks they give, much more generously, of course, to people who are making much better incomes than those who need flexibility to access their retirement funds to deal with financial hardship.

But I also want to say to the member for Leeds-Grenville, as my colleague from Renfrew has, that I hope he didn't get any sense that any of us were suggesting that it was only government members who could potentially benefit from this particular section of Bill 27 that applies to MPPs elected prior to 1995. Quite clearly, any members who were elected prior to 1995 would potentially benefit from this, at least having the option, which is not being made available to anybody else.

But there were rules, I say to the member for Leeds-Grenville. The rules were put in place around exactly what proportion of the accrued funds could be put into a locked-in retirement fund, up to the maximum that would

be allowable under federal legislation and the allowance for tax exemption. It was very clear what portion of those accrued dollars, for each of us who had been a serving member prior to 1995, could be put into a locked-in retirement fund and what portion could be taken out and reinvested, with full taxes being paid on it. There was no question about there being any flexibility at that time. We all knew that that division was being made. The rules were there. I see no reason to start changing the rules some three years later.

The Acting Speaker: Further debate? Member for Hamilton West, your leadoff speech?

Mr Christopherson: Yes.

The Acting Speaker: Thank you.

Mr Christopherson: The first thing I want to do before I get into the actual details of the bill is to point out something that I think is quite poignant, given that both debates happened today. Earlier we were talking about Bill 25. Anyone watching this afternoon or following in the media at all will know that we've been raising real concerns about the size of the bill, the fact that it runs 167 pages long and contains at least five separate acts. We asked that it be separated for a whole host of reasons, not the least of which is that as individual members, given that there are five acts within Bill 25, some of us feel differently about some of those acts than we do others, and yet by wrapping it into an omnibus bill we're forced into casting one vote that can then technically be applied, in terms of anybody making reference to that vote, to any or all of Bill 25—a rather untenable situation.

Here we have Bill 27. We've been talking, I would think, with just about as much, if not more, passion this evening than in the earlier debate on Bill 25, yet look at the difference. Here's Bill 27; look at the size of it. Most bills are somewhere around this size. Perhaps it's easier for people who may be watching to understand why we felt so strongly about Bill 25. Here's Bill 27, which runs nine pages. Bill 25 runs 167 pages. I think people will understand, if they look at that, why we felt so strongly about what's called unbundling the omnibus bill.

Second, I want to touch on a point I referenced very briefly in response to a government member's speech with regard to the amount of passion they're prepared to put into this.

Mr John O'Toole (Durham): Mr Speaker, on a point of order: I believe the member held up two separate bills. One bill was very small and one was quite large, but I should note for the record that he's voting against both of them.

The Acting Speaker: That of course is not a point of order.

Mr Christopherson: It's not only out of order, Speaker, it's a totally irrational point. I don't know what the hell you're talking about, John. What do you expect? Either wake up fully, John, or go back to sleep, but don't sort of stay in between, OK? It confuses the proceedings here. This was Bill 27; this was Bill 25. My point was—

Interjections.

The Acting Speaker: Order. We need to quiet down and permit the member for Hamilton West to make his intervention.

Mr Christopherson: I was saying, just before John got up and did whatever it was that John did, that the passion that many are showing here, especially as things start to slip into MPP money, but on the whole overall question of RRSPs and monies and investing and that whole world, you could see a lot of the tension, you could hear it in their voices, you could see it in the body language when they spoke.

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Yet let's not lose sight that this is exactly the same crowd that had no problem whatsoever taking away 22% of the income of the poorest of the poor. Where was the passion and compassion then? You've got lots of it now. We're talking about investments; we're talking about RRSPs and RIFs and locked-ins. You're having great fun with all of this, but no consideration whatsoever to perhaps the kind of Christmas that some families are looking at this year as a result of the cuts you have made over the years. I've made the statement, and many of us have on this side of the House, about what would happen if they had said to their friends, "You're going to get a 22% pay cut," or, "We're going to remove 22% of the tax deductions that you use so you can access the benefit of the Mike Harris tax scheme." As there is now, there wasn't a lot of comment then. That says volumes about what is important to the people sitting on the government side of the House.

Where were they, and where are they now, as we deal in Hamilton—I'll just mention a couple of things because we're not letting you off the hook. You're doing it.

Yesterday's Hamilton Spectator: "HHSC Cancels Dental Program: Budget woes end clinic for AIDS patients and poor," an article by Spectator reporter Gloria Galloway. If I can, for the record, it says in part, "The Hamilton Health Sciences Corp is cancelling a dental program that serves AIDS patients, those with other complicating conditions, and members of the community who cannot afford expensive treatment."

The article goes on to say: "Dr Joyce Stinton, head of dental programs for the regional public health department, said the clinic at Hamilton General Hospital"—that's one of the member hospitals of HHSC—"has been an important source of dental care for people who need it as part of their medical treatment.

"People going in for cardiac surgery or radiation therapy who need dental care prior to surgery or who have a complicating medical problem have received care through that program," she said." Gone. Gone because of your cuts.

Earlier today in members' statements I raised the issue—the plight—of a young Hamiltonian named Sean Logan, who suffers from Tourette's, who can't return to school because our school board doesn't have enough money to hire enough educational assistants to allow Sean to participate fully in class as he should, and, quite frankly, as he is entitled to. Our board, in my opinion to

their credit, said it's more important that we get these students back. There are about 20 students who are now in school because our board, under the leadership of chair Ray Mulholland, said: "We're going to find that money. If it means we've got to go over budget to do it, we're going to find the half-million dollars plus to at least put as many of these students as we can back in the classroom, and then we'll appeal to the provincial Minister of Education for that funding." An honourable move and a risky move.

Speaker, do you know what the response was? I'm sure you do. The response of the Minister of Education in Mike Harris's government to our school board trustees, who need this money and more in order to put Sean Logan back in the classroom: They said no. I see the member from Hamilton Mountain joining us and nodding her head. She's been following and working on this closely, because this matters, and it should matter as much as any discussion about tax cuts, about RRSPs or RIFs or LIFs or whatever formulas are there that folks who have enough means need to worry about.

I can assure you that for Karen Logan, nothing is more important than getting her child back in the classroom. Why isn't it your top priority? Why isn't it your priority to worry about the poor and those who have complicating medical factors that require them to have dental surgery before they have other medical treatment? Why isn't it important to you that they receive that treatment? Why doesn't it at least have the importance you seem to place on the issue that's before us today?

We on the opposition benches have raised, and I'm pleased with—what is it, Bert?

Mr Bert Johnson (Perth-Middlesex): Taxes and deficits.

Mr Christopherson: Taxes and deficits. Do you want to talk to me about Sean Logan? No, I guess not.

The member for Thunder Bay-Atikokan raised earlier, and I'm really glad she did, the notion of another side to this story in terms of this being basically good news for a lot of people. It's hard to argue that if you're going to allow people access to what is basically their own money, that is anything other than good news. But there is a potential downside, and it is exacerbated by your economic agenda that puts people into the kind of financial hardship that forces them to search around and grasp at whatever dollars they can find because they're not one of the few winners in Mike Harris's Ontario; they are part of the overwhelming majority of people who are losing ground in Mike Harris's Ontario.

I want to go a step further. I want to point out a couple of areas in this bill that as far as the NDP caucus is concerned do not make this all sweetness and light. There are a couple of really important principles in Bill 27 that are going to hurt working people.

The first one I'll raise is found on the very first page of the bill, after the explanatory note. The name of the bill, of course, is An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996. In amending the Pension Benefits Act, section 1 of Bill 27 says—it's very

short, I'll just read it, because it sounds so innocuous. It simply says:

"1(1) Clause 8(1)(a) of the Pension Benefits Act is repealed and the following substituted:

"(a) the employer or, if there is more than one employer, one or more of the employers."

It not only sounds innocuous; it's pretty hard to understand what it means. If you're not someone who deals with these things all the time and you don't have a copy of the Pension Benefits Act in front of you, it's hard to really know what this means, whether it's good or bad.

What we found that it means is pretty bad news for an awful lot of working people, because the reference is to what happens—and I am going to refer closely to notes because some of this is complicated. Dealing with pensions is not a straight issue, and I think every one of us in this House would be the first to admit that. In dealing with a multi-employer pension plan, the courts have found currently, because this bill of course is not law yet, that multi-employer plans must be administered by a board of trustees with half the board made up of representatives of employees.

Before I go any further, I know how the government feels about that concept. We all know how they feel about the idea of working people and their representatives daring to believe they have a right to a 50% say in government agencies that regulate important parts of their lives. We saw it with the WCB, now the infamous WSIB, where under the NDP government, employees, either directly or through their representatives, were guaranteed by law 50% of the seats on the board of directors, which makes a lot of sense. The WCB is not there for employers; it's not there for government. Both of them are partners in this, but the essence of it is that it's for working people who get hurt at work through no fault of their own. It makes sure that the historic compromise of 1914-15 is honoured in that there's no requirement for the employee to prove whether the employer was guilty in terms of who caused the accident, but the right they have is that they would have access without having to prove and without being able to sue the employer for any damages beyond wages, benefits and medical care.

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Finally, after decades and decades and decades, we came along and during our time in office said, "You know, it's high time that these workers, for whom this agency was created, at least get a 50% say on the board of directors." That's not only an important labour movement principle, I think it's a very reasonable, rational principle. They didn't think so, because of course Mike Harris's government, in the last term of office, under Bill 15 eliminated that. Gone. We're back to the bad old days now on the WCB where the employers, directly or through their friends, have an overwhelming majority control of the board of directors. And with other changes that you've made that I won't get into here, that is even more significant than it has ever been in the past.

Is that just a fluke? No. We have another important example of how they feel about the idea that workers would have a 50% say in matters that affect their lives. Remember the Workplace Health and Safety Agency, the concept that workers can best teach workers in terms of safer working conditions, a concept that said, "We'll bring employers into this program also, but we'll make sure there's a 50-50 split on the board"? For a government that likes to say—and, oh, they're so good at saying the words—that they care about health and safety and that they care about working people and that they believe there's a partnership out there between employers and employees, you would think they would embrace such a concept.

Mr Gerretsen: They don't care.

Mr Christopherson: I hear one of my colleagues from the Liberal Party say, "They don't care." I would remind him that you ran on exactly the same platform and that had you been elected you also would have killed the Workplace Health and Safety Agency.

Mr Gerretsen: Absolutely not.

Mr Christopherson: I think I hear one of them saying no, but if there's a copy of the red book around in this place from 1995, you'll find it in there. Bert's going to find it. It's in there, and it says that they would eliminate it also, just like you were also going to get rid of the royal commission into the WCB. You were going to go along with tax cuts too, but they weren't going to be quite as bad. You might just want to be careful about how quickly you condemn some of the things they do, given the fact that you ran on them too.

Mr Gerretsen: State the facts.

Mr Christopherson: It is the facts. It's just not the facts you want. But I'll stick to this subject, which is probably what you meant.

I raise these because it's our understanding that this rather innocuous, hard-to-understand clause that starts out Bill 27 has exactly the same effect. The courts have said that where there's a multi-employer plan, it must be administered by a board of trustees, and half of those trustees must be representative of the employees. Under Bill 27, one of the employers can be the administrator. I have a lot of difficulty believing that this somehow is going to provide some kind of benefit to working people, but that's what you're doing.

It's OK that the worker's pension plan will be administered by one of the employers. The employees' plan, the employees' benefit, will be administered by one of the employers, and we have the example of courts that have ruled that, in exactly these situations, you have an obligation to provide the workers, the employees, with 50% of the seats that are going to make decisions about their pension.

In this bill about which so many have said that, by and large, with one or two things, they like it, that's pretty significant. That's a pretty significant deal in our opinion, especially given the fact that the NDP has long believed that opportunity and that right should not only be provided to employees who work for multi-employers, but

you know what, how about the radical concept that everybody deserves, through their representatives, to have at least 50% of the seats on an agency that's going to control and regulate their future, their retirement?

That's why I raised the other two examples, because they're both examples where we have said in word and, unlike you, in deed that working people, employees, will by virtue of having 50% of the seats on these boards—the Workplace Health and Safety Agency and the WCB—have their rights, to the tune of 50%, represented and defended.

I don't understand why and how this government will say that things went so unbalanced under the NDP. It seems to me that's righting an imbalance, not creating one, yet this is exactly where we are.

I might add as an aside that I suppose I ought not be so surprised you don't care that much about the courts, since one of the flavours of the day for right-wing politicians in Canada, and more importantly, starting in the United States, is the whole notion of going after the courts because they're going far beyond their mandate. You notice that only seems to happen when courts have decided, through interpretations of charters and other bills of rights that exist in Canada and throughout the United States, that those rights are being enforced and given effect, never when it's the other way.

In many cases, if it weren't for the courts—certainly under this government if it weren't for the courts—there are a whole lot of rights that would have gone out the window and would have stayed out the window: the right to aspects of the employment equity program that gave to a lot of women in this province, who deserve to receive them, their rightful, lawful employment benefits, gave them back to them because you took them away. It was the courts that said you can't do that. It's not the first time.

The same thing happened with your Victims' Bill of Rights. Remember that little gem? You made all the talk about how much you were helping victims and helping ordinary people, the same words you always mouth no matter what part of our society you're attacking, whether it's our health care system, education system, environmental protection, social service, labour laws. It doesn't matter. It's always the same thing. You say one thing and the reality is completely different.

The courts finally pointed that out when a judge said: "There are no rights in this bill. You called it a Victims' Bill of Rights but there are no rights in here." It was the Attorney General's own lawyers who were in court making the argument that there are no rights in the Tories' Victims' Bill of Rights. I'm not surprised—

Mr Gill: Are we still talking about this bill?

Mr Christopherson: I realize, honourable member, that you know everything there is to know about everything but, yes, I am actually still talking about Bill 27. I am pointing out where you're hurting ordinary working people in this province and I'm pointing out where it's consistent with just about every other bill you've ever brought in that affects working people. I would say that

even though you disagree with the point, it's definitely germane to the debate.

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Another area that needs to be brought forward: On page 6, section 17 reads:

"Subsection 95(2) of the act is repealed and the following substituted:"—meaning of course the Pension Benefits Act

"(2) Without limiting the generality of subsection (1), an agreement may provide for,

"(a) the delegation of any powers and duties of the superintendent under this act and the regulations to a pension supervisory authority or the government of a designated province;

"(b) the delegation to the superintendent of any powers and duties of a pension supervisory authority or of the government of a designated province under pension benefits legislation."

Again, it is very difficult to understand in everyday language, but it's our understanding that this has profound implications for a lot of people. Given the amount of good-job losses we've seen over the past few years, this will resonate with a lot of people. It's our understanding that employers have been pressing for a long time for this provision, and that will become, I think, apparent in terms of why very shortly.

What currently happens where you have pension plans with members in more than one province is that the plans are registered in the province where most of the employees live, and that's usually Ontario, but each member is covered by pension laws from the province in which they live. Now what we have under Bill 27 is a provision under the clause I just read—I'll just read this so I get it accurately: "This provision would allow for interprovincial agreements that could allow Ontario workers to be covered by a plan registered in another province and covered by that province's pension laws."

To recap, where we've got plans that have members in more than one province, the plan is registered in the province where most of the workers live and workers are covered by the pension laws. So there's where the pension is registered and then the actual laws that regulate the administration of that pension. Currently you register in the province where most of your workers live, which is usually Ontario for obvious reasons, and you're governed by the laws of the province you live in.

For Ontario workers this is important. Why, you might ask, is it important? Here's an example: When a pension plan is wound up, in Ontario, for instance, if you have a factor 80 and at factor 80 you receive an unreduced pension, when it's wound up, if you only have factor 78 you're allowed to what's called grow into the plan, meaning that obviously at some point your age will likely help you cross the threshold at which you reach factor 80. In Ontario that's exactly what the law provides.

It's interesting that only Nova Scotia, for instance, in this case, has this provision. In other words, Ontario has some of the best protection, not because of anything this

government did, but because they were already in place when they got there.

As an aside, they don't like that. Whereas most of us would take pride in the fact that our province is the first in anything or the best in anything that helps the quality of life of its citizens, this government sees that as a negative, as a detriment. They do that with minimum wage. They froze the minimum wage to the point where the American minimum wage is now ahead of ours, and they've made the statement that they're not going to do anything with our minimum wage until such time as the other provinces come up.

This isn't Prince Edward Island. We are the largest province in terms of our GDP, in terms of our population. We're fortunate enough to be best positioned in terms of our export markets, particularly around the Golden Horseshoe. We have the access that we do in the north to natural resources. There's a whole lot of reasons why the rest of Canada should look to Ontario to lead in a lot of important areas, because you can't make the political argument in some of these other provinces if you don't have examples elsewhere, and usually that means, Ontario, Quebec, Alberta, BC—the largest provinces.

But this government always sees that as a millstone. The same with environmental protection: They've got to cut back on environmental protection because—and you hear the argument all the time in this place—“Ontario's the only one that has it.” Again, why aren't we proud of that? Why aren't we urging other provinces and urging our friends and neighbours in the United States if they aren't—although that's changing quickly, but if they weren't at the same level of protection, we would be urging them to please do that, through our international agreements and diplomatic discussions, every means available. It's interesting to note that we're now beginning to fall behind a lot of the environmental protections that are being put in place in the United States. At the same time they're being dismantled in Ontario.

Again, it's important in the context to understand that as a policy this government not only is not proud but considers it a negative for us to be ahead in the areas that make the quality of life of our own citizens better.

Why do I raise this? What are the possible implications for the future? Here's the concern: Because under Bill 27 where you register the pension plan are the pension regulations that determine how your pension plan is administered. So we go from a situation where you're registered in the province where you have the greatest number of employees living and each of those employees has their pension benefits administered by the pension laws that exist in the province in which they reside, to a situation where your pension laws in terms of administration of your pension will now be governed by the province in which the employer registers the plan.

What's going to happen over the next while? There are going to be, without doubt, those employers who are going to shop around and find the province that has the weakest regulations because it's financially to their benefit. But who loses? Ontario workers. I'd say that's pretty

significant for a bill that supposedly is all sweetness and light for Ontarians.

2100

The reason some of this came to light is that the Ontario Federation of Labour, the lead voice of labour in Ontario, has a pension committee and that pension committee meets on a regular basis with, I believe it's the financial services advisory committee or the financial services committee, but I think it's the financial services advisory committee, for the purpose of providing their expertise through the committee to, ultimately, the government, which of course has control over policy.

Last Monday, the OFL pension committee met with the financial services advisory committee and asked them if there was anything coming down that they ought to be concerned about, because they'd heard some rumblings. They were told, “No policy is ready for discussion.”

My first reaction was: “Here we go again. Typical Mike Harris government. Don't talk to anybody who's actually affected by the legislation who might point out something different than what you want to believe. You just go ahead and do what you want.” Then it occurred to me, not being any kind of expert in terms of the work of the financial services advisory committee, that perhaps they may not be in a position to be plugged into the government or they may not have two-way dialogue but rather one-way dialogue in terms of advice etc. So then I just assumed that naturally with anything that affects employees to the degree that Bill 27 does, there must obviously have been some kind of direct consultation with the Ontario Federation of Labour.

Was it not the new Minister of Labour, the Honourable Chris Stockwell, who said, and I'm paraphrasing, that he wanted a new era, a new time of dialogue, détente, discussion, give and take with the labour movement? And oh, if the labour movement could somehow find their way to forgiving the last four years—which they aren't about to do, nor should they—but certainly it's in their interests to enter into dialogue with the Minister of Labour. We wish the government had offered that four years ago, before they brought in all their vicious, draconian, anti-labour legislation. It would have been nice if they had thought four years ago, “Gee, maybe we ought to have the odd little discussion now and then with the Ontario Federation of Labour.” However, the new minister said that this was going to be his opportunity to show how things could be done differently even in a Mike Harris world—and again, those are my descriptive words, not his, but the intent certainly is what he was reflecting.

I would have thought that before something like this would come down, the Minister of Labour would be in touch with Wayne Samuelson, the president of the Ontario Federation of Labour, and say: “Hey, Wayne, we better sit down and talk. There are some changes coming down that are going to affect working people and their pensions. I know you've got a pension committee and you have access to experts in this area too. We need to have some discussion about what's going to happen here

and make sure, if it's at all possible, we can agree on those things that are going to be positive changes." That, to the best of my knowledge, didn't happen. I talked to a fairly senior official of the Ontario Federation of Labour; every word I get is that it didn't happen.

I don't know what the minister is going to do to start showing a little more proof. He's got a couple of cases he can point to, but that doesn't cut it. He can't say, "I talked to you three out of five times." That's not the way this works. The Minister of Labour has an obligation to talk to the labour movement, because I'll bet you dollars to donuts that there were lots of employers that had input into this, and if it wasn't the Minister of Labour, you can bet it was the Minister of Finance or one of the bureaucrats or one of the political people in his office. They talked to employer groups and said: "We've got some stuff coming down that might affect you. We'd better talk." You can bet those discussions happened. But once again, if it's working people or, God forbid, unions, government just doesn't act as if they have any obligation whatsoever in this regard.

So now here we find ourselves a week and a half away from Christmas holidays with a bill that's brought in that's supposedly no big deal—tuck in the little side benefit there to the MPPs, the pension stuff, the RRSP stuff, giving those MPPs who are affected something that others don't have, kind of hide that in there and hope they can hustle this thing through.

I would point out—it was delivered to me not that long ago, so I'll take one second, Speaker, if you'll bear with me. I just realized that I'd like to raise this, and I have it here. But that's the scenario that happened in terms of employers getting input, employees and their representatives not getting input into this, employers gaining more ground in terms of the pension plans that are there for the workers of the province. Nothing for workers. In fact, they are losing rights again.

What's the government's intent with this bill? Well, well, well. I was handed, as was my counterpart, as House leaders for our respective parties, just a short while ago another time allocation motion.

Mrs McLeod: Tell me it isn't so.

Mr Christopherson: It's so, I'm afraid. The member from Thunder Bay said, "Tell me it's not so." It is. Another time allocation. It's pretty much like all the others. They must have a standard form now, the one that reads at the top, "Anti-democracy Form." It rams it through. There will be no committee hearings; there will be no opportunity for committee of the whole. They're going to shut down second reading debate. The only difference, I would point out to the member from Thunder Bay, is that where normally when they use the hammer they limit us to one sessional day, which is usually about two or two and a half hours, for third reading debate, we're down to an hour with this one.

Mrs McLeod: It's getting close to Christmas.

Mr Christopherson: It's getting close to Christmas, right. They figure fewer and fewer people are watching,

so they can afford to just squeeze a little tighter than they ever do. So that's there again.

It's important to remember that if perhaps any of us have raised anything during these debates that may be deemed by anyone to be worthy of a second look or, God forbid, an amendment—remember when those used to happen, when there used to be real amendments? We don't have those any more. Why don't we have those any more? Because we don't ever get bills out to committee any more. Why don't we get them out to committee? Because the government says: "The bloody opposition's going to want to let in—do you know who they're going to want to let in here? The public. They're going to want the public to come in here and talk about our legislation."

Interjection.

Mr Christopherson: I don't think you want to go there, Bert.

That's why we don't have amendments any more. We debated Bill 25 earlier today, 167 pages. Do you know how many opportunities there are for amendments to this bill? Zip. None. The only place you can make amendments is in committee or committee of the whole. They don't send things to committee, so there are no amendments. They never go into committee of the whole.

Hon Mr Klees: You know why we don't do that.

Mr Christopherson: We know why, and I hear, I believe, the chief government whip. Someone correct me if I'm wrong, but I think that's him muttering from behind the top of his desk, saying, "You know why we don't do that." Yes, I do. Because the last time we went in there, we finally found one little loophole that allowed us to hold up your freight train just rambling down that track, and that was the last time we were ever in committee of the whole.

What's the result of that in terms of good legislation? Remember when you brought in your assessment changes? Remember what happened when you introduced that bill and rammed it through and we said to you, "You're going to make mistakes. You're going to regret this. Slow things down"?

Interjection.

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Mr Christopherson: Again, I say to the honourable member from across the way, who continues to interject—and in this case you weren't even here in the House, I might point out, in terms of the instant case I'm pointing to—

Mr Gill: On a point of order, Mr Speaker: I believe there was a ruling a few days ago that we're not going to address someone for being here or not being here.

The Acting Speaker: I'm sorry. I didn't hear you.

Mr Gill: I believe we said in the House that we're not going to address somebody saying whether somebody's here present or not.

The Acting Speaker: It is, of course, out of order for a member to refer to an absence of another member.

Mr Patten: So are you here or aren't you, David?

Mr Christopherson: I don't want to leave that open to debate, Richard.

But to the member for Bramalea-Gore-Malton-Springdale, again, my point is that sometimes you do act as if you know everything around here. Your point is well taken to the extent that it is unparliamentary and against the rules to acknowledge when someone is in the House or not, except, if you'd let me finish, because you didn't, because you know everything, I would have said that you weren't in the House because it was in the last Parliament and you weren't elected at that time, which is why I was suggesting this might be the one sliver of information in the whole universe that you might not be fully versed on.

What happened at that time—because you weren't here, I'm going to explain—was that it took six subsequent bills to fix your mistakes. You wouldn't do it in committee because you wanted this bill rammed through, just like you're doing today with 27, just like you're going to do with 25, just like you've done with every other bill and likely will do with every other bill.

We said, "Slow down." Had that bill gone to committee and been looked at properly, we wouldn't have had to go through the long, inefficient, wasteful process of introducing six subsequent pieces of individual legislation with first, second and third reading, because we would have used the mechanisms that were put in place when this Parliament was formed, and in fact when the mother Parliament was formed in England, which is to send it to committee and have members take the time to look at these things individually.

That's why it's so frustrating. It's not just that you're denying us the chance to talk, although for some of us that hurts more than others, I admit. It's because it's not good governance. It's not the way to go. Yet here we are, time allocation. Ram it through. I'm expecting tomorrow that I'll be given a copy of this with the only change being the date changes and the bill number. But it will apply to Bill 25, the amalgamation bill that's also going to shut down all further discussion, eliminate and deny any opportunity for amendments, just as is happening with the bill we're debating tonight, Bill 27.

I won't mention members. I'm more concerned about the outcome than pointing fingers. But I raise these concerns in the hope that perhaps there are those who thought this was fairly innocuous and didn't hurt anyone and that the only politics in it—and I've got to tell you, Speaker, at first blush, so did I. I'm not standing here suggesting that I have this wealth of knowledge that figured these things out by reading this bill, not for one second. But for those who still believed that this is only good news and therefore we'd better watch the politics—and oh, the government pulled a cute little trick attaching the MPP thing. Obviously what they're trying to do is put the opposition in an awkward spot.

I understand why. Nonetheless, when you analyze it, the reality is that it puts the opposition in an awkward spot because they don't want to politically be supporting something that is better for MPPs than the average person, but by the same token they also don't want to be

objecting to a bill that purports to be nothing but good news for people.

You can see that with a little bit of analysis and a little bit of time, a little bit of expertise, things change. We go from what's in legalese to plain language about the implications for ordinary working middle-class people and their quality of life; in this case their quality of life when they retire. And guess what? This doesn't look so good. This is now a problem. I would hope that perhaps some of the other members would have an opportunity to reflect on the fact that there are losses in this bill for ordinary Ontarians. There are ideological policy moves that the government is making that provide benefits to employers at the expense of employees.

I wouldn't be surprised, if we didn't have this time allocation motion and if we were going to be given an opportunity to send this to committee to be looked at, that we would find out that there are further implications. I found when I was dealing as an elected labour leader and all the way through to being a member here that pension matters are extremely complex. You start dealing with actuarial charts and actuarial projections and, as everyone in this House knows, you're dealing with some very complex formulas and some very complex financial concepts that some members may be more comfortable with than others. But unless somebody has done this for a living, I doubt there's anybody here who would feel comfortable picking up this bill, reading it once and feeling adequate to stand up and pass judgment on whether this is a good thing or a bad thing. Yet that's just about what you're doing anyway.

I don't imagine there are too many on the government benches who know the issues that I've raised. Again, it's not because I'm so smart; it's just because we did some digging. Some people at the Ontario Federation of Labour who do have access to these experts conveyed some of that information to us. Some legal people who help out the labour movement from time to time took the time to look at it. They contacted their actuarial experts, and it worked its way back to me standing here mentioning that these are real concerns.

What do I get on the same day that I got this information? A time allocation motion. If we have a situation where I'm raising some legitimate concerns and if there is somebody on the government benches who thinks they know enough about this to stand up and quote chapter and verse of contrary opinion to how I'm analyzing some of these clauses, by all means please do so. But I'm feeling pretty confident that it's sure as hell not going to be all of you.

And yet where is the opportunity in what according to Premier Harris is a very open, transparent, accountable government? Where in that Mike Harris Ontario, that Mike Harris version of democracy, is the opportunity to sit down at the committee level without the pressure of what happens around here during question period and even during these debates—although things don't look too pressurized right now, I admit. Nonetheless, this is not the kind of working environment that you have at

committees, where you literally roll up your sleeves, bring in experts and start going through this paragraph by paragraph so that when somebody says “the employer or, if there is more than one employer, one or more of the employers,” and starts making references to sections and subsections, and to subsections of other laws, you can make some sense of it.

That’s why we have committees. It’s so rare that we do that now. Why is it rare? Is it because you are all so gifted that you don’t make mistakes, so why would we need to go to committee? Surely even you wouldn’t suggest that. So why? What would the legitimate reason be if you see this trend line over years where there’s less and less public opportunity for input, less and less opportunity for opposition members to have a say, less and less opportunity for government members? Don’t forget, I sat in a government caucus when I was in the back benches. Yes, you get your say and, yes, you can talk about policy issues, but there’s no way you’re going through legislation line by line. In fact, the only time you’d ever hold up a bill at a caucus meeting is if you were being lobbied night and day in your riding over a particular clause and you were raising it at caucus, behind closed doors, saying, “For God’s sake, Minister, do something; I’m getting killed out there.” Other than that, you don’t do the kind of clause-by-clause work and you don’t invite in the experts.

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Think about it. Talk about the height of arrogance: To bring in a bill that deals with something—I didn’t hear anybody refuting when I was arguing about how complex these matters are for all of us, not just lay people like me but for other professionals in the room, even some of the lawyers in the room, unless you’re an expert in this area. People were not arguing when I was making the case that this is complex stuff. Why then aren’t we providing ourselves with the opportunity at the committee level to bring in experts, who can claim to understand these things, to answer the questions that I’m raising and that others have raised? Maybe there are questions we aren’t raising that should be raised but we don’t know about because the time allocation motion is putting the hammer down on our time to spend on this bill.

Mr Johnson: Thank God.

Mr Christopherson: I hear one of the members across—I think it was the always helpful Honourable Bert Johnson—saying, “Thank God.” You know, that might be a nice little throwaway line for you to get a chuckle from the other Tory backbenchers sitting near you, but there are an awful lot of Ontarians who would be deeply offended that your response to the idea that there’s less opportunity for Ontarians to have a say in their own legislation is that you would say to them, “Thank God.”

Interjection.

Mr Christopherson: That’s right. You just jumped in, as you always do, and engaged your mouth long before you engaged your brain.

The Acting Speaker: Through the Chair, please.

Mr Christopherson: You just felt you’ve got to jump in. Through you, Speaker, he felt he had to jump in, so he jumps in at a moment that in my opinion typifies why we’ve got a problem. He just sits back there and he says, “Thank God they’re not coming in.” Meaning what? Who needs the hassle? What do they know? Don’t want the unwashed masses in your little private palace? Now he doesn’t want to interject. I don’t think he knows what he wants.

Mr Gill: Just stick to the bill.

Mr Christopherson: I will stick to the bill. The member from know everything says, “Stick to the bill.” We’d like to, except you’re bringing in a time allocation motion that’s going to deny us an opportunity to stick to the bill. Right? That’s exactly what this does. You, of course, would know all about time allocation motions, like you do everything, and you would know, therefore, that the opportunity for further democratic debate is being muzzled. It’s right there, that’s the motion. It’s going to be put within the next day or so. We’ll spend a day debating it and at the end of it, wham, everything locks up and shuts down in terms of Bill 27.

Hon Mr Turnbull: We learned it from the NDP.

Mr Christopherson: No, no. Let me tell you, any idea of this much railroading is not something you learned from anywhere in Canada, probably anywhere in the Commonwealth. You have set a new standard for denying public input.

This is the same bill, I’ve already pointed out, that the people who are affected, the employees, have not had an opportunity to be consulted on.

Hon Mr Turnbull: He’s forgotten the Bob Rae days.

Mr Christopherson: Through you, Mr Speaker, I would say to the Minister of Transportation, are you suggesting to me that you find that a perfectly acceptable way to do business with a bill that affects the pensions of working people, that you don’t talk to the people who represent the working people? I’m making the allegation that I’ll bet your government’s had lots of discussion with the employers. That’s OK? No. You can say what you need to or say nothing, that’s your choice, but I know you well enough that I honestly believe at the end of the day, in terms of fairness and the right condition, you would probably argue—and you’re not saying this; it’s my observation—and under the right circumstances you might actually say, “You know, Dave, there are times when probably a little more light would be beneficial to the process.” Those are my words. I’m not putting words in your mouth.

The fact remains that you can say all you want. You’re great talkers, great spin doctors. It breaks my heart to admit it but I give you your due. But nonetheless it’s only words. The actions are here in Bill 27 where you’re taking away the rights of working people, people who need their pensions, need every benefit they can have in terms of the fairness of administration they’re entitled to. You’re denying it through the time allocation motion that’s going to ram this very same bill through.

On third reading, do you know how much time Mike Harris has deemed this place deserves to spend on this bill that affects people's retirement funds? One hour. If there was a way you could whiz the whole thing through in a day, you'd do it. You would.

Mr Galt: Could we?

Mr Christopherson: The member for Northumberland says, "Could we?" I know he means it tongue-in-cheek. I happen to believe that deep down, that's exactly what they would do, because they don't believe in democracy and they don't believe in helping working people.

The Acting Speaker: Thank you. Questions and comments?

Mr Sergio: Compliments to the member for Hamilton West on an in-depth review of Bill 27. I think he has mentioned to the House really the essence of how the government does business. It's the way they go about it inasmuch as what they put in their own legislation is concerned. The member has been saying that if they would have split the bill, we would have already voted on and approved the first part, which deals with assisting the most needy, those who find themselves in very precarious situations and, yes, why not do exactly what the bill is calling for?

I think it is the second part that most of us find offensive. I have to say on behalf of those many seniors I have in my area that they would find it very offensive as well. This goes for members on both sides of the House. I'm speaking on behalf of many colleagues on my own side as well as the rest of the House, who somehow benefit, if you will, from this particular type of legislation. But why bring it out now? Why attach it to the other part of the legislation?

As I said, we would have already dealt with the bill, we would have voted, we would have approved it, if they were sincere enough to say, "This is what we want to do for those people in dire straits, in need." There is absolutely no need to now incorporate the pension plan for the members of the House or past members up to 1995.

There are many seniors in my community who don't have the luxury. They don't even know what RRSP means. I'm sure that if they were to know, they would probably say: "Why not me? Why not us?" This should be the first priority the government should be concerned with. But given the intent of the government, given the agenda the government has and is moving forward with, I am not really surprised. On behalf of my people, I have to say, I'm really sorry the government keeps on going at this pace.

Mr Johnson: I was listening to the member for Hamilton West. For most of the time he went on, I disagreed with most of what he said, but listened for the whole hour anyway. I'm going to support, proudly, the bill.

Mrs McLeod: I'm very concerned to hear the member for Hamilton West, who is the House leader for his party, tell us that we already have a time allocation motion on the bill that's before us this evening. I'm wondering in fact if the records will show that we voted on any legislation brought forward by this government in its first term, let alone in the beginning of its second term, without having had a time allocation motion.

I think the member for Hamilton West is absolutely right in saying that one of the real difficulties we have with time allocation motions is that it leaves us with absolutely no way to address some very legitimate concerns that might exist on any given piece of legislation.

It used to be that we had committees, that bills were referred routinely to committees, that committees actually functioned to look at how we could improve legislation, that all three parties worked co-operatively to look at amendments and to support amendments that would bring about improvements in legislation. It's hard to remember those days because our committee process has become essentially a farce. Amendments don't get any consideration. Amendments are placed and considered to have been read and have to be voted on when there's been no debate at all in the cases of some of the large legislation.

The member from Hamilton West has brought forward some very real concerns that we haven't had time to identify in this legislation that's before us this evening. I would have liked an opportunity for a better understanding of some of the concerns the labour movement has brought forward, because this bill is supposed to address the concerns many of its members have had.

Earlier this week we passed Bill 23. We didn't support it but the government passed the motion. There was an amendment the government should have brought to that piece of legislation, an amendment to protect health professionals. Many health professionals had asked for the amendment to be brought forward. The government didn't do it. The government could have done it but it was too anxious to pass the bill so it refused to even bring in that amendment.

We need to get back to some due legislative process.

The Acting Speaker: It being 9:30 of the clock, the Legislature stands adjourned to 1:30 of the clock tomorrow afternoon.

The House adjourned at 2130.

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| Pickering-Ajax-Uxbridge | Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation | Vaughan-King-Aurora | Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce |
| Prince Edward-Hastings | Parsons, Ernie (L) | Waterloo-Wellington | Arnott, Ted (PC) |
| Renfrew-Nipissing- Pembroke | Conway, Sean G. (L) | Wentworth-Burlington | Skarica, Toni (PC) |
| Sarnia-Lambton | Di Cocco, Caroline (L) | Whitby-Ajax | Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones |
| Sault Ste Marie | Martin, Tony (ND) | Willowdale | Young, David (PC) |
| | | Windsor West / -Ouest | Pupatello, Sandra (L) |
| | | Windsor-St Clair | Duncan, Dwight (L) |
| | | York Centre / -Centre | Kwinter, Monte (L) |
| | | York North / -Nord | Munro, Julia (PC) |
| | | York South-Weston / York-Sud-Weston | Cordiano, Joseph (L) |
| | | York West / -Ouest | Sergio, Mario (L) |

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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Gilles Bisson, Sean G. Conway, Alvin Curling,
Gerard Kennedy, Frank Mazzilli, John R. O'Toole,
R. Gary Stewart, Wayne Wettlaufer
Clerk / Greffière: Anne Stokes

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Finances et affaires économiques**

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Lyn McLeod, Joseph N. Tascona
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Marilyn Churley, Brad Clark, Caroline Di Cocco,
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**Regulations and private bills /
Règlements et projets de loi privés**

Chair / Présidente: Frances Lankin
Vice-Chair / Vice-Président: Garfield Dunlop
Gilles Bisson, Claudette Boyer, Brian Coburn,
Garfield Dunlop, Raminder Gill, Pat Hoy,
Frances Lankin, David Young
Clerk / Greffière: Anne Stokes

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