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Monday 9 May 2011

Lundi 9 mai 2011

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 9 May 2011

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 9 mai 2011

The House met at 1030.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

Prayers.

INTRODUCTION OF VISITORS

Mr. Ernie Hardeman: I'm pleased to rise today to welcome the Ontario Greenhouse Alliance to Queen's Park: Rejean Picard, chair of the Ontario Greenhouse Alliance; Andrew Kuyvenhoven, chair of Flowers Canada, Ontario; and Don Taylor, chair of Ontario Greenhouse Vegetable Growers, who are here in the gallery with us today.

After question period, they will be hosting a lunch in room 228, and I hope the members will take the opportunity to meet with them and learn more about the state of their industry. I'd like to welcome them all to Queen's Park today.

Mrs. Maria Van Bommel: I think the member from Oxford beat me to it, but I also want to add my welcome to Don Taylor, Rejean Picard and Andrew Kuyvenhoven.

Hon. Michael Gravelle: I'd like to welcome my sister, Susan, and her husband, my brother-in-law, Roy Houghton, who are here to watch democracy in action. Welcome, Susan and Roy.

Hon. Deborah Matthews: I'm very pleased to welcome a constituent of mine from London North Centre, Melissa Kargiannakis. Melissa sang O Canada at the vote mob in London and inspired everyone who was there.

Hon. Sophia Aggelonitis: I'd like to wish a happy birthday to Donna Downing, who was supposed to be here with me today. It's her birthday, and I just wanted to wish her all the best.

Hon. Monique M. Smith: I'm delighted today to have most of my family here with me: My mom, Martha Smith, from the great riding of Nipissing, is here; my brother, Joe Deschenes Smith; my niece, Kate Smith; my nephew, Michael Smith; and my brother, Paul Smith, from New York City. We're delighted to have them all here today.

The Speaker (Hon. Steve Peters): Further introductions? The member from Nepean—Carleton.

Ms. Lisa MacLeod: Thanks very much, Mr. Speaker. I do notice in the gallery that one of our former colleagues, Bart Maves—I guess I just beat you to the

punch—is here from the great region of Niagara. It's great to see him here today.

The Speaker (Hon. Steve Peters): I too want to take this opportunity to welcome Bart Maves, who represented Niagara Falls in the 36th and 37th Parliaments. Welcome back to Queen's Park today, Bart.

On behalf of Christine Moreland, one of our information officers, seated in the Speaker's gallery today are her mother, Susan McAllister, and her grandparents, Bob and Ann Bennett. Welcome to Queen's Park today.

On behalf of the member from Hamilton Centre and page Lukian Husak, I'd like to welcome his mother, Danusia Burdyk-Husak; his father, Ihor Husak; and brother Zakhar Husak. They're visiting Queen's Park's today as Lukian serves as page captain. Welcome to Queen's Park.

We have with us in the Speaker's gallery today a parliamentary delegation from the Provincial Assembly of the Punjab, led by His Excellency Rana Muhammad Iqbal Khan. Please join me in welcoming our guests to the Legislature. Welcome to Queen's Park.

ORAL QUESTIONS

ONTARIO PUBLIC SERVICE

Mr. Tim Hudak: My question is to the Acting Premier. The Ontario PCs believe that government should actually work for the people who pay the bills. The McGuinty Liberal approach seems to be for people to work longer and harder and pay more and more for more expensive government. Not only that, but you keep deals that you sign secret from the general public, who are the actual employers who have to pay the bills.

The minister's secret deal of a 1% increase is supposed to kick in after the next election. This was exposed by another union trying to find the same secret deal. Finance Minister, can you confirm that no other unions have a similar increase after the next election campaign?

Hon. Dwight Duncan: The only thing secret around here is what the Tories will do if they come to office. They were going to get rid of the Human Rights Tribunal, and now they tell us that they're going to keep it. Whatever happened to the original deal? Those are what the secrets are around here. The Leader of the Opposition says he's going to get rid of arbitration, but he doesn't say what he'll replace it with. He fails to acknowledge

the fact that when he was in government they supposedly fixed the arbitration challenge.

Then the Leader of the Opposition referred to the great city of Toronto as mediocre last week, and we completely reject that. The only secret is, where would you come up with that? We think this is a great metropolis with a bright future and with a lot of promise in a whole range of areas that—

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

Mr. Tim Hudak: Well, obviously the minister doesn't want to talk about his secret deal that he signed with the largest public sector union that deals with the province. Ontario families were told that you were doing something about runaway spending, and now we find out you're signing secret deals to pay out after the next provincial election campaign. Minister, that was for 38,000 provincial workers. There are more than a million workers in the broader public sector. They're already lining up the same secret deal that you gave to OPSEU.

Minister, how much money have you set aside? Exactly how much will this cost when you spread it across the broader public sector?

Hon. Dwight Duncan: Actually, that so-called deal saved the taxpayers \$137 million. That compares to another era with another government that that member was a part of, where we saw strikes and repeated loss in our school systems and in our public sector that amounted to enormous costs. So indeed, we got a four-year deal with OPSEU. There was a signed letter to the collective agreement, which is quite common, and it saved \$137 million. We stand by that deal. It's a good deal for taxpayers, and we'll continue to work with all of our partners in the public and broader public sectors to lower the costs of the government.

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

Mr. Tim Hudak: I don't think anybody is buying that. If it was such a good deal, you'd make it public. You wouldn't try to bury it. You wouldn't pay government lawyers to keep it under wraps. You tried to bury this deal, Minister, because you wanted to keep it secret. It was a payoff to win votes after the next election campaign—

The Speaker (Hon. Steve Peters): I'd ask the honourable member to withdraw the comment that he just made.

Mr. Tim Hudak: I withdraw.

Here is the problem: This is clearly evidence of a government that has lost its way and that is beyond its best-before date, and that's why, with these secret deals, people want to see change in the province of Ontario. They want to see it change to a PC government that will respect the taxpayer who pays the bills.

Minister, how are you going to pay for it? Just be direct. Are you going to increase the HST by one point or two?

1040

Hon. Dwight Duncan: Again, the only secret deal around here is what they're going to do if they come to

office. They've said they're going to cut \$3 billion from health care. We think that's wrong. They said they're going to get rid of the Human Rights Tribunal; now they say they're going to keep it. The secret deal between the Leader of the Opposition and the member for Lanark apparently is no longer a deal, although we suspect he'll still proceed down there. What the people of Ontario want is a government that has laid out a plan, that's getting us back to balance.

By the way, I hope the Leader of the Opposition saw the job numbers last week. We've got more jobs today than we did when we went into the recession. It's because a government with a good plan for a better future is governing this province, and on October 7—

Interjections.

The Speaker (Hon. Steve Peters): Order. Member from Oxford.

New question.

TAXATION

Mr. Tim Hudak: Back to the Acting Premier, who continues to not rule out that he's going to increase the HST to pay for his runaway spending: The problem is that Premier McGuinty continues to make secret back-room deals and then go back to the taxpayer to pay the bills after the next general election. We've got the secret deal with OPSEU, the largest public sector union in the province. I suspect he has other secret deals that he's trying to keep hidden that hopefully will find the light of day.

You made a secret deal with Samsung for some \$7 billion that is driving up hydro rates in our province. You made a secret deal with the former deputy minister, who resigned after the eHealth scandal.

Minister, why don't you get it? What's with this secrecy? Why do you bury all these expenses and try to hide them until after the election campaign?

Hon. Dwight Duncan: There's no secret that we're creating tens of thousands of jobs in the green energy sector. It's no secret that we have cut wait times for a variety of services. It's no secret that we're proceeding with full-day learning because that's in the best interest of our children. It's no secret that our environment is cleaner. We've created a greenbelt around this great centre, and this province is growing. It's no secret that this government is on track to get back to balance in spite of the worst downturn since the Great Depression.

The only secret is what they're going to cut. What hospitals will they close? What nurses will they lay off? What teachers will they lay off? We reject that approach. We're taking a strong, balanced approach, an open approach that creates jobs and builds a better economy for all Ontarians.

The Speaker (Hon. Steve Peters): Supplementary?

Interjection.

The Speaker (Hon. Steve Peters): Member from Renfrew, your seatmate and the leader of your party is

trying to ask a question and your interjections are interrupting your leader.

Mr. Tim Hudak: Back to the Acting Premier: Come on. You tried to bury this deal. You say “an open approach”? You paid government lawyers to bury your secret deal.

We all know that the McGuinty Liberals will increase the HST after the next election campaign. You're going to have to do that to pay for all your runaway promises and your secret deals. You're going to drive up hydro rates with your secret sweetheart deal with multinational corporation Samsung, and we also know, Speaker, that they signed a secret deal on the Oakville power plant that could cost up to a billion dollars to Ontario families on their hydro bills.

I will ask the minister—just tell us: Is it a one-point increase in the HST, or are you really planning a two-point increase in the HST?

Hon. Dwight Duncan: I'd refer the leader to the budget, which lays out a three-year plan that's cutting taxes for all Ontarians, cutting personal taxes. I welcome the support of his federal counterparts, Mr. Flaherty particularly, and a range of other federal Conservatives who have helped us put together the largest tax cut plan in the history of Ontario.

The Leader of the Opposition forgets about a few things that he kept quiet. Let's talk about the hydro agencies. Let's talk about the hidden salaries. Let's talk about lack of access to freedom of information and privacy, and a range of other things.

It's no secret: This government has built a better education system; it has built a better health care system; we have provided risk management for our farmers; we're building a better future for all Ontarians. That's no secret and we'll take that record to the people on October 7—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

Mr. Tim Hudak: Here's something that is no secret: Minister, nobody believes you anymore, and they want to see change in the province of Ontario.

Samsung—secret deal; the Oakville power plant—secret deal; the G20—secret law; OPSEU—and I know there are probably many more secret deals that we are going to bring to the light of day and stand up for the Ontario taxpayers who get stuck with the bills.

Minister, you don't understand that families are struggling to make ends meet. Many families have seen their own wages rolled back. Sadly, far too many have lost jobs altogether in the McGuinty Liberal Ontario—300,000 in manufacturing alone. They cannot continue to pay more.

Why is your answer to increase taxes once again on Ontario families when a better approach is to end the secret deals in the first place—end them right here today?

Interjections.

Hon. Dwight Duncan: He ought to be the Leader of the Opposition in fantasyland.

The fact of the matter is, we've invested in health care and education. We're creating full-day learning right

across the province. We have hired nurses. We have hired doctors. We have reduced wait times for key hospital procedures. We have applied a greater degree of accountability and openness than any government in the history of this province.

The people of Ontario can see through the phony rhetoric, and they will put our plan up against their lack of plan any day. It is about building a better economy with better schools, better hospitals and a better future for all our children.

That's what this government's about. That's what we've done till now, and I look forward to having that privilege again the day after October 7.

FREEDOM OF INFORMATION

Mr. Peter Tabuns: To the Acting Premier: A core principle of Ontario's freedom-of-information act states, “Decisions on the disclosure of government information should be reviewed independently of government.” Does the Acting Premier agree with that principle?

Hon. Dwight Duncan: I think all members of the Legislature stand behind the laws that we pass. Inevitably, there are twists and turns on the road that cause us to make decisions and do things, but we do agree with that principle.

Hon. Gerry Phillips: We've got a good track record.

Hon. Dwight Duncan: In fact, we've got a good track record. I had the great privilege of applying freedom-of-information legislation to the hydro agencies some four or five years ago. That used to be covered up. We also had the opportunity to expand accountability on ministerial expenses and a range of other issues.

I'm proud of this government's track record on accountability, and I look forward to the member's supplementary.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: I appreciate that answer.

We've obtained a series of emails between political staff at the Ministry of Finance concerning freedom-of-information requests. The emails note that the request has come from an “opposition party.” Why does the ministry need to know where the request came from before deciding on how they will respond to it?

Hon. Dwight Duncan: We routinely, once a decision has been made, are advised about information being released. I suspect, without having those particular emails in front of me, that that's the case here, and I'll look forward to having the chance to read those.

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

Mr. Peter Tabuns: In these emails, we see that some requests are labelled “contentious.” Can the Acting Premier explain why an FOI request would be labelled “contentious”?

Hon. Dwight Duncan: Probably because it is.

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

FREEDOM OF INFORMATION

Mr. Peter Tabuns: Brief but unilluminating.

In one email, a senior political staffer to this minister directed the FOI officer to label a request “contentious.” He said, “Please make it one. It is.” Why is a political staffer deciding to label an FOI request as contentious?

Hon. Dwight Duncan: Again, the FOI process is clearly spelled out in legislation and regulation. I’m confident that those regulations and legislation have been followed in all cases.

1050

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: This is about the systematic erosion of Ontarians’ rights to access government information. The freedom-of-information act is pretty simple: A citizen asks for information, and unless there’s a compelling legal reason to keep it secret, it is shared. Instead, we see staff in backrooms labelling requests based on who made them. Is the Acting Premier concerned about what looks like political interference by his government in stifling the FOI process?

Hon. Dwight Duncan: I should remind the member opposite that the Information and Privacy Commissioner has an unofficial benchmark of 80% for good compliance on freedom of information. In 2009-10, our government achieved 85%; our overall compliance is 91%. I’m not certain, but I’m quite satisfied that most of the information that may have been labelled contentious has been released publicly.

I’m proud of the government’s record on freedom of information. I’m proud of my ministry’s record on freedom of information. We’ll continue to work within the laws and the regulations.

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

Mr. Peter Tabuns: Numbers can be used to obscure as well as illuminate.

Interjections.

Mr. Peter Tabuns: Be calm, be calm.

The information that people are looking for doesn’t belong to the Liberal Party; it belongs to the people of Ontario. The FOI process is supposed to be impartial and transparent, but the only thing that’s transparently clear is that this government is politicizing the process. Will the Acting Premier order his government and political staffers to stop interfering with FOI requests?

Hon. Dwight Duncan: I reject the premise that we are interfering.

I would like to share with the House some information about a memo that was written in November of 1990—now let me think who was in office then. That memo from cabinet office described contentious issues, indicating that the government and ministers should be made aware of contentious requests. It was your government that set it up. We followed it. We’re made aware of contentious requests. And do you know what? Some 85% of the time we make them public.

That question is a joke. He’s taking facts out of context, refusing to share with Ontarians the full information that he has in his possession. He’s the only one who is not being open and transparent in this exchange.

ONTARIO PUBLIC SERVICE

Ms. Lisa MacLeod: To the Minister of Government Services: You’re the minister responsible for signing off on the secret deal to pay a 1% wage increase. If 1% of 38,000 workers is the bargain you struck with a public sector union leader who is not contributing to the Working Families coalition, how much will Ontario families pay for the deals you have in store for the union leaders who are part of the McGuinty Liberal attack dog campaign, the Working Families coalition?

Mr. John Yakabuski: Is he the Minister of Government Services or government secrecy?

The Speaker (Hon. Steve Peters): Member from Renfrew—

Mr. John Yakabuski: I was just seeking clarification.

The Speaker (Hon. Steve Peters): No, member from Renfrew, I was about to make comments to you; that is, your member was asking a question, and you’re interjecting when she’s asking that question. I’d just ask that you be conscious of her desire to be able to ask that question in a manner that isn’t being interfered with.

Minister?

Hon. Harinder S. Takhar: I’m not sure what the definition of “secret agreement” is on the other side. Let me say this: We have 38,000 employees in OPSEU, and this agreement was presented to all the local presidents and they presented it to all the members in OPSEU. If it was presented to all the members in OPSEU, how could it be a secret agreement?

The other thing is, at the end of the day, the agreement between an employer and an employee is reached after negotiations. Every agreement is different, and so one agreement cannot be compared to another agreement. In this agreement, in fact, the four-year agreement led to about an 8.7% increase with a 1.25% decrease in cost. So the net is about—

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

Ms. Lisa MacLeod: I can give him help with that: The definition of “secret” is withholding it from the public, and that’s what your government has done—

The Speaker (Hon. Steve Peters): I’d just ask the honourable member to withdraw that, because it was directed at the minister.

Ms. Lisa MacLeod: Withdrawn.

The Minister of Government Services not only has ministerial accountability for the secret wage increase but, to help him out further, the lawyers who admitted it was a secret deal for a secret wage increase came from his ministry. You still have to settle with the Ontario Secondary School Teachers’ Federation, the Ontario English Catholic Teachers’ Association, the Elementary Teachers’ Federation of Ontario and the Ontario Nurses’ Asso-

ciation. They're all members of the Working Families Coalition; they all contribute big money to the war chest of the attack ad campaign—who works for the Premier's former chief of staff.

How much more money will Ontario families have to pay so that they can settle a score for their smear—

The Speaker (Hon. Steve Peters): I'd just ask the honourable member to withdraw that last comment that was made, please.

Ms. Lisa MacLeod: Withdrawn.

The Speaker (Hon. Steve Peters): Minister?

Hon. Harinder S. Takhar: We are absolutely determined to get the best deal for the taxpayers. Let me just show the numbers. The numbers speak for themselves. In 2002, they had a three-year deal at 11.45%, with an eight-week strike by the OPSEU employees. That's what they got: They had an eight-week strike and an 11.45% increase. We had—

Interjection.

The Speaker (Hon. Steve Peters): The member from Nepean, you just asked the question. I would ask that you give the courtesy to the minister to hear the response. You know the standing orders. If you're not satisfied, you can call for a late show.

Minister?

Hon. Harinder S. Takhar: We had a four-year deal with an 8.5% increase, with a 1.25% decrease in the cost, so the net is around 7.5% for a four-year deal. That is our deal, compared to 11.45% over three years, with the eight-week strike.

CHILD CARE

Mr. Michael Prue: My question is to the Acting Premier. Parents need full information about the safety record of child care centres so they can choose the safest programs for their children. The McGuinty government has failed to publicly post information about abuse, mistreatment, injuries and deaths at child care centres for four years.

On April 18, the Minister of Education said, "The wait is unacceptable," and promised that inspection information would be posted within the month. Will the government keep its promise and post information about serious incidents at child care centres by May 18?

Hon. Dwight Duncan: To the Minister of Education.

Hon. Leona Dombrowsky: The honourable member is correct: I did indicate that it was important, when the issue came to this assembly, that information would be made available within the month. In fact, it has. Maybe it was appropriate that on Mother's Day, it was posted on the ministry website.

Now families have a very comprehensive website—I've looked at it a number of times; I looked at it yesterday—and I believe that it provides parents with very important information, probably the most comprehensive list of information available to any parents anywhere in this country.

We're the only jurisdiction that has made this commitment. We are providing it; it is there now. I would encourage parents who are in the market for child care facilities to go to the—

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

Mr. Michael Prue: The information posted has not satisfied anyone. Today's Toronto Star reports that the McGuinty government is continuing to stall and has set no deadline to post reports on serious incidents at child care centres. This means that parents in Ontario will continue to be forced to place their infants and children in a child care centre without full knowledge of the safety record at that centre.

Parents need full information—not partial information—to protect their children's safety. When will the McGuinty government finally post full information on serious incidents—or will this be another McGuinty broken promise on child care?

Hon. Leona Dombrowsky: I'm very happy to stand in my place today and say that our government has kept our promise to provide parents with the most comprehensive list of information for parents who are about to decide where they might want to have their children in child care.

With respect to serious incidents, it's also important to say to all the members of this assembly that there is no jurisdiction in Canada, in Ontario—not the city of Toronto, which the honourable member's leader stated in this assembly—providing serious-incidents reports on a website. There are very serious legal issues that would be impacted there.

1100

This is something that, obviously, we will work with the sector on. We want to be sure that parents have all the information they need. But we have kept our promise to provide parents with comprehensive—

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

GOVERNMENT SERVICES

Mr. Dave Levac: My question is for the Minister of Economic Development and Trade. Just this past Tuesday, the member opposite, who represents the riding of Thornhill, responded very negatively to the minister's statement on Ontario's service standards. In paraphrasing the member opposite, he stated that the PC government's Red Tape Commission, which he claimed had been very successful in repealing and removing various outdated acts, regulations and statutes, was abolished by the Liberal government.

I would like to ask the minister directly why the McGuinty government scrapped the commission that, according to a singular source, was apparently serving Ontario well.

Hon. Sandra Pupatello: I am delighted because I too am reminded often of those three trench coats. We were

all curious as to what was behind the trench coats, as I recall.

Anyway, they did do some things. No one would deny that they did find antiquated regulation and eliminated it. For example, they could count among their big wins eliminating the Hypnosis Act for travelling road shows. We don't know what benefit that had, in fact, to business today in Ontario or even in the late 1990s, when they actually did this work.

The pride we have in Open for Business is simply this: We went directly to business and we said to business, "What do you need to do better business in Ontario?" They would come to us, give us their priorities and that's what we would do, on a clock, and we went back to them with resolution. It has been a terrific process and I wish, frankly, that they had done it—

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

Mr. Dave Levac: That does explain why the PC government's Red Tape Commission was disbanded, but I think there's a second element to my query.

In the same response which I referred to earlier, the member from Thornhill stated that, from his perspective, "The McGuinty government has not done nearly enough to create the conditions for a speedy and true economic recovery."

Minister, that's quite a hefty accusation, and, I submit, misguided. Facts are important when informing the public about policy of the government. I'd like to ask the minister to inform this House what the McGuinty government has indeed done to create the conditions for economic recovery in Ontario by reducing regulatory burdens on the businesses of this province.

Hon. Sandra Pupatello: I am delighted because, in fact, only someone who's really not watching or doesn't know the business wouldn't see that 70,000 regulatory burdens being eliminated is indeed a huge achievement for the government, across all ministries. Just this past month, we posted the business service standards online. It had 1,000 hits to the website because people want to know how we meet the standards that we set out in the business that we have to deliver so they can do their business. That is a huge achievement: that there are 500 business services posted there, and that they're improving all the time makes a big difference.

I would encourage members of the opposition to call someone like Bette Jean Crews, who is the head of the Ontario Federation of Agriculture. We met with that group last week, and last week they told us what a tremendous process we've adopted in Open for Business, that in fact we are and have been—

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

STUDENT ACHIEVEMENT

Mrs. Elizabeth Witmer: My question is for the Minister of Education. The Fraser Institute's report card on Ontario's secondary schools confirmed what families have suspected for some time: Despite the government's

boasts about achievements in education, student achievement has stalled in literacy and math. The report found no statistical upward trend in student achievement despite the investment of billions of dollars. Ontario families do expect value for their money; they're just not seeing it right now.

Minister, why are the families in this province not getting value for their money?

Hon. Leona Dombrowsky: I'm so disappointed—not surprised—that the honourable member would stand in her place and seek to diminish the efforts of teachers and students in the province of Ontario.

We have empirical evidence: Graduation rates have increased. When we make this announcement, what do they do on the other side? They say, "Well, you know, if you've taken five years to graduate, you really don't count." We believe in students. We are grateful for the efforts of their teachers. We are very happy to make it plain to everyone in Ontario that we are building a strong secondary system, in spite of what the honourable member might want to say. It really does bother me when people come into this room and try to diminish the accomplishments of students, the efforts of—

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

Mrs. Elizabeth Witmer: Minister, we support the hard work of teachers, but not only does the Fraser Institute report card confirm—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock.

Please continue.

Mrs. Elizabeth Witmer: Not only does the Fraser Institute report card confirm that student achievement has stagnated in math and literacy, but according to the Confederation of University Faculty Associations, students are entering post-secondary programs without the pre-requisite literacy and math skills. As a result, they're forced to now offer remedial programs to these students before they get started.

Minister, a good investment requires a good return. Clearly, the government is not delivering. Why not?

Hon. Leona Dombrowsky: Let me tell the honourable member about what good return is. Bad return is when one out of three students doesn't graduate from secondary school. That is the record of the previous government. A much better return is when over 80% of students in our schools are now graduating. A better return is when the program for international student assessment, an independent international body, would say that our students are improving.

I know on that side of the House they race to diminish the efforts and accomplishments of students and teachers in this province. We are building the best education system in the world, and we will always trumpet the accomplishments of our students and how well they are doing.

CORONER'S INQUEST

Mr. Howard Hampton: My question is for the Minister of Community Safety. Over the last 10 years, seven

teenage high school students from remote First Nation communities in northwestern Ontario relocated to Thunder Bay to go to high school. Those seven young teenagers all disappeared and then turned up dead. Can the minister tell me what the government's reaction has been to the disappearance and death of these seven young First Nation people?

Hon. James J. Bradley: To the Minister of Aboriginal Affairs.

Hon. Christopher Bentley: As the member would know, there is an inquest under way up north with respect to the deaths. He would know that. He does know that.

We take any tragedy very seriously and take the death of young people who travelled to school very seriously. We're working through every ministry in every way to make sure that people are safe. There are some very serious questions to be addressed. One of them is: Is the federal government providing the support for education in First Nations that it should? Is it providing the health care in First Nations that it should? Is it providing the infrastructure support in First Nations that it should? Those are just some of the questions. The other questions will be addressed, I expect, through the inquest that my friend knows is—

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

Mr. Howard Hampton: The Attorney General ought to know that the inquest that he refers to has been delayed, and delayed indefinitely, because this government doesn't seem to be able to get its act together in terms of the representativeness of juries and inquest juries.

But this is a bigger issue. These are seven young citizens of Ontario. These are seven teenagers. I suggest to the minister and to this government that if seven teenage high school students disappeared from London, there would be a different reaction. If seven teenage high school students disappeared from Hamilton, there would be a different reaction. Can the minister explain how seven teenage citizens of Ontario can disappear and die in a city like Thunder Bay, and there's—

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

1110

Hon. Christopher Bentley: It's a tragedy for the families; it's a tragedy for the communities; it's a tragedy for all involved. And that's why we are working on answers wherever we can find them.

The specific issue that my friend raises, he knows is a part of an inquest. He knows that the inquest would expect that submissions be made to it rather than somewhere else. He knows that, and he shouldn't speak about, with respect, why an inquest is proceeding or not in a place like this when he is providing only a small, incomplete part of any answer. We're going to look for the answers in every way we can to provide justice to the families who've lost their loved—

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

HUMAN RIGHTS

Mrs. Maria Van Bommel: My question is for the Attorney General. Ontario is one of the most vibrant and diverse places to live in the world, and our diversity is one of the things that makes Ontario such a great place to live and has attracted immigrants, like my parents, to Ontario. Our province has a long history as a leader in protecting the human rights of our citizens, creating a fair and equitable society. Successive generations of Ontarians have built upon that history, and we are all proud of how far we've come over the past 50 years.

Because our society is constantly evolving and changing, we must be sure that we remain aware of any potential threats to equality and inclusion in our society. I know that some of my constituents are particularly concerned that during difficult economic times, protection of human rights might be overlooked. Can the Attorney General tell us why it is so important to protect and preserve human rights in the province of—

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

Hon. Christopher Bentley: My colleague from Lambton–Kent–Middlesex outlined the reason when she talked about her parents coming to Canada, to Ontario. We are the most diverse place on the face of the earth. We are a place where people from all over the world, from all different countries, speaking all different languages, practising all different types of religion and culture, have come to one place, and they're able to live together, work together and play together in a way they cannot do elsewhere. You can see strife elsewhere, but you don't see it here.

One of the reasons is the foundation that our human rights system provides to enable people to do that, to enable them to raise grievances; a foundation that's been constructed through Frost and Robarts, continuing through McGuinty; a foundation that enables people from all over the world to live in a way they can't elsewhere. It is a foundation we need to—

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

Mrs. Maria Van Bommel: I know that my constituents will be pleased to know that our government is continuing to make the human rights of all Ontarians a priority.

Our human rights have led to many important protections against discrimination, such as in the 1960s, when we ensured fair access to accommodation, services or facilities regardless of race, creed, colour, nationality, ancestry or place of origin. In the 1970s, we had equal pay for equal work; in the 1980s, protection from discrimination because of marital status or disability; in the 1990s, the extension of family benefits to same-sex couples.

My constituents would like to know what our government is doing to ensure that Ontarians remain on the right path when it comes to protecting human rights. Can the Attorney General tell this House what kinds of improvements this government is making to strengthen the protection and human rights of all Ontarians?

Hon. Christopher Bentley: It's an important point. Just a few years ago, taking advice that had been around for more than a decade, we did several things to strengthen our approach to human rights. We maintained the independent, specialized right and approach to hear cases that is the tribunal. We strengthened the tribunal. We allowed people direct access to the tribunal rather than requiring that their cases go through the commission first. Direct access to the body that can hear your case and provide a remedy is essential.

Second, last year the tribunal realized that it wanted to have some specialized additional rights to dismiss cases without merit. That was done; that was brought in.

Third, we provided the legal support centre to make sure the people who can't afford lawyers can get lawyers so they can—

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

APPRENTICESHIP TRAINING

Mr. Robert Bailey: My question is to the Minister of Training, Colleges and Universities. Despite this government's promise four years ago to support and promote the skilled trades, Ontario's young skilled workers are still subject to restrictive apprenticeship ratios in far too many of our skilled trades. These restrictive apprenticeship ratios are placing roadblocks in the career paths of our badly needed apprentices. Students who have finished their diplomas are unable to complete their certification because they cannot find a sufficient number of journeymen to apprentice under.

When will this minister lower the outdated and restrictive apprenticeship ratios for Ontario's skilled trades to ensure that our apprentices are able to train and work in Ontario?

Hon. John Milloy: I'm always happy to address the issue of ratios here in the Legislature. The honourable member will be aware that the issue of ratios was one of the complex issues related to apprenticeship which fuelled our interest in establishing a college of trades: to allow the trades to have ownership of and responsibility for apprenticeships, training standards, compulsory certification and ratios.

We have moved forward with the college of trades, which is bringing voices from all the sectors across the province. They are looking at the type of criteria that we need in order to bring forth a ratio policy that makes sense and make sure that we look at a variety of factors in terms—

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

Mr. Robert Bailey: I guess the minister is referring to the unelected minister Dillon, but anyway.

This restrictive apprenticeship ratio that this government continues to support isn't just affecting our young skilled workers. I have been contacted by several veterans who are seeking to transition from military to civilian life and are having difficulty finding journeymen to ap-

prentice under. The United States has the highly successful Helmets to Hardhats program, which has been helping veterans in the United States military transition to the skilled trades for a number of years. The newly elected federal government of Canada pledged to do the same in their March budget.

This government is neglecting not only Ontario students but our veterans as well. When will this minister lower his antiquated and restrictive apprenticeship ratios and do the right thing?

Hon. John Milloy: It's unbelievable that he would stand in this House and do anything short of praising the government for its record in terms of skilled trades. Since we took office in this province in 2003, we have doubled the number of apprentices. We currently have 120,000 apprentices in this province.

We do not want to stop there. We want to make sure that not only do we grow the number of apprentices, but also that they are receiving first-class training. That's why we took the extraordinary step of establishing the college of trades; of sitting down with people from all sectors of the economy, including apprentices and employers, and asking them, "How we can strengthen our apprenticeship system? And most importantly, how can we attract more people to the apprenticeship?"—

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

CORRECTIONAL FACILITIES

Mr. Peter Kormos: To the Acting Premier: This morning, correctional workers are at Queen's Park because of the McGuinty government's rash decision to close jails in Walkerton, Owen Sound and Sarnia. This decision was made without any consultations and without proper planning. OPSEU, local mayors and community members have made the trip to Queen's Park multiple times now, urging this government to reflect on its poor decision-making.

Is the government finally willing to listen to their good advice?

Hon. Dwight Duncan: To the Minister of Community Safety.

Hon. James J. Bradley: These are always very difficult decisions when governments have to make them. The member would be aware that we have a deficit in excess of \$16 billion at the present time, and the government is looking for each and every way to be able to find some efficiencies, which it has in this case. The Ministry of Community Safety and Correctional Services has provided to me, as minister, options that would be available, advice that would be available on what would be advisable in terms of some of the older buildings that exist in the province of Ontario and the relative cost of operating them compared to transferring to some of the newer buildings that are available in the province.

1120

We want to ensure as well that we work with OPSEU in ensuring that there would be, for instance, jobs available—

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

Mr. Peter Kormos: I know the minister to be a fair and reasonable person. I'm confident that he didn't make this decision; that this decision came out of the Premier's office and he's being forced now to be the Premier's spokesperson. The closure of these jails is going to be detrimental to the communities they are in and it's going to be detrimental to corrections within correctional services.

The government's financial reasoning simply doesn't hold water. Absent from this government's calculations is the high cost of transporting inmates those long distances, not to mention the treacherous conditions in the winter months.

Will the minister at least slow down this process so that no final decision is made until after October 6, so that there can be effective reflection on the wisdom or lack of wisdom applying to these jail closures?

Hon. James J. Bradley: I want to assure the member that with the facilities being closed, the people will be offered other positions. I know the great difficulty, and I know that the ministry had a difficult time with this. Other ministers have had the same difficulty.

Here's what Mr. Runciman said in 1998: "What we are doing with respect to the restructuring process is addressing the call of the provincial auditor in two reports, talking about the very high-cost system of corrections in Ontario. We currently have the highest-cost provincial system in the country, significantly higher than in other provinces. We are making an effort, which the NDP initiated some time ago, to close our older, high-cost, inefficient and in many respects unsafe facilities."

We're trying our very best to be able to deal with the deficit we have—

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

TRANSPORTATION PLANNING

Mr. Ted McMeekin: To the Minister of Transportation: Last month, the Ministry of Transportation released its draft study on the Niagara to GTA corridor, and I understand that MTO continues to seek public input by consulting with our municipal partners and stakeholders.

Meanwhile, my colleagues across the aisle do not seem to have a consensus on this issue. It was interesting to read in this morning's Hamilton Spectator that the members of Halton and Burlington intend to bring petitions to the Legislature today in opposition to their own leader's planned mega-highway through the greenbelt and the escarpment. In June 2003, the member from Burlington was prepared to take the former PC government to court to stop this. Good for her.

Speaker, through you to the minister—

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

Hon. Kathleen O. Wynne: The first thing I want to say about this issue is that all our members support our

plan. We're on one page. Our Niagara to GTA study takes an integrated approach to transit planning; it takes an integrated approach to transportation planning. I remind this House and I remind the public that in 1916, when the current ministry was established, it was called the department of highways. But we've moved beyond that. We have to have a much broader view of transportation.

We're getting feedback from local municipalities on our plan. Port Colborne, Welland, Burlington and the Niagara region have all expressed support for our plan. The city of Niagara expressed this in a letter to me. Niagara Falls city council wanted to go on record restating the municipality's position of being opposed to any new highway system. So we are very much on the right track.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted McMeekin: Minister, it's certainly a relief to my constituents and the good folk in Halton to hear that they have a government that listens to their concerns and is committed to protecting environmentally sensitive lands.

Whenever I speak to my local residents, they're absolutely shocked to learn that the Leader of the Opposition actually voted against the greenbelt. No wonder he wants to cut off conversations about the issue and simply bulldoze over precious green space.

Minister, can you elaborate further as to what our government is specifically doing to ensure the protection of these sensitive areas?

Hon. Kathleen O. Wynne: As I've said, we've gotten a lot of support for our position. The Greenbelt Council is supportive and the Protecting Escarpment Rural Land group is supportive.

What the previous government did was launch into a plan to build a mega-highway through the Niagara Escarpment. What we've said is that we need to look at a much more integrated approach. We need to look at maximizing the transit usage. We need to look at roads. We need to look at rail. How we can expand what's already there without going into new and sensitive land? We know this area is particularly complex because of economic, community and environmental issues, but we have had extensive public consultation.

I'm glad that the member has had the opportunity to bring this issue forward, because we will continue to talk with the communities and look for the sophisticated, integrated approach that is demanded by the 21st century.

ASSISTANCE TO FARMERS

Mr. Ernie Hardeman: My question is to the Minister of Agriculture. Minister, over the last two years, you've made grain and oilseed farmers beg for extensions to the risk management program. Last year, you didn't announce the extension until the end of July, well after the farmers had to make planting decisions and secure operating lines of credit. Farmers were looking for a permanent program in the budget, but the budget document didn't say that; it announced an extension.

Why should farmers believe that the program is actually going to be there when they need it if the official documents won't say "permanent"?

Hon. Carol Mitchell: I'm very pleased to rise and answer this question. I've got to say, for the members to stand up and ask that question when they, quite frankly, voted against a permanent risk management program for our farmers—we understand that the current suite of business programs doesn't work. They don't provide the predictability, they don't provide the bankability and they don't provide the stability.

So what has the coalition been doing? I want to inform the members from across the way that they've been working very hard, developing programs that involve three partners, those being the farmer, the provincial government and the federal government. They are working very hard to make all of that come together in a package that was supported by the budget—

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

Mr. Ernie Hardeman: Minister, if it's a permanent program, why didn't the budget documents say so? I'm not the only one who has concerns. I have a letter from the grain and oilseed farmers that expresses their concern that there hasn't been a full commitment in writing.

Minister, let's remember the history. This government dragged its heels on this program and then announced it right before the last election. Even though it worked, you made farmers beg for extensions until 200 days before the next election. Now you expect them to believe it's a permanent program and that they'll be treated fairly even though the official document doesn't say so.

Minister, after ignoring them for four years, do you really think farmers will just accept this government's word that they will be treated fairly in the future? Do you really believe that? Do you really think they should—

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

Hon. Carol Mitchell: It is just beyond the pale that anybody from across the way would ask this question. The coalition understands, and every commodity understands, that they have a permanent risk management program. They are working very hard to make that happen, and they know that that was supported in the budget.

But for the member to ask that question when (a) they have no plan, and (b) what did they do when they were in government? They stood by, wringing their hands, while 1,000 farmers left the land. That was their plan: to stand by and watch the farmers leave the land.

And then what did they do? They then cut the ag budget. Then they shut down the offices, and they got out of town. No plan over there, no support for the plan on this side, and then they won't even ask the federal—

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

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock.

Interjections.

The Speaker (Hon. Steve Peters): Order. Minister of Economic Development. Minister of Agriculture.

New question.

CHILDREN'S AID SOCIETIES

Mr. Rosario Marchese: To the Minister of Children and Youth Services: Is the minister aware that almost a year ago, the Superior Court of Justice made a decision stating that the Child and Family Services Review Board does not have the power to hear children's aid societies' complaints that are before the courts?

Hon. Laurel C. Broten: I'm pleased to have a chance to spend a moment talking about the important oversight that we do have when it comes to children's aid societies.

I want to highlight that there is Family Court oversight; there is the Child and Family Services Review Board oversight; the Ombudsman, who does have oversight of the Child and Family Services Review Board; the Auditor General; and the Office of the Chief Coroner.

1130

Yes, my colleague opposite does raise an issue that the CFSRB has an appeal presently before the courts where they continue to defend the rubric and the area of authority that they importantly have as a specialized tribunal that has expertise to deal with these highly complicated and sensitive matters, and that, in our view, is the appropriate forum to deal with these issues involving children and families.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Rosario Marchese: The minister would know that since the Superior Court of Justice's decision was made last year, over 50 children's aid societies' hearings have been put on ice. Many more will be on hold in the coming months.

Let me understand this: The government will not allow the Ombudsman to oversee children's aid societies, and the courts are not allowing the CFSRB to hear any cases before a judge, yet the government is adamant that there are no problems with the system.

How is the government planning to help the growing number of families that have no one to turn to when they have a problem with the children's aid society?

Hon. Laurel C. Broten: I think it's important for families right across the province that might be watching to understand that we have a very rigorous variety of oversights that allow you, as an individual, to come forward with a complaint if you do have one with respect to a children's aid society. The OACAS and other organizations have been very clear about their support for rigorous oversight of CASs. It's a very regulated procedure, as it should be. These are highly important and emotional and technical matters that involve our children, and so we very much appreciate the variety of oversights that we've put in place.

At the same time, the CFSRB is a specialized tribunal. We have expanded their powers and increased their mandate to give them the opportunity to review these matters in a holistic way. There is an appeal presently, and that should proceed and is proceeding through the courts, where arguments are being made with respect to their oversight—

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

TOURISM

Mr. Tony Ruprecht: I have a question for the Minister of Tourism and Culture. Minister, this morning I had a meeting with some of my students from the riding of Davenport, and they're certainly eager to begin summer. They are ready to visit our clear waters, our clear lakes, our clear campgrounds and to visit our canals, but summer also provides us the opportunity to visit such places as museums and art galleries, historical parks and cultural and entertainment parklands. They offer children the chance to learn and families the chance to bond. But in a globally competitive market, attractions in other provinces and countries are working hard to lure families away to their places. That's why it is important that we continue to strive to make Ontario's attractions the best in Canada and in the world.

What is this government doing, Mr. Minister, to ensure attractions in this province contribute—

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

Hon. Michael Chan: I want to thank the honourable member for the question. On top of that, I want to thank the honourable member for promoting diversity, tourism and culture across the province.

Ontario is home to some of the leading attractions in Canada. These attractions are well positioned to compete nationally and internationally, and offer families and visitors across this province wonderful vacationing destinations, attractions such as St. Lawrence Parks, Niagara Falls, Huronia Historical Parks, the Art Gallery of Ontario, the McMichael Canadian art gallery, Ontario Place, Science North and Fort William Historical Park. Together, these and other attractions are making Ontario the leading destination for tourists in Canada.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tony Ruprecht: This is really exciting news for families. Mr. Minister, many of the attractions that we're celebrating are really milestones in our history. This year, why not use that opportunity to ensure that visitors across the province, and for that matter internationally, are aware of what Ontario has to offer? For example, places like Ontario Place, celebrating its 40-year anniversary—I remember visiting, Mr. Speaker, the fantastic Cinesphere, as you did. What a beautiful view of Lake Ontario. What a beautiful view of the riding of Davenport.

Minister, I understand that part of the 40th anniversary is hosting various events. Can you tell this House: What are we planning to host this anniversary and others in the province?

Hon. Michael Chan: As Ontario Place celebrates its 40th anniversary, our government would like to congratulate all the dedicated staff, volunteers and board members who contribute continuously, making it one of the leading attractions in Ontario.

In 2010, Ontario Place attracted 800,000 visitors. To attract even more visitors, admission to the grounds is free this year. Ontario Place's door is wide open to welcome visitors to take advantage of this opportunity. It

will save Ontario families some of their hard-earned money while enjoying a wonderful day out. The last time admission to the grounds was free was 20 years ago.

We are also doing more to promote other attractions. Summer is around the corner. There will be many, many festivals and events across—

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

ENVIRONMENTAL PROTECTION

Mr. John O'Toole: My question is to the Minister of Natural Resources. Minister, you and the Minister of the Environment: I have spoken to you; I have questions on the order paper; I've presented petitions from October of last year. The issue is the movement and placement of clean fill, or commercial fill, in abandoned pits and quarries. Quite honestly, this issue is evident on the Earthworx site on Lakeridge Road and Morgans Road, of which you're aware.

I'm asking you today to take leadership and convene a meeting of the stakeholders, including municipal leadership, to develop a procedure to move and test soil when being placed in commercial fill operations in abandoned pits and quarries. Will you call that meeting on behalf of my constituents in the riding of Durham?

Hon. Linda Jeffrey: To the Minister of the Environment.

Hon. John Wilkinson: On behalf of myself and my colleague, my seatmate, I want to assure the member, first of all, we appreciate the fact that you have raised this issue on behalf of your constituents.

I recall that there was a letter I just sent the member, which perhaps he has not read yet, where my ministry is more than happy to continue to sit down with the residents in your riding and, as well, with your municipal partners so that we can ensure that we have what we all need, which is to protect our sources of drinking water; to protect the legacy of the Oak Ridges moraine; and to ensure we have a set of rules that are robust, so people can be assured that the environmental protections that they count on for them and their families are there and will continue to be there.

CORRECTION OF RECORD

Hon. Harinder S. Takhar: On a point of order, Mr. Speaker: I want to correct my record. At one point in a response to a question from the member from Nepean-Carleton, I said the four-year deal adds up to 8.5%. It actually is 8.75%. The savings are 1.5%, for a net of 7.5%.

The Speaker (Hon. Steve Peters): Thank you. That is a point of order.

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

The House recessed from 1137 to 1300.

MEMBERS' STATEMENTS

ONTARIO GREENHOUSE ALLIANCE

Mr. Ernie Hardeman: I'm pleased to rise today to once again welcome the Ontario Greenhouse Alliance to Queen's Park. I want to recognize Rejean Picard, chair of the Ontario Greenhouse Alliance; Andrew Kuyvenhoven, chair of Flowers Canada; and Don Taylor, chair of the Ontario Greenhouse Vegetable Growers, who are here in the gallery this afternoon. I want to thank them for coming to Queen's Park to share their concerns and provide MPPs with a great lunch made from fresh Ontario produce. It is always a great event and a great opportunity to hear directly from the greenhouse growers.

Ontario's greenhouses—both vegetables and flowers—contribute greatly to our economy. Their annual gross payroll is over \$270 million, and their farm gate sales are well over \$1 billion. However, like many sectors of our agriculture industry, they are struggling with high input costs, like the increasing cost of hydro.

Our greenhouse growers are significant exporters. That means that they are impacted by the high dollar. It also means that they need to be competitive with growers in other jurisdictions.

Today, many of them are struggling with government red tape and over-regulation. Government needs to make it easier for them to get on with doing what they do best: growing great Ontario produce and Ontario flowers.

On behalf of the PC caucus and our leader, Tim Hudak, I want to once again thank the greenhouse alliance for coming to Queen's Park, and assure them that we are committed to continuing to support a strong greenhouse sector for the province of Ontario.

The Speaker (Hon. Steve Peters): We welcome you. We also like to enjoy TOGA parties at Queen's Park.

Member from Welland.

Mr. Peter Kormos: I've got half a dozen punchlines there, Speaker. I'm not going to try any of them.

LONG-TERM CARE

Mr. Peter Kormos: James McIntyre is 81 years old—a good man, worked hard all his life, a good member of the community. In 2006, he was diagnosed with dementia. He's now in a private long-term-care home. His wife, Gwendolyn McIntyre, who is 69 years old and suffering from lupus, dearly misses him and wants to be closer to him. His daughter Cathy Wall has become James McIntyre's most aggressive advocate—because she goes to the long-term-care facility and finds her father sitting in a hallway in soiled trousers, and the stench she describes as impossible to endure, never mind sit in it. She describes the long-term-care facility as so understaffed that her father is getting less and less assistance when it comes to things like eating and even feeding himself, so he's losing weight. She's frustrated by waiting lists and a real shortage of long-term-care beds down

in Niagara, which means that her father can't move closer to Virgil, where Gwendolyn, his wife, lives.

We've addressed these issues with the minister, we've addressed them with the CCAC, and we've addressed them with the long-term-care facility itself, and what we've discovered is a McGuinty Liberal government that turns its back on seniors in this province and that has betrayed them and their families. This government should be ashamed.

ROTARY CHESHIRE HOMES AND CANADIAN HELEN KELLER CENTRE

Mr. David Zimmer: I'm always happy to speak about Willowdale. Today, as I have before, I'd like to recognize Rotary Cheshire Homes and the Canadian Helen Keller Centre, located in Willowdale on Willowdale Avenue.

I'm pleased to follow up on an announcement that my colleague the Minister of Community and Social Services made. As part of the recent Ontario budget, our government will continue to ensure that funding for intervener services is available to organizations like Rotary Cheshire Homes and the Helen Keller centre. They do very, very good work; they provide a home for the deaf and blind. This is in addition to the nearly \$22 million that the government has already spent on intervener services. We are now working with the industry to develop a new funding model that matches resources and needs.

I want to commend Rotary Cheshire Homes and the Canadian Helen Keller Centre. Tomorrow, they'll be hosting their first annual awareness reception at Queen's Park. I invite all members to stop by committee room 2 between 11 a.m. and 2 p.m. to get a better understanding of the front-line services that are truly vital to the deaf-blind community here in Ontario.

The Canadian Helen Keller Centre and Rotary Cheshire Homes in Willowdale are probably among the premier homes, at the leading edge of services that are provided for the deaf and blind. They are an icon for this kind of service, and we are thankful for the intervener services provided by this government.

PEMBROKE LUMBER KINGS

Mr. John Yakabuski: Yesterday in Camrose, Alberta, the Pembroke Lumber Kings earned the title of Canada's Junior A champions, winning the RBC Cup with a 2-0 victory over the Vernon Vipers, representatives of the Pacific league.

It was a thrilling victory, keeping everyone on the edge of their seats until an empty-net goal sealed the win with 15 seconds left. The Lumber Kings were certainly the underdogs, as the Vipers were seeking a record third consecutive title. They were undefeated in the tournament, including a 5-3 victory over the Kings earlier in the week. Tied at zeros after two, Jonathan Milley inter-

cepted a shot from the blue line and scored on a breakaway at 13:40 of the third period. Milley also added the empty-netter, but not before making a key shot block with a minute left, taking a blast from the point off his foot.

Coach Sheldon Keefe and the boys knew it wasn't going to be easy, but they came up with a game plan, stuck to it, and in the end emerged on top. Lumber King netminder Francis Dupuis played a fantastic game, making 40 saves, many of the heart-stopping variety. In the first period, the Vipers peppered Dupuis, outshooting the Kings by a 15 to 5 margin. He would not yield.

What a thrilling moment when Kings captain Ben Reinhardt, playing in his final game, hoisted the cup, one of the toughest to win in all of sport, with no less than 137 teams from 10 leagues vying for it when the season began.

The Lumber Kings are five-time repeat champions of the CCHL and Reinhardt has been a member of every one of those teams.

Heartiest congratulations go out to Keefe, his entire coaching staff, and each and every one of the committed, focused players who have worked so hard to bring Pembroke its first national championship. To the entire organization, well done. To the city of Pembroke and the most amazing fans in the world, who have supported this team so tremendously over the years, you all share in this victory. Savour it, enjoy it. It's a great moment for everyone in the valley.

The Speaker (Hon. Steve Peters): We'll have to start calling you Foster Yakabuski.

ORDRE DE LA PLÉIADE

M. Phil McNeely: J'ai assisté, le 4 mai, ici-même à l'Assemblée législative, à la cérémonie de remise des décorations de l'Ordre de la Pléiade, section Ontario. Cet ordre, créé par l'Assemblée parlementaire de la Francophonie en 1976, est destiné à reconnaître les mérites de femmes et d'hommes qui se sont particulièrement distingués en servant les idéaux de coopération et d'amitié de la francophonie en Ontario.

En tant que membre du comité de sélection, ce fut vraiment un privilège de participer au processus de sélection des six récipiendaires de la médaille de l'Ordre de la Pléiade, 2011. Il s'agit de M^{me} Mariette Dallaire, de Harty; Marguerite Martel, de North Bay; Jean-Marc Aubin, de Hanmer; Alain Baudot, de Toronto; Félix Saint-Denis, d'Embrun; et son père, Yves Saint-Denis, de Chute-à-Blondeau.

Cette célébration marque les efforts et l'apport indéniable de ces individus à la promotion de la culture française dans leur communauté respective, mais aussi au niveau du rayonnement de la francophonie ailleurs. Ces récipiendaires deviennent des ambassadeurs de la langue française. Leur influence est assurément reconnue dans la communauté francophone. Ils sont des symboles pour les générations qui suivent pour leurs mérites et leurs contributions à l'épanouissement du français en Ontario.

Encore une fois, félicitations aux six récipiendaires.

SAMANTHA ATTEW

Mr. Ted Chudleigh: I rise today to congratulate Samantha Attew, who has been selected by the Milton Chamber of Commerce as Citizen of the Year. Samantha has been involved in many different organizations and helping to promote various programs in Milton, including the Friends of Milton Hospital and the Grow Milton Hospital projects, which she was heavily involved in.

Her list of community activities goes on and on and on. This is a lady who has lived in Milton for less than five years. When she moved into town, she immediately got involved. She saw a need to do something. She didn't ask someone else to do it. She didn't make excuses. She rolled up her sleeves and she went to work, and she's done that time and time again. She is a very passionate person who gives her all to these projects, and the chamber of commerce has made a very wise decision in selecting her as Citizen of the Year for 2011.

1310

I would point out that it's always good to give a job to a busy person—and Samantha, indeed, is busy. A busy person is well organized, and she gets the job done. No one in town will ever say that Samantha dropped the ball. She gets the job done time and time again. Again, congratulations to Samantha Attew, selected as the Milton Chamber of Commerce Citizen of the Year for 2011.

SOUTH ASIAN HERITAGE MONTH

Mr. Vic Dhillon: Every year, in May, we celebrate South Asian month. We celebrate the presence and heritage of people with roots in the South Asian countries of India, Pakistan, Bangladesh, Sri Lanka, Nepal, Bhutan and Afghanistan.

The first South Asians arrived in Canada in 1897. The South Asian community has fully embraced the Canadian values of respect, freedom and multiculturalism. We have brought the South Asian spice and flavour to Canada. We have been involved in building this great nation from the railroad to its modern glory. Even today, the South Asian community is second to none in its contribution to the development and prosperity of Canada.

From a personal standpoint, I too am South Asian. My family immigrated from India. I have grown up in the communities of Mississauga and Brampton. I'm very privileged to represent the great riding of Brampton West. This riding's population is over 50% people of South Asian descent. We celebrate all religious and cultural festivals, from Vaisakhi, Eid, Diwali, Christmas, Hanukkah and Kwanza.

In this House, my South Asian colleagues also share and embrace these views.

South Asian Heritage Month has grown dramatically since 2001. Dozens of celebrations take place each year, including events at the Ontario Parliament, the Gerrard Street bazaar and religious and community functions.

In conclusion, I would like to congratulate South Asians across Ontario and the constituents of my great

riding. I request all members of this House to go out and celebrate this month.

SMOKE-FREE ONTARIO

Ms. Helena Jaczek: Tobacco use kills over 13,000 Ontarians every year. This costs the Ontario health care system \$1.9 billion and the province's economy \$4.4 billion in productivity loss.

Recognizing that these figures are not acceptable, the McGuinty government took the initiative five years ago to introduce provincial tobacco control legislation that would be the strongest of its kind in North America. Through the Smoke-Free Ontario Act, we showed real leadership by taking a patchwork of municipal bylaws and introducing province-wide action in the war against tobacco use.

Smoke-free Ontario protects us from the impact of second-hand smoke by eliminating smoking in indoor public spaces. It prevents our children from starting to smoke by limiting their exposure to tobacco and reducing their access to tobacco products. All are protected from the allure of cigarettes by elimination of power walls in stores.

As a physician, I'm so pleased that smoking rates continue to fall in Ontario as fewer young people start to smoke and more Ontarians are quitting through programs introduced by the Ministry of Health Promotion. I'm proud to say Ontario has one of the lowest smoking rates amongst Canadian provinces.

With the help of Ontario's supportive partners, such as the Heart and Stroke Foundation, the Cancer Society and the Lung Association, as well as health care professionals, the McGuinty government has led the way on tobacco control.

EUROPEAN UNION ANNIVERSARY

Mr. Tony Ruprecht: At 12 noon today, we celebrated the 26th anniversary of the European Union. Helping us to celebrate this special day, in the Speaker's gallery on the east side, are a number of persons who I would like to mention today who were there and made a special mark on the celebrations: the president of the European club, Mr. Marek Goldyn; Jennifer Wawszczyk from the executive; Allyson Luck, also on the executive; Lidiya Koval on the executive; and Julia Prodaniuk, also on the executive of the European club. Welcome to Queen's Park.

In celebrating this special day, we are very much reminded of what can happen when extreme forms of nationalism are being overcome. The European Union, of course, in terms of celebrating this event, is showing the whole world that working together in co-operation, working with each other, can mean a whole lot of difference in terms of the economy and certainly in terms of the culture as well. So we are reminded that after the first war and after the second war in Europe, when over 50 million people died and the countries of Europe were all

devastated—especially after the Second World War—it was necessary to think of a new paradigm, a new way of co-operation, a new way of doing things.

And so I'm very much delighted to have people in the audience who are celebrating with us the 26th anniversary. I know that the future for Europe is great because they will lead the way and show the rest of the world that it is always much better to work in co-operation, as opposed to nationalism.

VISITORS

The Speaker (Hon. Steve Peters): I'm going to beg the indulgence of the House and give the member from Burlington—I know she had some guests who were coming in and there was a bit of a delay for them coming in. I'll give you the opportunity to introduce your guests.

Mrs. Joyce Savoline: Thank you, Mr. Speaker, for that opportunity.

I would like to introduce to the House members of the Burlington community: Mayor Rick Goldring; Councillor Blair Lancaster; Councillor John Taylor; Frank McKeown, chief of staff to the mayor; and Donna Kell, the manager of public affairs. But also, more importantly, a resident of Burlington in the hamlet of Lowville, Janie Moore. Welcome.

PETITIONS

TRANSPORTATION PLANNING

Mrs. Joyce Savoline: I have a petition to present to the House, and I believe my colleague from Halton, Ted Chudleigh, is going to be presenting some as well. Collectively, there are over 3,000 names on this petition. It's to the Legislative Assembly, as follows:

"We, the undersigned, strongly oppose the location of a new Niagara-to-GTA transportation corridor passing through the rural area of Burlington, as indicated on map number 3 of the regional official plan amendment 38—draft decision of the Ministry of Municipal Affairs and Housing—November 2010, or as shown by the Ministry of Transportation Niagara-to-GTA draft transportation development strategy, June 2010."

TAXATION

Mr. Michael Prue: I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the HST, effective July 1, 2010, will raise gasoline prices by 8%; and

"Whereas the government of Ontario will collect approximately \$1.6 billion in new tax dollars; and

"Whereas municipalities need access to a greater source of revenue beyond what they collect in property tax;

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

“While our roads continue to deteriorate and our province’s infrastructure deficit is at an all-time high, CAA is asking Premier Dalton McGuinty and the Minister of Finance, the Honourable Dwight Duncan, to dedicate a portion of the HST collected on gasoline and diesel to transportation infrastructure and maintenance.”

It is signed by hundreds and hundreds of people, and I will affix my signature thereto.

PHOTO IDENTIFICATION

Mr. Bob Delaney: I have a petition addressed to the Legislative Assembly of Ontario, and I’d like very much to thank Phil Saunders of Kenninghall Boulevard in Mississauga for having sent it to me. It reads as follows:

“Whereas many seniors, visually impaired persons and other non-drivers do not need or are not eligible for a driver’s licence; and

“Whereas many day-to-day transactions such as cashing of cheques; opening a new bank account at a financial institution; returning merchandise to a retail store; boarding a domestic flight; gaining admittance to bars, clubs and casinos; checking in at a hotel; obtaining a credit card, and even renting a video require government-issued photo identification; and

“Whereas Ontario’s Photo Card Act, 2008, sets the legislative framework required to deliver a non-licence photo identification;

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

“That the province of Ontario develop a government-issued photo identification card and deliver, in 2011, an Ontario photo card identification for residents of the province over the age of 16 who cannot or choose not to drive.”

1320

It’s a very simple resolution. I fully support it. I have affixed my signature, and I’m going to ask page Caleb to carry it for me.

TRANSPORTATION PLANNING

Mr. Ted Chudleigh: I have a huge number of petitions, with over 3,000 signatures, from the good people of Burlington, who are very concerned about an issue. They have petitioned the Legislative Assembly of Ontario as follows:

“We, the undersigned, strongly oppose the location of a new Niagara-to-GTA transportation corridor passing through the rural area of Burlington, as indicated on map number 3 of the regional official plan amendment 38—draft decision of the Ministry of Municipal Affairs and Housing—November 2010, or as shown by the Ministry of Transportation Niagara-to-GTA draft transportation development strategy, June 2010.”

I agree with this petition. I’m pleased to affix my signature, and I’ll pass it to my page, Amira.

CORRECTIONAL FACILITIES

Mr. Peter Kormos: I have a petition to the Legislative Assembly of Ontario.

“Whereas the Ontario provincial government has unilaterally ordered the closing of the Owen Sound and Walkerton provincial jails with no public input; and

“Whereas staff of both facilities will be forced to relocate from their home communities and the two rural municipalities will lose up to \$3 million each in wages spent; and

“Whereas the local aboriginal offenders will be forced away from their communities and local native resources. All offenders will be moved out of their localities, rehabilitative resources and family visitation. Intermittent sentenced offenders would have jobs placed in jeopardy as the travel to Penetanguishene would be great; and

“Whereas rural communities hard hit by recession and manufacturing job loss need these well-paying jobs in their community;

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

“That Premier McGuinty supports the Owen Sound and Walkerton jails remaining open until such time as a new regional corrections facility can be opened.”

This is certified by the Clerk, and my signature is affixed.

PARAMEDICS

Mr. Jeff Leal: I have a petition today from Tom Schmidt from the wonderful community of Strathroy, Ontario.

“To the Legislative Assembly of Ontario:

“Whereas paramedics play a vital role in protecting the health and safety of Ontarians; and

“Whereas paramedics often put their own health and safety at risk, going above and beyond their duty in servicing Ontarians; and

“Whereas the government of Ontario annually recognizes police officers and firefighters with awards for bravery; and

“Whereas currently no award for paramedic bravery is awarded by the government of Ontario; and

“Whereas Ontario paramedics deserve recognition for acts of exceptional bravery while protecting Ontarians;

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

“Enact Bill 115, a private member’s bill introduced by MPP Maria Van Bommel on October 6, 2010, An Act to provide for the Ontario Award for Paramedic Bravery.”

I agree with this, will affix my signature to it and give it to page Andrew.

WIND TURBINES

Mr. Toby Barrett: I’ve got close to 1,000 names on a petition to the Legislative Assembly of Ontario.

“Whereas industrial wind turbine developments have raised concerns among citizens over health, safety and property values;

“Whereas the Green Energy Act allows wind turbine developments to bypass meaningful public input and municipal approvals;

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

“Revise the Green Energy Act to allow full public input and municipal approvals on all industrial wind farm developments and that a moratorium on wind development be declared until an independent epidemiological study is completed into the health and environmental impacts of industrial wind turbines.”

I agree with this petition and affix my signature.

CORRECTIONAL FACILITIES

Mr. Michael Prue: I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Ontario provincial government has unilaterally ordered the closing of the Owen Sound and Walkerton jails with no public input; and

“Whereas staff of both facilities will be forced to relocate from their home communities and the two rural municipalities will lose up to \$3 million each in wages spent; and

“Whereas the local aboriginal offenders will be forced away from their communities and local native resources. All offenders will be moved out of their localities, rehabilitative resources and family visitation. Intermittent sentenced offenders would have jobs placed in jeopardy as the travel to Penetanguishene would be too great; and

“Whereas rural communities hard hit by recession and manufacturing job loss need these well-paying jobs in their community;

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

“That Premier McGuinty supports the Owen Sound and Walkerton jails remaining open until such time as a new regional correctional facility can be opened.”

I would affix my signature thereto and send it with page Erica.

REPLACEMENT WORKERS

Mr. Jim Brownell: I have a petition, and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas strikes and lockouts are rare: 97% of collective agreements are settled without a strike or lock-out; and

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

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

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

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact legislation banning the use of temporary replacement workers during a strike or lockout.”

I shall sign and send this to the Clerk’s table.

TRAVAILLEURS SUPPLÉANTS

M^{me} France Gélinas: I have a petition that reads pretty much like the one that was just read, so I’ll read it in French.

« Attendu que les grèves et les lock-out sont rares; en moyenne, 97 % des conventions collectives sont négociées sans arrêt de travail; et

« Attendu que des lois contre le remplacement temporaire des travailleurs existent au Québec depuis 1978 et en Colombie-Britannique depuis 1993, et les gouvernements successifs de ces deux provinces n’ont jamais abrogé ces lois; et

« Attendu que la loi contre le remplacement temporaire des travailleurs a réduit la longueur et la discorde des conflits du travail; et

« Attendu que le remplacement temporaire des travailleurs pendant une grève ou un lock-out compromet le tissu social d’une communauté à court et à long terme ainsi que le bien-être de ses résidents; »

Ils demandent « à l’Assemblée législative de l’Ontario d’adopter une loi interdisant le remplacement temporaire de travailleurs pendant une grève ou un lock-out. »

J’appuie cette pétition et je vais demander à Jonathan de l’amener aux greffiers.

PARAMEDICS

Mr. Kevin Daniel Flynn: I’ve got a petition to the Legislative Assembly of Ontario. It reads:

“Whereas paramedics play a vital role in protecting the health and safety of Ontarians; and

“Whereas paramedics often put their own health and safety at risk, going above and beyond their duty in servicing Ontarians; and

“Whereas the government of Ontario annually recognizes police officers and firefighters with awards for bravery; and

“Whereas currently no award for paramedic bravery is awarded by the government of Ontario; and

“Whereas Ontario paramedics deserve recognition for acts of exceptional bravery while protecting Ontarians;

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

“Enact Bill 115, a private member’s bill introduced by MPP Maria Van Bommel on October 6, 2010, An Act to provide for the Ontario Award for Paramedic Bravery.”

I agree with this, and I will sign it and send it down with Caleb.

TAXATION

Mr. Peter Kormos: I have a petition certified by the Clerk and addressed to the Legislative Assembly of Ontario.

“Whereas the HST, effective July 1, 2010, will raise gasoline prices by 8%; and

“Whereas the government of Ontario will collect approximately \$1.6 billion in new tax dollars; and

“Whereas municipalities need access to a greater source of revenue beyond what they collect in property tax;

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

“While our roads continue to deteriorate and our province’s infrastructure deficit is at an all-time high, CAA is asking Premier Dalton McGuinty and the Minister of Finance, the Honourable Dwight Duncan, to dedicate a portion of the HST collected on gasoline and diesel to transportation infrastructure and maintenance.”

I have affixed my signature.

PARAMEDICS

Mr. Phil McNeely: I have a petition here to the Legislative Assembly of Ontario.

“Whereas paramedics play a vital role in protecting the health and safety of Ontarians; and

“Whereas paramedics often put their own health and safety at risk, going above and beyond their duty in servicing Ontarians; and

“Whereas the government of Ontario annually recognizes police officers and firefighters with awards for bravery; and

“Whereas currently no award for paramedic bravery is awarded by the government of Ontario; and

“Whereas Ontario paramedics deserve recognition for acts of exceptional bravery while protecting Ontarians;

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

“Enact Bill 115, a private member’s bill introduced by MPP Maria Van Bommel on October 6, 2010, An Act to provide for the Ontario Award for Paramedic Bravery.”

I’m very pleased to support this petition. I will put my name and send it up with Erica.

GASOLINE PRICES

Mr. John Yakabuski: I have a petition to the Legislative Assembly of Ontario:

“Whereas the skyrocketing price of gasoline is causing hardship to families across Ontario; and

“Whereas the McGuinty Liberal government charges a gasoline tax of 14.7 cents per litre to drivers in all parts of Ontario; and

“Whereas gasoline tax revenues now go exclusively to big cities with transit systems, while roads and bridges crumble in other communities across Ontario; and

“Whereas many residents of Renfrew–Nipissing–Pembroke have been shut out of provincial gasoline tax revenues to which they have contributed; and

“Whereas whatever one-time money that has flowed to municipalities from the McGuinty Liberal government has been neither stable nor predictable and has been insufficient to meet our infrastructure needs;

“We, the undersigned, petition the Legislative Assembly of Ontario to redistribute provincial gasoline tax revenues fairly to all communities across the province.”

I support this petition, affix my name to it and give it to John.

1330

CEMETERIES

Mr. Jim Brownell: I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Ontario’s cemeteries are an important part of our cultural heritage, and Ontario’s inactive cemeteries are constantly at risk of closure and removal; and

“Ontario’s cemeteries are an irreplaceable part of the province’s cultural heritage;

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

“The government must pass Bill 126, the Inactive Cemeteries Protection Act, 2010, to prohibit the desecration of inactive cemeteries in the province of Ontario.”

As I agree with this, I shall sign it and send it to the Clerk’s table.

PARAMEDICS

Mr. Wayne Arthurs: “To the Legislative Assembly of Ontario:

“Whereas paramedics play a vital role in protecting the health and safety of Ontarians; and

“Whereas paramedics often put their own health and safety at risk, going above and beyond their duty in servicing Ontarians; and

“Whereas the government of Ontario annually recognizes police officers and firefighters with awards for bravery; and

“Whereas currently no award for paramedic bravery is awarded by the government of Ontario; and

“Whereas Ontario paramedics deserve recognition for acts of exceptional bravery while protecting Ontarians;

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

“Enact Bill 115, a private member’s bill introduced by MPP Maria Van Bommel on October 6, 2010, An Act to provide for the Ontario Award for Paramedic Bravery.”

I will sign this and send it off with page Erica.

ORDERS OF THE DAY

SUPPORTING SMOKE-FREE ONTARIO BY REDUCING CONTRABAND TOBACCO ACT, 2011

LOI DE 2011 APPUYANT LA STRATÉGIE ONTARIO SANS FUMÉE PAR LA RÉDUCTION DU TABAC DE CONTREBANDE

Resuming the debate adjourned on May 5, 2011, on the motion for second reading of Bill 186, An Act to amend the Tobacco Tax Act/ Projet de loi 186, Loi modifiant la Loi de la taxe sur le tabac.

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

Ms. Lisa MacLeod: It's an opportunity for the Ontario Progressive Conservatives to discuss what we've in fact been discussing for eight long years on this side the House; that is, contraband tobacco and trying to eliminate it on Ontario streets, particularly illegal contraband tobacco in the hands of children. As I've said, the Progressive Conservative caucus throughout the past eight years has been asking this McGuinty Liberal government to take action on contraband tobacco. I remember first being elected to this place and, with my former colleague, now Senator Bob Runciman, asking diligently in this House why more wasn't being done by this Liberal government on attacking contraband tobacco.

This Liberal government has failed to address illegal cigarettes and the underground economy, they've failed to address illegal cigarettes and their links to organized crime, and they've failed to address underage smoking as a result of contraband tobacco. I can attest that not only Senator Runciman but other colleagues of mine in this chamber have stood very firmly against this practice. I'd like to acknowledge at this point my colleague from Haldimand–Norfolk, Toby Barrett, as well as my colleague from Thornhill, Peter Shurman, and of course my other colleague, Garfield Dunlop, from Simcoe North. Through them and the rest of our Ontario PC caucus—I did miss my colleague from York–Simcoe, Julia Munro—we've stood up for eight years.

On the eve of an election, this Liberal government plans to roll out a very weak plan that won't be able to be fully scrutinized before Ontarians go to the polls. In fact, whether or not we decide to pass this legislation before the House rises is another matter. Of course, those of us in the opposition benches don't have any knowledge of when that would be passed, but we find it quite suspect, because as I mentioned on several occasions, members of the Ontario PC caucus have stood up, have indicated this is a very serious issue, have responded to Auditor General's reports and have told the government—to keep their feet to the fire—that this is an issue that needs to be addressed. Unfortunately, we were not quite sure whether or not it will be addressed in good time.

I can assure you, however, that the Ontario PC caucus will continue to hold this government to account, because

we are concerned about contraband tobacco and the lost revenue it has cost the Ontario treasury and the health effects it has had on Ontario's youth.

Last week, this House had to be suspended for a few moments as a result of comments made by the minister responsible for health promotion. I'm going to quote what she said. In speaking to this bill, she said, "It obviously looks to me like they don't care about Ontario's children." This was a comment made to the opposition benches as it relates to smoke-free Ontario or anti-smoking across our province. I was in the chamber at the time, as were my colleagues from Newmarket–Aurora, Oxford and Halton. We took great offence to those statements. As parents ourselves, as people who want to see public health in our province succeed and accelerate, the comments were not only unwelcome, but they were also quite offensive. It is offensive as well because she tried to say that only the Ontario Liberal Party has spoken up on a smoke-free Ontario. I must admit, not only was it offensive, but I thought it was very disruptive to an orderly debate on this very important topic of illegal and contraband tobacco.

I want to first commend my colleague from Carleton–Mississippi Mills, who in 1986 introduced one of the most important pieces of legislation, a private member's bill that would set the stage for Ontario becoming a smoke-free society. Norm Sterling put forward Bill 71, An Act to protect the Public Health and Comfort and the Environment by prohibiting and controlling Smoking in Public Places. Although that did not pass, he did set the stage for what would be a movement not only in this province, but across the rest of Canada and throughout North America, to promote non-smokers' rights above those of those who are smoking.

The member from Carleton–Mississippi Mills has a riding adjacent to my Nepean–Carleton riding. In fact, over his 32-year career, he has represented many of the communities that I represent today. In fact, in my short career, I have represented some of the communities he represents today. About a month ago, I was talking to his first campaign manager, Rich McDonald. Rich is a great, great Conservative. Do you know what he said to me? He said, "Norm has taken enormous risks in his career." The member from Carleton–Mississippi Mills put forward a bill at the time that wasn't popular in our riding, but he did so because he believed it was the right thing to do, which is in stark contrast to what the Minister of Health Promotion said in this House just last week. That's why it's so offensive—because the first person to openly discuss this in a legislative capacity, to make sure that there was one rule for all across this great province, was Norm Sterling.

I'm going to use his own words from that day in 1986. He said, "What we need and what I am proposing in this bill is a uniform minimum provincial standard to deal with non-smokers' rights in the public place and in the workplace. Quite frankly, I am getting a mixed signal from this government"—and of course, he was speaking at the time about what government? A Liberal government.

Ms. Sylvia Jones: David Peterson.

Ms. Lisa MacLeod: David Peterson, at the time, was the Premier.

He said, "I am getting a mixed signal from this government as to whether there is a commitment to reduce smoking in our province."

My colleague, in 1986, was so far advanced, compared to what this Liberal government is today. He was ahead of the pack, and he's somebody whom I admire.

I also had an opportunity, when I was forced to listen to the Minister of Health Promotion—I was very disappointed, as I know my colleague from Halton was; he was with me in this chamber at the time. It disappointed me because she put words in the mouths of so many members here.

In 2002, my father, who has passed on, worked hard to bring in an anti-smoking bylaw for his small community of 10,000 people, a place called New Glasgow, Nova Scotia. Like Norm Sterling's bill, it was not popular; it was not the thing people wanted done in their communities. People were afraid it would close down restaurants and bars and other community places such as bingos, but he believed that it was the right thing to do.

1340

I remember when my father passed—it's almost four years now since he passed of cancer—it was a triumphant moment for us to realize that he had taken that step, that same step Norm Sterling had taken, which was to stick his neck out and understand that he might be going into a place of relative discomfort. You're leading the pack and it's never easy to be a leader, it's never easy to take charge of a situation, but they both did that.

I was very impressed that it was the Conservatives, under Norm Sterling, that first put forward this type of legislation. Of course, in my own city of Ottawa—and I have two colleagues here who sat on the municipal council there as well; however, they're now with the Liberals. They took courageous steps back in 2002 and 2003 as well to ensure that the city of Ottawa was smoke-free.

I remember at the time, people would talk about closing down restaurants, closing down bingo halls. Again, it was the right thing to do and people took a positive stand. I was very proud to have worked with the city of Ottawa's administration at the time, because it was the right thing to do, it would save lives. Ultimately, the same people who would effectively say that this wasn't good legislation would, at the end of the day, I think, agree that we were leading the way not only in small communities like New Glasgow, Nova Scotia, not only in big cities like my city of Ottawa, but right throughout the rest of the world—in New York, in Boston, in Dublin. People were recognizing that this was an important place to go and that's why I have an enormous sense of pride throughout the years that this has been done and people have taken the responsible route.

What wasn't responsible, as you will probably well agree, was the rhetoric that came out of the minister last week, who effectively said that if you don't support every government legislation on anti-smoking, then you

obviously don't care about your children, and that's wrong. As a mother who celebrated Mother's Day with my six-year-old yesterday, I've voted for legislation, whether it's to ban smoking with kids in cars—in fact, whenever I see somebody doing it, it really hurts to see that, that that somebody would not only be, by the way, ignoring the law, but they've put their own child's health in danger. I think sometimes you can't really legislate morality and I think there are a few things that my colleagues have said over time that have been misinterpreted or taken in a different way by the Minister of Health Promotion.

Before I talk a little bit more about where my colleagues have stood over the years on contraband tobacco, I want to talk briefly about the work that some of my colleagues have done, namely my colleague from Simcoe North, who is the correctional services critic. He and I have had an opportunity to discuss this legislation and we're concerned because it appears that the Minister of Revenue is more concerned about this being a monetary issue and not an enforcement issue. We believe this could have been a corrections bill, or it could actually hit a number of different groups. The reality is, we need to provide the police with more enforcement mechanisms so that they can crack down on illegal contraband tobacco, which could be anywhere from \$500 million a year in lost revenue, but it also contributes to organized crime in our communities.

It could also, of course, be a small business issue. As my colleague from York Simcoe will point out time and again, there's lost revenue in the small business sector. We've had many different groups, like the Ontario Korean Businessmen's Association, that have said this is impacting in such a negative way, this contraband tobacco, that it's hurting small businesses across Ontario. I think, too, of my colleague from Thornhill, who has brought this issue up, these illegal smoke shacks, as a blatant example of how people are fighting law and order, and he has brought that up time and time again. Then of course, I think there is the real issue of smoking and what it does to our health care system.

But this government has not done very much. In fact, as my colleague says, and I'm going to quote Garfield Dunlop, "We've actually asked about this for some time now. Over the last seven or eight years, we've asked the government to do more about the contraband cigarettes. Here we are at the 11th hour, five months from the election, and they bring out this bill. We'll never have a chance to test this bill. Even if it was passed tomorrow, by the time you get it implemented, we won't have any idea how it will actually work before the election."

I've got a number of questions. I know that we have raised this in the Legislature since as far back as 2005-06. It's been of grave concern to us, but this government, even after an auditor's report, effectively did not implement any strategies to rid Ontario of this contraband tobacco. We see it from time to time. Whether it's on the borders of Cornwall or other port or international boundaries, we're starting to see these challenges.

I go back to December 2, 2008. My colleague at the time, who's now a senator on Parliament Hill, asked the Premier of the day, Mr. McGuinty, about "the current estimate that your government will run a \$500-million deficit"—jeez, remember when it was only a \$500-million deficit instead of a \$17-billion deficit?—in the fiscal year, and the necessity for putting that added burden on the backs of future Ontario taxpayers. He said at the time, "We recently saw published reports that almost 50% of the cigarettes smoked in Ontario are illegal." He asked at the time, "Premier, can you tell us how much tax revenue you're losing because of the illegal cigarette trade and what steps you're taking to collect it?"

At the time, the Premier referred that question to the Minister of Finance, who did not have an answer. He said, "There's no question that contraband tobacco impacts our revenues." So in 2008 they recognized that it impacted the revenues, but they didn't do anything about it. Here we are in 2011, and we're just starting now to see a bill that focuses more on updating jargon than it does on clamping down on illegal and contraband tobacco.

My colleague then goes on and says, "Any objective observer would have to question this government's commitment to come to grips with this particular challenge. We only have to look at Haldimand county, where illegal smoke shacks are operating with impunity—one, unbelievably, on government-owned land. Talk about rubbing it in your face.

"Minister, you and your colleagues are the 100-pound weakling here. Where's Joe Weider when we need him?... [W]hy would you rather burden future taxpayers with a \$500-million deficit than enforce the law?"

Remember, this is a question that the former member from Leeds–Grenville, a former leader of the official opposition in this House, Senator Bob Runciman, asked the Premier on December 2, 2008. Three years later we see a toothless bill, and my colleague from Nickel Belt will attest, because we were both interviewed for the same article when we were told of these great, new enforcement mechanisms—she was the first to be interviewed, so she was the one that got the quote: Why don't they have them already? If it's illegal, it's illegal.

The police should have the ability to arrest somebody and to confiscate it and to protect Ontarians. Unfortunately for us and for Ontario taxpayers and Ontario patients and Ontario smokers, that's still happening, and there's no real, real law.

But then they went on to start referring not only from the Premier to the finance minister, but then, of course, remarkably, to the Minister of Correctional Services, who chose, might I add, not to put forward a bill in 2008. Now we find it's a revenue bill at last.

But Senator Runciman then reminds this chamber that there was an Auditor General's report in 2008, and it was to say that this government was losing \$500 million a year on illegal tobacco.

Mr. Ted Chudleigh: At least.

Ms. Lisa MacLeod: At least, in the cigarette trade, as my colleague the Attorney General critic points out. So

we're losing at least \$500 million a year in tax revenue on the illegal cigarette trade. "Some estimates," Mr. Runciman pointed out, "peg that as high as \$1 billion" in illegal activity surrounding cigarettes that are being sold to minors in this province that it took seven and a half years for this government to even notice. They would rather let it go, that \$1 billion or \$500 million, whatever number it ends up being. Whatever that number is, they didn't care, because they didn't want to do anything about it at the time. Now they're bringing this weak bill before us, a bill that offends the sensibilities of constituents who have been calling for real action on illegal contraband tobacco for eight long years. It's very, very shameful.

1350

The reality is, we have people who are breaking the law in Ontario, and for eight long years, the McGuinty Liberals have turned their back against crime that is happening in our communities and is impacting children and youth. At the same time while that crime is happening and children are smoking, and they can afford it because of these illegal cigarettes, the government of our province is losing anywhere from \$500 million to \$1 billion because there hasn't been the leadership on this file to crack down on that illegal activity.

On December 8, 2008, that Auditor General's report came out, and we at the time were so frustrated because we had been asking for years for resolve. The Auditor General pointed out that by adopting their look-the-other-way justice system and ignoring the problem, they were costing us hundreds of millions of dollars—at least \$500 million.

The question we had at the time and I guess the question we all still have on this side of the House is: Why should law-abiding Ontarians put up with the issues we've been dealing with across the way when they're refusing to collect the taxes that we've been owed? Understand it from this perspective: When you have a \$17-billion deficit and the government is completely looking another way at recovering anywhere between \$500 million to \$1 billion and they've looked the other way, yes, that's a revenue problem. It's also a correctional service problem. It's a justice problem. It's an issue that the laws are being flouted in this province, at the risk not only of public health but also of our public revenues and our public services.

So I guess it would, in this 11th hour, explain why this government, right before an election, would want to act: so that they can pretend that they're cracking down on crime, they can pretend that they're going to get all of these lost revenues that they have for so long let squander away; \$500 million a year goes a long way over a period of eight years, as my colleagues would sure point out.

The question then goes back to this: They acknowledged in 2008 that more needed to be done. They pointed out that they were losing hundreds of millions of dollars in revenue problems. The question is, why did we wait until the spring of 2011 to do anything about this bill? They've laid off nurses; they've cut back on family

health teams; they've threatened hospital surgical units, and they had at least \$500 million they could have collected from these illegal smoke shacks and they did nothing.

Regrettably, at the time, several ministers of the crown dating back to that Auditor General's report of December 8, 2008, have stood by and watched and done nothing as kids, as adults, as people across our province were able to buy illegal and contraband tobacco. It's illegal. Something should have been done about it. Regrettably, they lacked any form of concern or expression, and they looked the other way. By the former Minister of Correctional Services' account, on November 1, 2009, some 257,000 cigarettes were seized. On November 26, another 50 cartons of cigars and 2,332 cartons of fine-cut tobacco were seized. They acknowledged at the time, in December, that there was more that they could do. The question becomes: Why does it take so long to get anything done? Why didn't they come back with a strong piece of legislation at the time?

We're now three years after the Auditor General first released his report on illegal contraband tobacco: how much money the province was losing, how many young people were smoking these contraband cigarettes. As our health critic and deputy leader, Christine Elliott, says, it's shocking. In fact, our health critic, Christine Elliott, has been working on this issue as well, because it does impact the health of Canadians and the health of Ontarians. She has spent some time in the great city of Ottawa, as I do, and there was a study done not so long ago—I believe last year—that suggested that most of the cigarettes being smoked at federal government offices in Ottawa were contraband. The reality is, if that's happening, it's not just a lost revenue problem, it's a health problem. But it is also a criminal conduct problem. Why are they letting this occur? It's so frustrating.

I know, for example, that many of my colleagues on this side of the House have asked serious questions. They've debated, to no avail, bills that they believed were serious and would help the public health aspect, the public good aspect as well as the small business aspect. We finally get this bill, and when I sat through part of the briefing—my staff sat through the rest—the only thing we could decipher as being a contribution from this current legislation is that, as my assistant Megan Boyle would say, it updates the jargon from last century to this century.

Also, my colleague Ms. Munro from York-Simcoe has been, I believe, a steadfast opponent of contraband tobacco, and she's been a real champion for small businesses. I want to point out what Ms. Munro has been working on. She said, on September 30, 2010: "Contraband cigarettes are killing small businesses and threatening the livelihood of thousands of convenience store owners. These contraband cigarettes, which are being smuggled throughout Canada in record numbers, now represent one out of every three cigarettes purchased." So while we're talking about \$500 million in illegal trade—and that might be lost taxes—we're also hurting busi-

nesses, because one in every three cigarettes smoked is being purchased outside the appropriate avenues—the legal avenues. So it means that small business owners are being hit.

She asked the minister at the time—actually, she asked the Premier, who referred it—"How does this fit in with your overall plan for economic growth and jobs in Ontario? You say you are concerned, but why won't you take action on illegal" cigarettes? This was a question asked by the member from York-Simcoe last September. And we get from the Minister of Community Safety and Correctional Services at the time, "It's a very important question." Really? I don't think we really needed Sherlock Holmes for that, Minister. We already knew it was a serious problem. We've known it was a serious problem for eight years, but I read it to you again. He said, "It's a very important question."

I'd hate to have him trying to crack the big case in a Nancy Drew book or on CSI; I'm quite certain that the obvious has been hitting him on the head for quite some time.

Interjection: Or the Hardy Boys.

Ms. Lisa MacLeod: The Hardy Boys.

Interjection: Nancy Drew and the Hardy Boys.

Ms. Lisa MacLeod: Exactly.

He also says at the time, "It's a very timely question." This was back on September 30, 2010, and it's a timely question: so timely that they would not introduce legislation for another seven months, so timely that they just looked the other way, sat on their hands, twiddled their fingers and did whatever they had to do over a period of time because they weren't interested in getting the job done.

And then, of course, they did what this government is always very good at doing. Guess who they blamed? They blamed the federal government. Somehow they had to blame Jim Flaherty for a problem that wasn't his, but he seems to be the biggest opponent of this government over here. They had to blame the federal government.

So I guess the question is, why? Why can't they put a plan together when most of the illegal cigarette trade is occurring in Ontario? Why couldn't the Ontario government do anything about it? Do you want to know why? Because they felt it was easier to blame the federal government and tell them to put forward a plan than actually implement one of their own.

Interjection: Did they blame Mike Harris?

1400

Ms. Lisa MacLeod: They didn't blame Mike Harris on that particular issue. However, I think the jury is still out on that. I'm sure they may still have a few more opportunities to do just that.

Let's fast-forward to a year ago, May 4. My colleague Toby Barrett had some questions on illegal tobacco—

The Acting Speaker (Ms. Cheri DiNovo): Could the member refer to the riding rather than the name?

Ms. Lisa MacLeod: Oh, sorry; Haldimand-Norfolk. He was curious about illegal tobacco. Of course, he, like the rest of us, was concerned about who would answer

the questions over there because it's a bit of a hot potato, but again it does serve so many different ministries when you think about it. It could be the Attorney General that deals with this. It could be the health minister that deals with this. It could be the revenue minister, which, in this case, it is. It could be the correctional services minister. It could be the small business minister. It could be the health promotion minister.

But do you know what the problem is? There are so many different people talking about so many different things, this government has never had a concerted approach on this issue. In fact, do you know what they could have done? This government, had it started to listen to the Ontario PC caucus in the early 2000s—after they formed government—would have provided the Ontario public with a task force that had representatives from each of those ministries to cut down the silos, get the job done, enforce the laws to prevent underage smoking, to prevent the underground economy and to prevent further losses to our revenues, whether that's small businesses. We could have saved all this money, but they chose not to do it.

Again, I walk through some of the different questions that our colleagues have been asking for quite some time. On May 5 of last year, my colleague from York-Simcoe asked the Minister of Consumer Services—yet another ministry in this whole mess that this government has looked the other way on—what steps this government would be taking to protect consumers, particularly those under the age of 19, from the growing threat of illegal tobacco use. What leadership had they shown at the cabinet table for those under 19 who are consumers?

Does anyone want to make a bet who the consumer affairs minister was at the time? It was the current Minister of Revenue. Do you know what she did at the time? She then referred the question, as we've seen, and this is a pattern of behaviour from this government, to the previous Minister of Revenue, who's now the Minister of the Environment. Guess what? Let me tell you this. You're going to be surprised. He too agreed that it was a very important question, and he too agreed that we can all agree that there are people in our society who manufacture and sell contraband tobacco to our children. But did they do anything about it at the time? Did they do anything about it on May 4 or May 5, 2010? No, they did not. They waited over another year after the Ontario Progressive Conservative caucus had demanded answers from several different ministers. We asked the Premier, we asked the finance minister, we asked the revenue minister, we asked the correctional services minister, and we asked the government and consumer services minister; not one of them provided us with an answer. Not one of them stood up in their place, not one of them demanded that we increase enforcement against the illegal tobacco trade. Not one of them did that over that eight-year period.

We gave them lots of opportunities. We stood up, we spoke, we asked them, we demanded that they do something for the protection of the children of this province who were smoking. They did nothing.

Mr. Ted Chudleigh: No responsibility.

Ms. Lisa MacLeod: They took no responsibility, no effort, no action. When we talked about the loss in revenues for this province, whether that's \$500 million or \$1 billion, whatever that number ends up landing on, did they do anything to try and get that money back into the coffers? No, they didn't. We warned them that this was hurting small businesses because the small convenience store owners who have been working night and day, 18-hour and 19-hour days, so they could keep their small business, to feed their families, put their kids through school and heat their homes—when we told them that this was a problem for those small businesses, did they do anything? They did nothing. They waited years to provide us with this very small piece of legislation that changes the name of certain jargon.

Mr. Ted Chudleigh: And it doesn't really attack the manufacturers.

Ms. Lisa MacLeod: It doesn't attack the manufacturers, as my colleague from Halton says. It doesn't do anything to protect the health and safety of children in the health care system, as my colleague from Whitby would tell you. It does nothing to go after those people who are making millions of dollars off of the people, the law-abiding citizens of this province.

Mr. Ted Chudleigh: What else are they distributing, those criminals?

Ms. Lisa MacLeod: It raises a good point. The organized crime component of this, as my colleague from Halton is pointing out, is startling.

Let me go back to taxes for a second, because as I mentioned several times, my colleague from Thornhill has worked diligently on this file. He raised this when no one else wanted to raise it. He would raise it each and every day in the House, demanding answers, and it wasn't happening.

On May 18, he asked a question again about hard-working convenience store owners. They had warned at the time that adding 8% HST on legal cigarettes was “‘adding gasoline to the fire’ that is the illegal tobacco trade, with its 50%-plus market share. It's going to accelerate the number of convenience store closings in Ontario, now at 2,400 in the last two years.” Mr. Shurman said, “This is clear cause and effect. These small business owners are offering a revenue-neutral solution to the mess you've created. Will you give it to them?”

Guess what? Can I just say that who actually answered this question was the Minister of Revenue? Do you know what he said at the time—this was the old Minister of Revenue? That we all agree “what the problem is in contraband tobacco.” They've been agreeing with us for years. Then why haven't they been doing anything about it? We have been asking—a good quarter or maybe 35% of the Ontario PC caucus has stood up daily in this House, if not monthly, to have that conversation, to ask for work to be done, and they've done nothing.

Here's the quote that I talked about when we were talking about Ottawa. I quote the member from Thornhill: “The problem is so out of control, 32% of butts

sampled outside the Department of Finance in Ottawa were illegal themselves, and that's a government building." It's a government building in Ottawa.

He points out that Toronto police chief Bill Blair spoke to him, the member from Thornhill, about illegal tobacco, and that those profits "go directly to buy the guns and the drugs on our streets." The police chief of the city of Toronto told the member for Thornhill that the "profits from illegal tobacco go directly to buy the guns and the drugs on our streets." It goes to the point that the member from Halton just had about the underground economy and the illegal activity: What else is being sold with illegal tobacco? I think it's a good point.

My colleague from Thornhill makes a final point before he asks his question: "It kills small business and it buys the guns that kill innocent people."

It's a serious matter; I think you'll agree, Speaker. Then, of course, you have a minister who doesn't want to point out what can be done; just what can't be done.

My colleague from Halton is here today. He is our Attorney General critic. He continued to carry the torch on this issue, holding this government's feet to the fire back in September of last year, in 2010. He called for a public inquiry into the Caledonia act. He talked about the McGuinty government's lack of response on illegal cigarettes. He said, and I'm going to quote my colleague from Halton, our Attorney General critic: "The consequences? Today, nearly 50% of the cigarettes smoked in Ontario are illegal. An analysis of cigarette butts by the Ontario Convenience Stores Association in 2007 at schools in Brantford showed that approximately 35% of the cigarettes were contraband." I'll just break from his quote. That's eerily familiar to the same percentage that we're seeing in Ottawa outside the Department of Finance around the same period. He goes on to say, "At one school, about 46% were contraband. We have seen an increase in the availability of illegal cigarettes for youth, an increase in funding for organized crime, and an increase in the likelihood that people will experience the serious health consequences of smoking."

1410

My colleague from Halton put forward a very sound argument in less than a paragraph on why more needs to be done on the illegal cigarette trade in Ontario. I have to be honest: I was inclined to support this legislation at the outset, because I believe more needs to be done, but actually, the more we talk about this and debate it in this House, the more disappointed I become and the more I want to call on and ask the government to act further. In fact, I think anything short of a task force on illegal and contraband tobacco outside our schools and what it's doing to small business and what it's doing to the revenue side of things in this Legislature is not enough. I think that they're not doing enough and they should be doing more, and that this legislation is nothing more than a piece of paper that pretends they're doing something about a serious and chronic issue that has occurred right across Ontario that they have neglected for eight long years.

Let me talk a little bit more about what my colleague from Halton said back in September. That would be a good—how many months, member from Wellington—Halton Hills? We're looking at about eight or nine months ago. My colleague from Halton says, "Another consequence has been economic. In 2009 the sale of contraband tobacco saw convenience store operators lose \$2.5 billion in sales." That's a pretty big number. We're talking anywhere between \$500 million to \$1 billion that's lost from government revenues, and my colleague the Attorney General critic from Halton is telling us that in 2009 the sale of contraband tobacco saw convenience store owners lose \$2.5 billion in sales. That number is also eerily familiar to something else called the HST, which is about a \$3.5-billion boon to government revenues.

My colleague does say that the Minister of Revenue should take responsibility for his or her duties, and I would argue that he's right; and not only that, I think the rest of these ministers ought to take responsibility for this issue across our province. He rightfully states that laws aren't being enforced, and then he quotes: "The Ministry of Community Safety and Correctional Services should be committed to ensuring that Ontario's communities are supported and protected by law enforcement and public safety systems that are safe, secure ... efficient and accountable. That is what the website says. As of 2009, policing costs alone accounted for ... \$46 million in Caledonia, yet illegal smoke shops and violence continue unaddressed." I believe that's where it gets very disappointing: We now have seen Caledonia go on for well over five years, we have seen this issue on illegal and contraband tobacco span more years than it ought to have, and we now have a bill in front of us that quite frankly is more technical and administrative than it is substantive on enforcement tools.

That's what's disappointing. In the dying weeks of this Legislature, of this particular Parliament before we go into an election, they've offered us nothing. I think they've offered us a pittance in order for them to be able to go out campaigning in a few weeks to say that they were working on something. Yet I don't really believe they were.

Mr. Ted Chudleigh: They keep asking us for our plan.

Ms. Lisa MacLeod: What's the plan here, I guess is what my colleague from Halton is saying. Why aren't they doing anything? What's frustrating is that there could be so much more done. They have the majority; they could have done it. They still could. They could step up. They could fight contraband tobacco. They could outlaw this. They could cut smoking rates, bring in the revenue if they wanted. But do you know who's not impressed? The public. The opposition is not, whether that's the Ontario PC caucus—I had a conversation with my colleague from Nickel Belt, who I know is studying her notes very quickly because she is going to be doing her hour lead today. She's about as impressed with this bill as I am; I can tell. I can see it, and she's nodding her head.

I'll go to a Canadian Press story that occurred. As you know, Madam Speaker, frequently in this House we find out in the Toronto Star or through Canadian Press what a bill is going to be. So on a Friday we find out what the legislation will be, because it's leaked by the minister, and then on Monday, we have our five-minute response to a bill we haven't seen yet; however, the press has seen it.

At the time, both myself and my colleague from the third party were quoted in the article "Ontario Police Given Power to Seize Illegal Cigarettes Without Approval." This Liberal government said that they would provide police the power to seize these illegal cigarettes. Apparently, right now, police who spot someone with contraband cigarettes have to call the Ministry of Revenue before arresting them. It took them eight years to come up with that? After questions in this Legislature all the time by members of this Ontario PC caucus, it took them eight years to come up with that, when most people in Ontario actually believed in their heart of hearts in the good faith of government and that that policy would already have been there, that it would already have been legal for the Ontario police to crack down on illegal cigarettes, but it wasn't? And they, through a little piece of administrivia, have decided at the 11th hour, before we go to the polls, that they're going to bring this forward—it's insulting.

Again, as my colleague said at that time—she beat me to the punch, and I'm going to quote her. I'm sure I've never quoted a New Democrat before, but I will do this today. She said, "We're doing some checking to see how much ... power that would be because I was always under the impression that if police saw illegal merchandise of any kind that they were allowed to seize it."

Interjection: You would think.

Ms. Lisa MacLeod: I think that's the question. If police in this province see something illegal, are they not able to seize it? Or do they just have to pick up the phone and call the Ministry of Revenue every single time?

Mr. John O'Toole: I think that's a secret.

Ms. Lisa MacLeod: I don't think that's true. I think that's a secret little loophole our colleagues over there have—a secret little loophole; the secret, secret deals and the secret, secret loopholes of this secret, secret government.

Mr. Ted Chudleigh: It sounds like the G20 all over—

Ms. Lisa MacLeod: It sounds like the G20, as my colleague said.

What's also offensive is, we're talking about the new fines. Police can issue a ticket on the spot. So if a 15-year-old is walking down the street and he's spotted by the Ministry of Revenue police and he's smoking a cigarette, he could be fined between \$100 and \$500.

However, if it is—

Interjection: Call the Minister of Revenue first.

Ms. Lisa MacLeod: The secret loophole there of the Minister of Revenue.

But it's not bad enough. So this kid could actually get the fine—much like underage drinking, I suppose; how-

ever, it doesn't get to the root of the problem. Where does it say that those people manufacturing these illegal cigarettes are going to pay not \$500 but \$50,000? They're taking revenue out of our hands. They're taking revenue out of legitimate and legal businesses in this province. They're the ones who are putting extra costs on the people who require to go to the health care system as a result of these illegal cigarettes. What do they pay? We're allowing the contraband tobacco, that underground economy, to continue to thrive.

I know I speak on behalf of the Ontario Progressive Conservative caucus in opposing that. We think this government could have done far more, far earlier to do a far better job of protecting not only consumers but particularly those who are underage smokers who should be encouraged to do something differently. But again, this is a government that likes to legislate morality and also a government that likes to play secret games. So what we're seeing right now is a government that has few options.

The law allows for those who import cigarettes into Ontario to register; okay. But I think, perhaps—and I hope it's an unintended circumstance of this legislation—it's what I said earlier: You're going to be making criminals out of smokers who are addicted to tobacco.

1200

I think that's the question we all have: Are you going after these 14- and 15-year-old kids with these massive fines to scare them and to encourage them not to smoke? I mean, that's one thing, but really, why are we bullying these kids and not cracking down on the people who are passing millions upon millions—\$500 million around in the illegal trade, and Police Chief Bill Blair is saying that it's going towards drugs and guns. And it's killing small business, but we're going to pick on that 14-year-old.

I think it all goes back to how they've put this little legislative piece together because they were vulnerable, but they've failed to address, as I said in the beginning, illegal cigarettes in the underground economy, they've failed to address illegal cigarettes and the link to organized crime, and they've failed to address underage smoking as a result of illegal tobacco. They've waited until the end of their mandate, with literally weeks left in this legislation, so that this bill will not become law in time for the next Ontario vote.

If this government really believed its rhetoric that tobacco kills 13,000 people a year in Ontario, that we're losing anywhere between \$500 million to \$1 billion in revenues, and that it is costing our health care system approximately \$2 billion annually and furthermore costing our productivity in Ontario \$5.8 billion a year, the question then becomes: Why did it take so long and why is it such a weak response?

I've been able to point out what the Ontario Progressive Conservative caucus has been doing effectively since 1986 in trying to slow down the rate of smoking in Ontario. I've talked about what the official opposition in the Ontario PC caucus, under Tim Hudak, John Tory and Bob Runciman, has done and why we continue to hold

their feet to the fire. I've talked about an Auditor General's report that said that we're missing out. I've talked about other reports and studies that have been done that have shown that illegal tobacco is not just found at federal government buildings, outside of the Ministry of Finance, but we've also talked about it being in schools, where our kids are going. If this wasn't serious, I don't know what is. That's why I can't understand for the life of me, nor can my colleagues, why it took so long for this government to put forward this bill.

So much more could be done. That's why I think it's important to go after the real manufacturers of this. That's why I think, with the resources the government has, they could have had a very strong task force and put some serious resources into this to combat contraband and illegal tobacco on so many different fronts.

Beginning, though, it is illegal—as my colleague from Simcoe North, Garfield Dunlop, has pointed out, police in our communities need to be given the resources. As my colleagues from Halton, York-Simcoe and Thornhill pointed out frequently, we need to beef up the tools that our small business owners have in combating this, because they're losing millions upon billions as a result of this. As my colleague from Whitby, our health critic, has pointed out on a number of occasions, people's health is at risk.

I stand here today proud of the work that has been done by the Ontario PC caucus. I am proud that the folks in our communities have stood up and supported our calls for greater action on this issue. We know that teenagers in Ontario and other places in Canada are smoking more contraband tobacco than ever before—and I'll conclude. I have about seven minutes left.

A study was done in 2009 on behalf of the Canadian Convenience Stores Association and the National Coalition Against Contraband Tobacco. As was reported by Canwest News Service on October 14, 2009, that study found that “30% of cigarette butts collected from around Ontario high schools, and 45% of those collected near Quebec schools, were illegal cigarettes.” Furthermore, “the numbers represent an increase of 4% ... respectively, over last year's study.”

That's alarming. If we're to expect that contraband cigarettes are going to grow by 4% a year in Ontario's schools, this number that I'm quoting right now of 30% has already expanded. Because this government took an extra two years—or, in our view, eight years—to act, that number could be almost 40% now. It could have gone that quickly as a result of this government's inaction.

Gary Grant, a spokesman for the coalition and a retired superintendent of the Toronto Police Service, said, “Almost one in three teenagers are buying cigarettes from criminals, funding further criminal activity, learning that it's okay to break the law, and starting smoking at way too young an age.” That is a former and respected retired superintendent with the Toronto Police Service. How could you get more clear than that?

They were warned two years ago that this was going to be a challenge. We're almost at crisis levels, and this is

what they've done? “Almost one in three teenagers are buying cigarettes from criminals.” It's quite a statement.

The same report says that, “In Ontario, 19,770 cigarette butts were picked up from around 110 high schools ... in May and June” of that year. “Seventeen per cent of the butts collected ... were classified as ‘unknown’ and the others were designated legal or illegal. Illegal cigarettes are those without unidentified brand names, or untaxed brands manufactured on ... reserves.”

The study then further breaks that down in Toronto, and unfortunately they don't have numbers for Ottawa and my community—oh, sorry; they do. I'm going to read it. “In Toronto, about 25,000 cigarette butts were collected at 17 schools and 23% were designated illegal—a 7% increase from 2008. The same rate was found in Ottawa, while in Windsor, it was at 34%”—almost 11 points higher in Windsor than it was in the nation's capital and in the provincial capital.

Where were the members of the government when these studies were coming out? Why has it taken so long? We've been asking for eight years for answers. These issues, in 2009, were quite stark, and it's only two years later that we're seeing anything. And by “anything,” I mean “not substantive.” They could have done so much more, and that's what's so disheartening.

This study continues, and I think this is a pause for members here: “Canada's black market for tobacco is heavily concentrated in Ontario and Quebec and is worth hundreds of millions of dollars a year. The RCMP, which has a task force to crack down on contraband tobacco, says the links between illegal tobacco and organized crime have increased ‘exponentially’ over the last six years and the market is negatively affecting communities and the economy.” This is from a federal government report. They're saying that our province, the great province of Ontario, has one of the most highly concentrated black markets for illegal tobacco in Canada, and furthermore—and let's read this last statement—“the market is negatively affecting communities and the economy.”

Communities throughout Ontario are being eaten by this terrible bug called illegal and contraband tobacco. “Revenue losses to convenience stores, for example, are reported to be around 30%, according to the RCMP's website.”

Mr. Grant, the former superintendent, says, “You don't see kids standing around their high schools at lunch time with a case of beer between them.... I think that making it a provincial offence to possess cigarettes, as much as it is to possess a bottle of wine, would go a long way to deal with the problem....” He does mention that in this bill, but that's not going to do everything.

1430

I think Rob Cunningham, a senior policy analyst for the Canadian Cancer Society, agrees with where we would go with this: A ban on youth tobacco possession, which is their strategy, shouldn't be the primary strategy. He says, “That ain't going to do it; the key to success to preventing contraband is to target the sources of supply.... In terms of” our “youth, we don't want to blame the victims.”

We, in the Ontario PC caucus, believe that we have to get more aggressive on the sources of supply, and we agree with Mr. Cunningham that we have to be more aggressive. That's why I think it's really important that we put measures in place, that we take it seriously and that we crack down on the widespread availability of illegal and contraband tobacco.

Again, in the minute I have left, I want to thank my colleagues in the Ontario PC caucus who have stood up for so long for stronger laws and stronger enforcement against illegal and contraband tobacco. I would specifically like to single out my colleague from Carleton–Mississippi Mills, who was thinking about smoking cessation and prevention long before anyone in this chamber was, and I'd like to continue to thank my colleagues who have stood up for enforcement against illegal tobacco and for doing it when this government wasn't listening. I must say that I congratulate them, because I believe they are the reason this bill is before us, however weak it may be.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

M^{me} France Gélinas: It was a pleasure to listen intently to the previous speaker about how long it took before anything at all was done in this province. Some of the stats that she brought forward are worth repeating. The number of smokers in Ontario is not going down; it is going up. And according to studies that she quoted and that I will quote also, 50% of cigarettes smoked in certain areas of Ontario are illegal tobacco products. We all know this.

She quoted some of the questions and answers that have gone on. The Canadian Cancer Society knows about it, Cancer Care Ontario knows about it, the lung association—they all do. They all wanted a well-coordinated health promotion strategy to deal with this. Unfortunately, all we got was this.

If it is part of a strategy, please tell us—the sooner the better—because if this is it, if this bill is what you're putting out to deal with the issue of contraband in this province, well, let's not waste our time, because this is going to fail.

To make criminals out of 75-year-old ladies who have bought their cigarettes at the same place for the last 10 years—she sees half the Sudbury regional police force buying cigarettes at the same place she is, and all of a sudden not only does she get a fine, but she goes to court for buying her cigarettes where she has been buying them for the last 10 years. This makes no sense whatsoever, but this is what we've got here. And if we think this is a health promotion strategy and that it will do anything—

The Acting Speaker (Ms. Cheri DiNovo): Thank you. The member from Ottawa–Orléans.

Mr. Phil McNeely: We've heard from the member from Nepean–Carleton the revisionist history of the Conservative Party's involvement in smoking cessation. I will inform this House that the smoke-free Ottawa legislation was the leader in Ontario, and who was there? Bob Chiarelli; Madeleine Meilleur, a nurse; myself—

The Acting Speaker (Ms. Cheri DiNovo): Could you please mention the members by riding?

Mr. Phil McNeely: It was a terrible battle we had on smoking.

Interjection.

Mr. Phil McNeely: You talked about the smoking history, and that's what I'm addressing, and the new smoking legislation today.

Alex Munter, a brilliant leader, and Rob Cushman, another one way ahead of his field, fought tooth and nail with us, and we won. The Conservatives fought us all the way on the smoke-free Ottawa legislation. When we brought Ottawa's legislation to Ontario, we had McGuinty, Meilleur and myself: I brought 24,000 petitions from students in the Ottawa area and we presented them to George Smitherman at the time. We got the power walls out of retail, and the Conservatives fought us all the way on that legislation. That's now law and that normalization of cigarettes doesn't occur to kids. That's done.

We didn't do everything. Dr. Pipe from the Heart and Stroke Foundation presented me with a plaque in front of city council for the work we did in getting rid of the power walls. The Conservatives fought it all the way.

Smoke-free Ottawa, smoke-free Ontario, the cosmetic use of pesticides, power walls, getting rid of coal—Conservatives have never been on the side of children, never been on the side of children there.

Ms. Lisa MacLeod: On a point of order, Madam Speaker—

The Acting Speaker (Ms. Cheri DiNovo): Point of order, member for Nepean–Carleton.

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Could you stop the clock for a minute, please. Thank you.

Ms. Lisa MacLeod: This House went into grave disorder last Thursday as a result of the Minister of Health because of the—

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Order. I can do the ruling myself. Thank you, government House leader.

That, as the member well knows, is not a point of order.

Member from Ottawa–Orléans, continue.

Mr. Phil McNeely: So we're taking this bill forward. It's probably the last part of the bill. But you mentioned Sterling; what did—

The Acting Speaker (Ms. Cheri DiNovo): Thank you.

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Thank you. Questions and comments?

Mrs. Christine Elliott: I'm really pleased to join this debate because I listened very carefully to what my colleague the member from Nepean–Carleton said. It's interesting what the member from Ottawa–Orléans said about not caring about children and so on. If that's the way you think, why didn't you put some teeth into this bill? Why didn't you do something about this to actually

do something other than some very weak enforcement provisions?

This is a really important problem that we've all heard about from various groups, from the cancer society, the Heart and Stroke Foundation, the Lung Association, various tobacco control groups. It's important from a revenue perspective. We're losing \$500 million to \$1 billion every year in lost revenue because of non-enforcement of these rules. You could almost build a hospital per year on what we're losing in revenue through lack of enforcement and lack of control of the situation by this government.

As for the other issues, it is a justice issue, it is a public safety issue, and most importantly, it's a health issue. I know a lot of people say, "Oh, well, what does it matter? I can go and buy illegal contraband cigarettes from a smoke shack." I bet they wouldn't like to know that their 13-year-old child is buying them from the back of a car somewhere just off their school parking lot. That's what's happening across Ontario. Kids are getting hooked on cigarettes.

I know that the member from Nickel Belt has spoken about this issue many times. That's the reality of what we have to deal with here. We're getting kids hooked at a very young age, and you know the kinds of health problems that we can have that can develop as a result of that. We need to properly deal with this. This bill isn't going to do it. Who's going to say no, they're not going to support it? Of course, anything that's going to move us towards smoking cessation is going to be a positive move.

I know that the anti-smoking groups want us to support it, but it really has to be said that you're not really doing anything effective about this. You're not doing anything to control the illegal flow of contraband cigarettes, you're not doing anything to prevent adults from accessing them from illegal smoke shacks, and you're certainly not doing anything to prevent children from having access to illegal cigarettes that they can buy from the back of somebody's car in a plastic shopping bag.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Peter Kormos: This is a very serious subject matter, and I'm disappointed that people would trivialize it by politicizing it in the manner that we've witnessed here today.

Tobacco addiction is a serious problem in this province and this country, a serious problem. We've made some headway. I reflect on the incredible role that my colleague Shelley Martel, when she was then the member for Nickel Belt, played in developing the framework that we have now, and of course the important role being played by our current health critic.

I listened to the comments of the member from Nepean-Carleton. She made a very competent, capable contribution to the debate and she raises, amongst other things, this obvious observation that all the legislation in the world comes to naught if you don't have enforcement. The enforcement has been an issue in this House

for a good chunk of time now in question period and over the course of debates, and this government—and addictions, please.

I just happened to have been on chapter 4 of that Norman Doidge book, *The Brain That Changes Itself*, the chapter that's about addictions. It's a very readable book. I appreciate the author for making it readable.

1440

This government just passed, in its budget, the legislative structure for Internet gambling, the most addictive form of gambling that could ever be created—one that is impossible to monitor, one that will attract younger and younger gamblers. I'm talking about kiddie gamblers, kids blowing up mom's or dad's credit card in the privacy of their own bedroom in front of their computer screen. You talk about some neuroplasticity and some redesign of brain structure to create hardcore gambling instincts? You do it with Internet gambling. So this government doesn't have very much credibility when it comes to the addictions file, does it?

The Acting Speaker (Ms. Cheri DiNovo): The member from Nepean-Carleton has up to two minutes to respond.

Ms. Lisa MacLeod: Again, I'd like to thank my colleagues for their contributions in the debate.

I think the record of the Ontario PC caucus on this particular issue of contraband tobacco speaks for itself. I'm very proud of the contributions that my colleagues have made in holding this government's feet to the fire. I'm also extraordinarily proud of my colleague from Carleton-Mississippi Mills.

If people want to remove themselves from revisionist history, I would encourage the member from Ottawa-Orléans to look at the bill. It took great courage. I can tell you why I know it took great courage: because my own father, before he himself died of cancer, fought to make his small community a smoke-free environment, and it came at a dear political price. I remember him having to ask their town council at the time in 2002 to postpone a meeting because he wanted to vote for it, and my uncle, who was never a smoker, was dying of lung cancer at the time.

This government has debased itself on this issue by calling into question the love and strength of character that we have in the opposition for our own children. I'm disgusted by them. I can't believe that not only the minister but the member from Ottawa-Orléans would utter such contemptuous words. They've chosen to debase and devalue this debate, and they've done it to fearmonger and scare people.

We believe, in the opposition benches—and I believe I speak with my colleagues in the third party—that we need to do a heck of a lot more to fight illegal and contraband tobacco. We have stated very clearly that this goes through several different ministries. We believe you could have done a better job. In fact, if you look at the record over the past eight years, you could have.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

M^{me} France G elinas: Certainly the NDP supports strong tobacco controls. We take tobacco and its health effects very seriously. But we also know that tobacco control is a complex balancing act.

Let's talk a little bit about how serious tobacco and smoking addiction is in Ontario. Evidence shows us that most Ontarians agree that smoking is dangerous. We know this, and most smokers would like to quit. However, tobacco use remains the leading cause of preventable death and disease in Ontario. Remember when we talk about the escalating cost of health care services and how it's eating up 50% of our budget and all of this? Well, right here, right now, we could prevent a lot of disease from happening. We've all known this for a long time, and very little is being done.

The prevalence of smoking in Ontario has stopped declining, and among certain populations, it is increasing. Do you want to know who those populations are? The youth: the next generation of smokers.

We all know that 13,000 Ontarians die each year, directly related to their tobacco use. That's one person every 40 minutes. While I do my speech, an Ontarian will die, and another one will be on their way to dying also, because every 40 minutes, every day of every week of every month, somebody dies because of tobacco use. Yet we still have 2.1 million smokers in Ontario.

Unfortunately, we have to add to the 2.1 million smokers the 200,000 people who use smokeless tobacco products, mainly youth who use those flavoured chews. Baseball season is about to start. It doesn't matter where you go in Ontario; you will see those chews on every bench, and most of the kids, the young players, use them.

The highest rate of smoking, by age, is for men and women aged 20 to 29. Although we say that 19% of Ontarians smoke, 37% of men who are 24 years of age and over smoke, and it's 27% for ages 20 to 24. Think about it: 34% of men aged 25 to 29 smoke. This is the next generation of smokers. Stats are not going down in Ontario anymore; they're going up.

The tobacco industry—and when I say the tobacco industry, I mean both the legal and the illegal—persists as the supplier of products responsible for the leading cause of preventable disease and death among Ontarians. Tobacco is the only legal product that, when used as intended, kills half of its users prematurely, and it also kills other people through their second-hand exposure. Think about it: We have a product right here in this province that, if you use it as you're supposed to—because sometimes, with drugs and interactions, things happen, but not with this one. With this one, it's not a side effect. If they use it as intended, half of the people will die prematurely. Try and make sense of that now.

As I said, the industry is very adept at finding new customers and new ways to market and distribute their products. They have no choice, because every 40 minutes they lose a customer, because every 40 minutes a tobacco user dies. They have to replace that tobacco user. Otherwise, it affects their profit margin.

Nicotine, which is present in all tobacco products, whether or not they are smokeless, is a very addictive

substance when smoked or chewed as a tobacco product. The addiction to nicotine has often been compared to heroin or cocaine addiction, making it one of the toughest to break. Unlike cocaine and heroin suppliers, suppliers of tobacco products to Ontario markets are treated as mainstream business, and this has to change.

In 2005, when the smoke-free strategy was implemented, the government increased the funding, that was at \$10 million, and increased it to \$60 million—this is when it peaked in 2008. But although we saw in 2008 that the trend that had started to go down started to go back up, the investment in a smoke-free Ontario did not go up. It started to go back down.

Ontario spends about \$3.29 per capita, or \$42 million a year, on a smoke-free Ontario. It used to be \$60 million a year, but it has gone down. What a short-sighted savings. For every dollar we invest in prevention, we automatically directly get \$3 back, just in our health care system—never mind the pain and suffering and the economic impact. The relationship has been studied to death: \$1 of prevention is a \$3 saving in our health care system.

1450

The US Centers for Disease Control and Prevention recommend the spending on tobacco control. For a jurisdiction the size of Ontario it should be \$8 to \$13 per capita, which would bring us to about \$100 million. We're not even at half of this.

There is wide-ranging support for limiting tobacco use. We see that 61% of Ontarians agree that smoking should be banned from patios, but we're not doing it; 78% of parents agree that they should not smoke at home if there are children living there. We're not doing anything about that either. Some 48% agree that smoking should not be allowed in parks, and 41% agree that smoking should not be allowed on sidewalks. We have to denormalize tobacco use, but we see none of that in the bill.

What happens to our health care costs? Tobacco products are the leading cause of preventable death and disease in Ontario and are responsible for \$6 billion in economic and health care costs—\$6 billion. That would go a long way toward bringing resolution to a lot of problems that we're facing. This is a lot of money. Although we get \$1.6 billion in tax revenue from tobacco and tobacco use, we spend \$6 billion. It doesn't make sense. If you gain \$1.6 billion by taxing the tobacco products but end up paying \$6 billion, that's four times what you pay compared to what you collect, not taking into account how bad those products are. We add \$4.4 billion in lost productivity and 500,000 hospital days.

You know all of those hospitals out there that are struggling with ALC, backups in emergency rooms, cancelled surgeries and delays? Just think of what 500,000 hospital days would do to those hospitals. All of a sudden, you would have beds to admit your people to. All of a sudden, you wouldn't have off-loading delays in our emergency departments and those long wait-lists because you can't admit any more people.

Do we have a comprehensive health promotion strategy to tackle tobacco? No; we have Bill 186, this tiny weenie little punitive shot at trying to fix a problem that is so much bigger than that. If we want the strategy to be effective, it must be based on public education, it must be based on community input, and it must have buy-in. We have none of this with Bill 186. We must work with First Nations to find solutions that will work for all in every community. We don't see any of this.

Actually, the first thing we saw, the minute this bill was out the door, was two associations of First Nations that decried the fact that they were never consulted. They were told that they were going to be consulted, but they were not. The first one out the door—seconds after we found out that Bill 186 was being tabled—was the Association of Iroquois and Allied Indians. They had had meetings with the Minister of Aboriginal Affairs, with the OPP commissioner and with a number of other people regarding First Nations tobacco products. They were promised that Ontario intended on circulating a discussion paper/proposal to begin resolving issues surrounding First Nations tobacco products. Those people, in good faith, who sat with the Minister of Aboriginal Affairs, OPP Commissioner Chris Lewis, Deputy Minister Lori Sterling of the Ministry of Aboriginal Affairs and Deputy Minister Steve Orsini from the Ministry of Revenue—they were all there. They all promised them that they would be circulating a discussion paper, that they wanted a dialogue with First Nations regarding First Nations tobacco products.

What happened? Nothing happened. This discussion paper was never circulated to them. It still, to this date, has not been circulated, and they were notified of Bill 186 by the Minister of Revenue the morning that she tabled the legislation which stands in direct opposition to what had been discussed. There is a part of the bill that talks about First Nations engagement. If you have already started a dialogue, if you've already promised a paper in a discussion—a document—and you go ahead and bring legislation without them having had a chance to see it, this is not a very good way to start a relationship. This is not a very good way to have an engagement process take place when we all know—and it's in the bill—that there needs to be community engagement from the First Nations.

They, as everyone else, mentioned that the legislation itself is finely focused on punitive actions, and this is not what the First Nations want. Let me tell you what those punitive actions will look like. It will look like Aunt Lou Ellen—but I call her Aunt Lou—who is close to 80 years old, has smoked two and a half packs a day all of her life and goes to Atikameksheng Anishnawbek in my riding and buys her cigarettes there. She buys them there like 50,000 smokers in Sudbury do every single week and every single month.

I would say probably half of the smokers from within the Sudbury Regional Police also go there to buy their cigarettes. For everybody, this is the norm. This is not illegal. It is done in front of everybody. They advertise it.

You go into a store, you buy your cigarettes, you pay for them, and then all of a sudden she will be charged. The first time, if she has less than 200, she will be charged \$100, plus she will pay three times the tax. Quick math here: She will be charged about \$175 for something when she doesn't even have a clue that she is doing something illegal.

Heck, she smoked her two and a half packs for, what, 70 of her 80 years on this earth? Nobody has ever said anything to her, that she was doing something wrong, because she sure is a church-going, law-abiding citizen, but she doesn't know, and neither do most of the people in my riding. I mean, it's obvious. It's out there. It has been out there for a decade. You go in, you see the stores, you pay and you go back with your cigarettes.

That's not all. If she gets caught at the other place that sells illegal cigarettes, not only will she be fined, but—she doesn't get a ticket or anything like this. What happens is that she now has to go to court. Can you imagine this? Do you know how many elderly smokers I have in my riding? My riding is way higher than the percentage in the rest of the province. A lot of them are very elderly. They have no idea that they're breaking the law. I can just see them lining up in court because they've done something they didn't even know was illegal. And God forbid you do this in one place and you go back on the northern side of my riding and buy cigarettes there, too. You could end up in jail. Aunt Lou doesn't want to go to jail for something she doesn't even know is wrong, but this is what this bill is all about: punitive action.

Coming back, we have this part of the bill that talks about engagement with the First Nations. The first group, the Association of Iroquois and Allied Indians, were not the only ones who were not consulted. We also had the Chiefs of Ontario come out against the bill.

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The Iroquois say: "Bill 186 must be halted to accommodate proper consultations and negotiations with First Nations. It is essential that a win-win solution is identified and reflected in the legislation before the bill proceeds any further in the Ontario Legislature."

Now quoting from the Chiefs of Ontario, the Chiefs of Ontario see this bill exactly the same way. The legislation is "a punitive action rather than tobacco use reduction strategies.... There are many outstanding issues regarding jurisdiction, economic development and trade that should have been discussed with First Nations leadership beforehand."

They go on to say, "For a government that prides itself on consultation and transparency this lacks the goodwill that must underpin a successful working relationship.... it is appalling that the province would proceed with this initiative."

This comes from the Chiefs of Ontario, which is a political confederacy of the chiefs within the district of Ontario, and they conclude by saying that they oppose Bill 186. "The Chiefs of Ontario is a political coordinating body for the 133 First Nation communities located within the boundaries of the province of Ontario."

How can we get this off the ground so poorly? How can it be that we have all known for years that this is an issue, we've all been asking for action, we've all known that to be successful you need a win-win and you need to make sure that every community, including First Nations communities, is on board, and we come out with this?

Let's be serious here. There are 12 sessional days left in this Parliament and then it's all over. Why is it that 12 days before the end of this Parliament, we're facing legislation on such an important issue? You've heard the statistics that I've read: the 2.1 million people, the cost to society, the death every 40 minutes, the cost to our health care system alone. And yet here we are, 12 days before the end of this Parliament, discussing a bill that lacks the basic foundation for success.

Do work up front. Do your homework before you come out with a bill. Bring forward a well-coordinated health promotion strategy and then we will move forward on something. It's not like a well-thought-out strategy doesn't exist: We have, right here, *Building on Our Gains*—because smoke-free Ontario has made some significant gains. *Building on Our Gains, Taking Action Now: Ontario's Tobacco Control Strategy for 2011-2016* is the report from the tobacco strategy advisory group to the Minister of Health Promotion and Sport and it's dated October 18, 2010.

We have a road map, and not just any road map. If you look at the experts who sat on this, this is a who's who of all of the top minds in Ontario when it comes to this issue. It was co-chaired by Dr. George Pasut, VP of science and public health, Ontario Agency for Health Protection and Promotion. There is John Atkinson, manager of health promotion for the Ontario Lung Association; Dr. Francoise Bouchard from the Office of the Chief Medical Officer of Health; Donna Czukar, who is from the Canadian Cancer Society, Ontario division; Rosa Dragonetti, who is from the Centre for Addiction and Mental Health; Dr. Roberta Ferrence, who is from the Ontario Tobacco Research Unit; Lori Flynn, from the Ontario Federation of Indian Friendship Centres; Lorraine Fry, from the Non-Smokers' Rights Association; Dr. John Garcia, from the faculty of applied health sciences from the University of Waterloo; Dr. Doris Grinspun, who is the executive director of the Registered Nurses' Association of Ontario; Dr. Beth Henning, from the Office of the Chief Medical Officer of Health; Dr. Robert Kyle, medical officer of health for the Council of Ontario Medical Officers of Health; Dr. Hazel Lynn, from the Council of Ontario Medical Officers of Health; Dr. Heather Manson, director, chronic disease and injury prevention, Ontario Agency for Health Protection and Promotion; Michael Perley, who everybody has quoted so far, from the Ontario Campaign for Action on Tobacco; Rowena Pinto, from the Canadian Cancer Society, Ontario division; Cindy Shcherban, from the Ontario Lung Association; Linda Stobo, from the London health unit; Laura Syron, from the Heart and Stroke Foundation of Ontario; Carol Timmings, from the Ontario Public Health Association; and John Wellner, from the Ontario Medical Association.

All of those people reviewed the evidence, reviewed the research, and put forward a strategy—a strategy that is not based on the punitive action that is contained within this bill; a strategy that basically wants to reduce the supply of legal or illegal tobacco products, but also reduce the demand for Ontario products. They put forward a 43-page document that's easy to read, that anybody would understand. It's a road map.

The Ministry of Health Promotion and Sport asked this panel to get together, supported this panel's work so that we could get the report. Yet when the time came to receive it, what was the first thing that came out of the mouth of the Minister of Health Promotion and Sport? I would expect, "I'm so happy with the report. We've done great work with smoke-free Ontario. We're ready to move on." But what did she say? She said that they have no intention of introducing further work on tobacco. We have just asked the who's who of all of the top minds of this province about how to put together a comprehensive, robust health promotion health strategy that would give the results that we want; that is, decreasing the number of smokers in Ontario, protecting the health of Ontarians. They laid it out in 43 pages. And what did the minister say? "No, thank you. I don't want any of this. Instead, I'm going to move forward with a bill that is a revenue bill, that has the catchy name of talking about illegal tobacco but that has zero potential for success."

A good health promotion strategy is never anchored on one pillar of being punitive. This is a non-starter. We're not going to help Ontarians stop smoking that way. We may have the odd success here and there. If Aunt Lou has to go to court or is thrown in jail, I suppose she'll have to stop smoking, but this is a heck of a social price to pay to get Aunt Lou to stop smoking. I would say, how about a good health promotion strategy instead, that would support her rather than punish her? But that's not what we've got. We've got Bill 186, a Ministry of Revenue bill that deals with an issue as important as what we have now.

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Tobacco control requires more than a punitive approach. It must offer a range of appropriate regulations, enforcement tools and public education campaigns. It must do the hard balancing act of working with people who have a tobacco addiction while you cut off tobacco supply. One cannot come ahead of the other. It's like the cart-before-the-horse story. This is what we're trying to do right now.

The NDP has called for action on contraband tobacco for a very long time. I don't like it when I see smoking trends going up in my province. I know exactly where this will lead. This will lead to an oncology unit in one of our hospitals, in cancer treatment centres, to somebody who will go through hell. Have you ever seen somebody dying of lung cancer, Madam Speaker? It is not a pretty sight. I don't want anybody to have to go through this, ever. But every 40 minutes in Ontario, a person dies of tobacco use. It's not a nice death at all. I will spare you the details, but I'm sure some people have seen—we've

all known somebody who has had lung cancer due to cigarette smoking. If it's not in our direct family, it's our uncles or aunts or friends or neighbours or co-workers. And the last couple of weeks and the last couple of days and the last couple of breaths are not easy.

Why wouldn't we want to put something forward that would prevent all of this from happening? Nope; we are putting a punitive approach. That's the strategy in Ontario. And not only are we doing this, but we're doing this when there are 12 sessional days left—actually, 11 and two hours and 45 minutes left—in this Parliament. Hmm.

As I mentioned, we heard instantly from First Nations that due diligence had not been done, that they had not had a chance to give input, that this bill was being rushed through. How could we rush something like this? The Liberals have been in power for eight years. They've known about illegal tobacco for eight years. They've known about the stats and they've had the research and the knowledge for eight years. And here we are, 12 days to the end, with this bill, a punitive approach. I couldn't be more disappointed.

I'm also very concerned. How come we're not getting a well-researched bill? How come the community engagement didn't get done? How come we don't have a full strategy? Maybe the punitive aspect would make sense if we were to see a comprehensive strategy, but we don't see any of this. We only see this bill, Bill 186, the letdown of a bill. Hmm.

When the NDP were in power, we introduced the first comprehensive cancer strategy for Ontario. It was a full strategy that looked at health promotion, disease prevention, primary, secondary, tertiary prevention. It looked at treatment. It looked at palliative care. It looked at support for the caregiver. It was a strategy that made sense from the beginning to the end.

I myself co-sponsored a private member's bill—with the member from Brant, actually—that banned the sale of single-packaged flavoured cigarillos, which were the cigarettes of choice for the next generation of smokers; that is, for youth who were picking up those cigarillos at a buck apiece, and they would become the next generation of smokers. We were successful in having that bill go through, and those cigarillos are now illegal in Ontario. But no sooner did the bill go through than the tobacco industry bounced right back with a whole array of new flavoured tobacco products directly targeting the next generation of smokers, directly targeting our youth and making sure they got addicted to nicotine—the sooner the better. Remember, they lose a client every 40 minutes, because every 40 minutes, a tobacco user dies in Ontario, so they need to get to work at it.

I've introduced another private member's bill that would ban all flavoured tobacco products, whether you smoke them or they're smokeless, all of those, chews, all of the new products. Frankly, why don't we see a ban on new tobacco products? Nobody's addicted to the new ones; they haven't been invented yet. Wouldn't that be easy? Wouldn't that be a step in a health promotion

strategy? But no, we got Bill 186, punitive measures in a nowhere land of a health promotion strategy.

New Democrats have stood up in the Legislature many, many times as this government cut important programs under the Smoke-Free Ontario Act. When I saw the cuts to an innovative youth-led peer anti-smoking program, I opposed it with everything that I could. It was a good pillar of a health promotion strategy. It had youth talking to youth about not picking up the habit. It had youth talking to youth about quitting the habit. And it was working great; it was working great in my riding. We had a group of francophone students, a group of aboriginal students, a group of anglophone students. They were all engaged. They were getting results. It was working so well that the government cut funding. We're talking minimal funding here because they were all volunteers. We paid for their bus tickets and the odd sandwich if they met at night. That was a very small amount of money and that was taken away.

That's the pound-foolish and penny-wise kind of—I don't know how it works, but it makes no sense. To have saved those few pennies, it will cost us hundreds of millions of dollars of treating those youth who are picking up the habit because they will end up the same way as 50% of tobacco users end up: having their lives shortened and dying because of their use of tobacco. But this is our Ministry of Health Promotion and Sport for you, Madam Speaker: When we see a good idea, we nip it in the bud. Instead, what do we do? We introduce a revenue bill to deal with the tobacco addiction. Where is the sense in that?

To make matters worse, the history of smoking is nothing short of tragic. It is tragic because five million people lose their lives each year from it. It is tragic because by 2025, at the rate we're going now, it will be 10 million people a year who will lose their lives in Canada. Most of us have lost a parent, a friend, a brother, a sister or even a child to cancer from tobacco use. We know the pain and the emotional suffering. Most of all, we know the tragic waste of human life.

I will always remember when we had recruited Dr. Cunningham, who was the first oncologist who came to what is now Sudbury Regional Hospital, but at the time it was called Laurentian Hospital. We had the first oncology unit. We didn't have a cancer treatment centre at the time. I guess I'm dating myself. It must be 26 years or 27 years ago. I volunteered to be on the first interdisciplinary team for the oncology unit. The success rate was not very high. We saw lots of cancer patients. We saw lots of lung cancer patients who came to the oncology unit and died—not an easy death.

I'll always remember this young woman, a single mom with a three-year-old. She kept her baby with her through the whole ordeal, and, man, was she sick. If she threw up once a day—she threw up 25 times a day. She was really, really sick through the whole thing. But she kept her daughter with her, and she died. She died of lung cancer. I remember holding the three-year-old child, watching her mother die, and the CAS came and got her.

From that day on, I told my supervisor, “I want out of the oncology unit. I can’t take this anymore,” and she was good enough to get me out of there. It is no fun at all to watch people die of lung cancer. They suffer a lot, and they all wish they had had an opportunity to quit.

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We have this opportunity right here, right now. We have an opportunity to put together a good health promotion strategy. Building on Our Gains, Taking Action Now: Ontario’s Tobacco Control Strategy—It’s all in there. It tells us how to make sure we reduce the supply while we reduce the demand. It recognizes that the use of tobacco products remains the leading cause of preventable disease and death, that 2.1 million people still smoke, and that we need a new five-year plan for making Ontario tobacco-free. It sets reasonable expectations and goals for us to work on.

They basically put this expert panel together. The expert panel reviewed and discussed the changes in the tobacco control environment and put forward recommendations—recommendations that are broad-based.

They start with their vision statement: “A tobacco-free Ontario by 2030.” A tobacco-free Ontario by 2030: Could you imagine what that would do? That pain and suffering that I saw would all be gone—no more. All of those people dying of lung cancer or—tobacco doesn’t only give you lung cancer; it affects most of your organs and most of your systems as well. So whether you talk about high blood pressure or many other organic diseases, they are directly linked to the use of tobacco.

They start by saying, “Governments have an obligation to protect the health of the people they serve.” Each and every one of us in this House has an obligation to protect the health of the people who elected us. We have an opportunity to put forward, building on smoke-free Ontario, a new strategy that will get us tobacco-free by 2030. The document is here. It’s on the website. Anybody could read it, if they cared to, and so could the government. They paid for it; they commissioned it. And they came out with Bill 186, a revenue bill that is a punitive bill, that has none of the pillars of health promotion and none of the pillars of disease prevention in there. That’s all it does.

“A renewed tobacco control strategy must:

“—continue to build on the comprehensive tobacco control approach established by the smoke-free Ontario strategy;

“—address both the supply of and demand for tobacco products simultaneously in order to weaken the relationship that maintains and supports the use of tobacco products”—and we’re not seeing anything simultaneously happening here;

“—go beyond smoking cigarettes to address the use of all tobacco products, including smokeless products; and

“—take a ‘whole of government’ approach.”

We don’t see any of this in Bill 186.

The smoke-free Ontario strategy that was implemented in 2004 did a lot of good things. It set things in motion that helped us decrease the amount of smokers in

Ontario by 20%. Why don’t we build on this? The problem with the first strategy is that “it did not significantly address the primary cause of tobacco-related disease and death,” which is “the continued availability of tobacco products to men, women and children in Ontario.”

We all realize that a tobacco-free society cannot be established or accomplished overnight, but we can plan for it now so that we are ready for 2030.

We have to stop treating the tobacco industry as a normal, legitimate industry, because it is not. Tobacco products are so ingrained in our culture right now that we see them as a normal part of our society. We see them as a normal part of our economy. How do we see this? Believe it or not, tobacco production has been subsidized by government, it has been glamorized by the tobacco industry and it has been an important source of revenue for the government and small business, largely due to decades of tobacco industry incentives to retailers. It is time to denormalize and delegitimize the tobacco industry.

The fact that contraband has become a significant source of cheap tobacco products in Ontario should be a call to action, because it undermines all other efforts to reduce tobacco use, especially among young people. But do we see any of that? Nothing. We see Bill 186, a Ministry of Revenue bill that will punish people. Not the right way to go.

The tobacco industry will tell you, and try to create the myth, that tobacco use is a lifestyle choice. It isn’t. Let’s call it what it is: It’s an addiction, pure and simple. The tobacco industry says, and I quote John Clayton, vice-president of corporate affairs for Imperial Tobacco, from a news release from last year: “We make a legal product for adult consumers who have made a choice to continue smoking in spite of the known risks.”

Well, how many communications spin doctors did he consult before he spit that out? Smoking is an addiction, pure and simple, no ifs, no buts. It is not a choice; it is an addiction.

The addiction to tobacco takes away any choice the consumer has not to use tobacco products. Nicotine is too addictive to treat it any other way. If we want people to stop smoking, we have to give them the support they need to overcome their addiction to tobacco. Giving them the fines, bringing them to court and throwing them in jail if they’re repeat offenders is not helping them with their addiction to tobacco. It’s making criminals of people who have an addiction issue.

Many of the people in this House spent 18 months with me on the Select Committee on Mental Health and Addictions. In none of our recommendations will you see, “Put people with addictions in jail.” This is not a solution. “Give a fine to people with addictions.” This is not a solution either.

This is not how you deal with people with addictions. You give them support, and this is what the Select Committee on Mental Health and Addictions wrote in their report. We need a better system of support, we need a basket of services, we need a whole bunch of recom-

mendations—23 of them, to be precise. None of them said, “Punish them, give them fines, put them through the courts and put them in jail.” This is not the solution, but this is what Bill 186 tells us we’re going to do.

A comprehensive approach is the only effective means of protecting and promoting the health of Ontarians with regard to tobacco use. The recommendations have to be synergetic, so that we strengthen a comprehensive tobacco control strategy. We have to do both: We have to decrease the demand and the supply of legal or unregulated tobacco products.

1530

Right now, in Ontario, we spend \$42.8 million. That is reduced. It used to be \$60 million. It needs to be brought back up. It needs to be brought back up to \$100,000 a year so we meet the criteria where, for every dollar invested, we get \$3 back directly in savings from our health care system. How do we do this? Sure, there will be some enforcement, but there’s also big public awareness that needs to happen.

I was talking about the tragic history of tobacco smoking. We’ve known for over 60 years now that smoking kills, and we’re still battling with 2.1 billion smokers in Ontario. For the whole time that this government has been in power, they’ve known that illegal tobacco is an issue that needs to be addressed in this province, and when they finally come out with something that addresses it, it misses the mark. No matter how you want to look at this, it misses the mark. It’s not going to be successful. By trying to solve a social problem, it will create 12 new ones. It has to be part of something bigger in order for this to work.

As a society, we have let tobacco companies continue to promote and sell cigarettes as desirable products. They are not. They have to be delegitimized. It has taken this government their entire mandate, eight years minus the 12 sitting days left in this Parliament, to bring something forward. We’ve done too little to stop the epidemic of death and disease left in the wake of tobacco use.

We in the NDP support action on contraband tobacco, but let’s not forget that large, profitable tobacco companies that are so responsible for bringing us to the situation that we are in now. Because tobacco will continue to kill 13,000 Ontarians a year and most of them, 85% of lung cancers, are directly linked to tobacco smoking. It will continue to cost Ontario taxpayers \$6.1 billion in health care costs, premature death, disability and other factors, when we have in front of us a strategy to deal with this.

In the report *Building on Our Gains, Taking Action Now*, they talk about reducing consumption by 20% within the next five years. They have set a list of targets and outcomes with a plan of action that is achievable. None of this, none of their recommendations, none of their targets we see in this bill. They want to reduce the percentage of Ontarians who smoke. They call it “five over five,” a decrease of five percentage points over five years in the number of Ontarians who use tobacco. That would be 490,000 fewer Ontario smokers.

They have a target of protection from second-hand smoke, with the outcome that we’d be banning smoking on all bar and restaurant patios. We already ban it in bars and restaurants. We would now extend it to the patio.

They want to help Ontario smokers to quit, and they put targets on this. They want to increase the proportion of smokers who attempt to quit. It’s now at 9.4%; let’s increase this to 21%. Also, let’s increase the percentage who are successful.

They want to decrease the number of youth who try tobacco. Right now, although it is illegal for them to smoke, youth between the ages of 12 and 18 are picking up smoking more than ever before, in part because of the availability of cheap cigarettes through the illegal market. They want to decrease this by 0.5% a year.

Regarding the industry, they want to reduce the supply of tobacco products with the introduction of new tobacco products legislation, except when it is for therapeutic use.

Under the targets of health benefits—keeping more Ontarians healthy—you decrease tobacco-related disease, measured in terms of total acute hospital care days attributed to chronic obstructive pulmonary disease, better known as COPD, lung cancer, stroke, and IHD and pneumonia, by 6.5%. That would give you 204,493 days less of hospital admission.

Why is it that when we have this strategy in front of us that is well documented, well researched and signed by all of the who’s who in Ontario’s health care system, First Nations, cancer—everybody who knows and recognizes what a good health promotion strategy is all about. When we have this document in front of us, why is it that we come out with a revenue bill to deal with this issue? We need a comprehensive tobacco health promotion strategy. It is there for us to implement. Yet, the government comes out with Bill 186.

What they want to do—I see that I’m running out of time. They want to denormalize and delegitimize the tobacco industry. This is an important step. They talk about things like divesting provincial pension plans and other investments of tobacco holdings. Did you know that Ontario universities and hospitals have invested into the tobacco industry? Wouldn’t it be a good idea to put our money someplace else?

We talk about preventing the tobacco industry from interfering in the settlement and implementation of tobacco control policies. Wouldn’t it makes sense, if you’re trying to curb this habit, that you listen to health promotion and Cancer Care Ontario ahead of Imperial Tobacco, and also, to put together a quick response team of key public health, government and NGO leaders, because we know that the tobacco industry is very quick whenever there is a legislative change?

We had the example when the cigarillo bill came through. Within a month they had come out with a whole bunch of flavoured tobacco products and a slightly bigger cigarillo that just made it over the bar not to be called a cigarillo, but that they continued to sell in the same manner as before, in the same flavours as before, to make sure that they hook this next generation of smokers.

They also want to deal with the package price, placement and promotion. What would that mean for the tobacco industry? That would mean no more flavoured tobacco products. Once you're hooked, you don't want the green apple-flavoured and the martini-flavoured or the chocolate-flavoured tobacco anymore; you want the nicotine. You've got your addiction, and that's all you want.

The only reason they come out with flavoured tobacco is because people that don't smoke don't really care for the taste of tobacco. So they flavour it until they have you addicted. Once you're addicted to the nicotine, you ditch the chocolate flavour and the martini and all the rest of those flavours—there's 33 flavours, if you're interested, in my riding; I counted them—and you go for the nicotine.

1540

Let's ban this. Let's ban flavouring in smokeless tobacco and ban smokeless tobacco altogether. Let's force them to use plain and standardized packaging and prohibit the sale and marketing of any new tobacco products. It is hard to limit right now because people are addicted. But nobody is addicted to new products that don't exist. Let's ban them. Let's make sure there are no new products introduced in Ontario when it comes to nicotine and tobacco.

Price is such an important factor to attract youth, and it also decreases the incentive for smokers to quit. Establish a minimum retail market price for tobacco products—an idea that's worth looking into. Implement a substantial increase in the taxes. Empower the municipal police. Establish joint operation groups. Have markings on every cigarette. Lay the groundwork for proactive activities and stop the sale of tax-exempt tobacco to ineligible individuals.

They go on to talk about placement. Reduce the availability of cigarettes to underage youth. Require that tobacco manufacturers meet annual reductions in the number of underage tobacco users in Ontario. Make it their responsibility that this number decreases, rather than what it's doing right now, which is increasing.

Under promotion, put the 1-800 cessation helpline on every package, and continue your advertising so that you support the 1-800 helpline. Decrease the visibility of smoking, smokers and exposure on patios, in front doorways and in outdoor sport and recreational spaces, using awareness-raising tools. They make some suggestions regarding the movies: Where tobacco is used as imagery, make them 18 and over.

They talk about creating the task group of key partners that I talked about. They talk about changing the social norm related to tobacco products.

But I see that I'm running out of time. We have a bill in front of us that is a revenue bill that deals with a very, very serious issue: the addiction of 2.1 million Ontarians to tobacco. Punitive strategies are not good health promotion strategies, have never been and will never be. We haven't got a new health promotion strategy for tobacco. This needs to change.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Bob Delaney: Do you know how they brought down Al Capone? The tax act. It isn't sexy, but it has teeth. That's the thing that's the real hallmark of this legislation here: It has teeth.

What people don't realize, because this has evolved over a span of about eight years, is that in six of the eight budgets the government has presented, there have been measures on anti-smoking—six out of eight. Very clearly, as in the case of many of the other things that Ontario has done, we had a plan, and we executed the plan. And the plan worked.

Let's go through some of it. The 2004, 2006 and 2007 budgets strengthened enforcement against the illegal manufacture and sale of tobacco products: improved enforcement tools, new offence provisions, stiffer fines, prison terms for certain offences, as well as new and better tools for inspectors and for law enforcement officials. That's what it's all about. That's 2004, 2006 and 2007.

In 2009, they had the authority to suspend the driver's licence of persons convicted of offences under the Tobacco Tax Act that involved the use of motor vehicles. Between April 1, 2008, and December 31, 2010, four million illegal cigarettes, 146,000 illegal cigars and a little over four tonnes of fine-cut tobacco or tobacco products have been seized by ministry officials.

There's a very clear, long-term, step-by-step effort on building a plan to reduce smoking in the province of Ontario, to prevent youth from starting to smoke, to advance smoking cessation, and it's working.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. John O'Toole: I did listen completely to the member from Nickel Belt—and intently, I might add—and, in fact, quite sympathetically, because her description and her natural passion, talking about her time as an oncology nurse, were quite compelling for anyone who was listening. It probably does more, effectively, than the bill itself to convince people to not smoke. So I commend her as a professional in the health care field for her opinions and her very strong views on the bill.

That's really my point here on Bill 186: to commend both the member from Nepean–Carleton from our side, who is the critic for the Ministry of Revenue, and who spoke quite passionately as well, but also the member from Nickel Belt, who has just spoken to us for an hour. It did not seem that long. It seemed refreshing, because it wasn't all about politics; it was about some of the missing pieces in the bill. She talked about the 13,000 people who die as a result of smoking every year. These are families that are affected by this directly. You'd think that there would be something more appropriate in this bill—and I might have a chance here to speak in a few minutes, depending on the rotation, but I'm in hopes that that will happen.

I also want to thank the medical officer of health for Durham region, whom you had mentioned in your

comments, Dr. Robert Kyle. “Tobacco use is the leading cause of preventable death and disease in Ontario and quitting smoking is one of the best steps a person can take to improve their health,” said Dr. Robert Kyle, Durham region medical officer of health.” So it’s very simple. “Although quitting isn’t easy, there are ways to improve your chances of quitting”—and they were promoting a contest offering people rewards for quitting.

This bill, as the member from Nickel Belt said, is punitive. I’m not sure that it gets the job done.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Peter Kormos: The member for Nickel Belt, Ms. Gélinas—and I know I’m not supposed to refer to members by their name; of course I know that; but I want this Hansard excerpt to be explicit for the purpose of her householder—has made a very important contribution to this very serious debate. She has displayed once again her leadership in this chamber when it comes to real health promotion and fighting the scourge of tobacco addiction. The people of Nickel Belt are indeed blessed to have her as their member of provincial Parliament, and I tell you that the Legislature is fortunate to have her amongst us, with her very effective leadership in these very, very important files.

As a New Democrat, the member for Nickel Belt has led the way when it comes to fighting underaged smoking, fighting smoking of all types and fighting the promotion and the sale of illegal tobacco. Of course, cheaper tobacco means that more people have more access to it, including kids. We’ve had data before this chamber on many occasions, telling us that, increasingly, kids—who have less money, presumably, than their parents—get hooked on tobacco by buying this illegal stuff, this black market stuff that’s being sold for a mere fraction of what cigarettes cost in the corner store.

I’m going to be looking forward to joining the debate myself, hopefully this afternoon. I thought it was 4:30, Speaker; it was only 3:30. What can I say? These are those wonderful Monday afternoons here at Queen’s Park. I’m looking forward to joining the debate, because of course, on second reading, we’re talking about the general scope of the bill, which means we’ll be talking about addiction, which means I’ll be talking about this government’s promotion of Internet gambling and this government’s peddling of Internet gambling so that more and more young people can become addicted to that scourge.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Hon. Madeleine Meilleur: It gives me great pleasure to join the debate today and to talk about reducing smoking in Ontario.

I was very pleased, when I was a regional councillor and a municipal councillor, to be part of the municipal government which introduced a smoke-free city in Ottawa. It was very important, but when all the municipalities had their own municipal councils, we were never able to do that. I was very surprised to hear these

two names mentioned by the member of the opposition party, because it’s these municipalities that were objecting to a smoke-free Ottawa. So thanks to the then mayor Bob Chiarelli and the medical officer of health, Bob Cushman, we were able to introduce this legislation. It was so positive for everyone—for the municipalities, for the businesses and for the residents—because, really, 72% of the population were not smoking. Then after, to come to Queen’s Park, another mayor, Jim Watson, who was then the minister, introduced this legislation for a smoke-free Ontario.

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I appreciate what the member for Nickel Belt said, but every step helps to reduce smoking in Ontario. We wanted to put emphasis on the youth. I hear a lot of people, a lot of my friends, who have quit smoking, but I know that we have to address the youth, because we see them, yes, outside of the schoolyard smoking. This bill will do exactly that.

The Acting Speaker (Ms. Cheri DiNovo): The member from Nickel Belt has up to two minutes to respond.

M^{me} France Gélinas: I’d like to thank the member for Durham for listening for the full hour—he gets a commendation right there—and to clarify for him that I was never a nurse. I am a physiotherapist. When I worked in the hospital on the interdisciplinary team, I worked as a physio, not as a nurse—but nothing wrong with nurses, especially since it’s Nursing Week this week.

The member from Welland, I think, described them by an appropriate name: the scourge of the tobacco industry. We have to put together a strong health promotion strategy to meet this industry, because this industry has been very creative in making sure that their clients, smokers, keep coming in fast and furious.

Once you have an addiction to nicotine, it is really hard to get rid of it. Certainly, most of the time, you will benefit from having help to deal with your nicotine addiction, and help is not always found.

The Minister of Community and Social Services says that every step helps, but there’s also a large cost to a health promotion strategy that is not rolled out properly. Not only do you have to decrease supply; you have to decrease demand. This punitive bill will turn a lot of people against any other positive step that a health promotion strategy could bring. Once you have been ticketed, once you’ve had to pay your \$100—\$175 with the taxation thrown in—you are not open to quitting smoking anymore.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Jean-Marc Lalonde: C’est avec plaisir que je participe au débat de la deuxième lecture du projet de loi 186, une loi modifiant la Loi de la taxe sur le tabac tout en respectant la loi d’un Ontario sans fumée et réduisant la contrebande du tabac.

I am very pleased to rise and speak to the second reading of the government’s proposed Bill 186, the Supporting Smoke-Free Ontario by Reducing Contraband Tobacco Act.

I am sure that everyone in this Legislature is concerned about the health and well-being of their loved ones: their children, grandchildren, brothers, sisters and all Ontarians.

It is essential to recognize that Bill 186 is part of the whole of the government's approach to renewing and building on the significant foundation of the successful smoke-free Ontario strategy.

Without a doubt, since 2005, the smoke-free Ontario strategy has embodied one of the most comprehensive anti-smoking initiatives in North America. This strategy has discouraged youth from starting to smoke. It has supported smokers with quitting, and legislated smoke-free environments to protect Ontarians from the dangers of second-hand smoke. Today, we have a high level of compliance in bars and restaurants in the province that are smoke-free, thanks to the Smoke-Free Ontario Act. Cigarettes can no longer be openly displayed at convenience stores, thanks to my colleague the MPP for Ottawa—Orléans, Phil McNeely.

We are protecting our children from products designed to lure youth into smoking. This is why our government passed legislation prohibiting the selling and distributing of flavoured cigarillos in Ontario. We banned smoking in motor vehicles when children under 16 are present.

Bill 186, if passed, will provide us with the tools to further shield our youth from starting this harmful habit.

The availability of illegal tobacco threatens our success in protecting kids from the hazards of smoking and reducing smoking rates. Yes, illegal cigarettes are cheap. They can easily end up in the hands of young people.

The Centre for Addiction and Mental Health reports that in 2009, contraband tobacco accounted for 43% of all cigarettes consumed by Ontario high school students who smoke daily. The passage of Bill 186 would be a key component in our arsenal to stamp out the circulation of illegal tobacco.

Smoking is the number one cause of preventable death and disease in Ontario. Every year, it claims the lives of 13,000 people in this province.

Je trouve qu'il est particulièrement bouleversant d'apprendre que le tabac coûte la vie à trois fois plus de personnes que l'alcool, les drogues, les suicides, les meurtres et les accidents de la route combinés. Le tabagisme tue nos familles, nos voisins, nos amis et nos collègues. L'incidence du tabagisme draine aussi les ressources de l'Ontario en matière de santé. Chaque année, les maladies attribuables au tabac coûtent quelque 7,73 milliards de dollars à l'économie de la province; 1,93 milliard de dollars en coûts de soins de santé directs et 5,8 milliards de dollars en pertes de productivité.

Les coûts humains et financiers du tabagisme sont alarmants. C'est pourquoi, depuis les six dernières années, la stratégie Ontario sans fumée vise à aider les Ontariennes et Ontariens à poser des choix favorisant la protection et l'amélioration de la santé. La stratégie Ontario sans fumée aide les gens à sauver leur propre vie.

Les programmes et initiatives visant à décourager la population de commencer à fumer et à soutenir également les fumeurs qui souhaitent se défaire de cette

habitude ont toujours coexistés avec la restriction législative dans le contexte de la stratégie Ontario sans fumée. Parallèlement, le dépôt du projet de loi 186 a coïncidé avec l'annonce par le gouvernement de nouvelles mesures destinées à protéger encore davantage les enfants et les jeunes.

L'Ontario a déjà obtenu un certain succès dans ses efforts visant à dissuader les jeunes de commencer à fumer. Durant la dernière décennie, le nombre d'étudiants de la septième à la 12^e année ayant indiqué avoir fumé au cours de la dernière année a diminué, passant de 28,4 % à 11,7 %. C'est encourageant.

But we must do more. That is why our renewed strategy includes resources to increase prevention efforts focused on protecting youth: youth-led tobacco prevention initiatives; research to determine what works when it comes to deterring young people from using tobacco products; and implementing innovative initiatives to sustain an effective effort to prevent youth from becoming addicted.

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The outreach programs include connecting with teenagers through youth engagement coordinators working in each of the 36 public health units in the province, to support young people around tobacco control activity in their community. The province's efforts to reduce tobacco use also offer help to encourage smokers in general to quit through a series of new and expanded supports.

Let me clearly state that smoking is not a lifestyle choice: Tobacco use is extremely addictive. The addiction to nicotine has been compared to the addiction to heroin and cocaine. It is one of the toughest addictions to break, and we know users rarely succeed in quitting on their first try. I am very happy to say that my lovely wife, Gisèle, has succeeded after smoking for over 40 years.

Effective cessation programs are crucial to support smokers on this difficult journey. Our government-supported initiatives have already assisted more than 1.25 million people to quit smoking since 2005, including the Driven to Quit Challenge, the Leave the Pack Behind program, the Smokers' Helpline and Smokers' Helpline online STOP program, collaboration with local public health units, and our recent collaboration with family health teams. This is just to name a few of the cessation initiatives that Ontario, in close partnership with a broad range of stakeholders, has made available to help smokers.

In 2010-11, the MHPS invested over \$6 million in smoking cessation programs and \$2.67 million in social marketing campaigns such as the Canadian Cancer Society's Driven to Quit Challenge, the Heart and Stroke Foundation's Persistence campaign and the Ontario Lung Association's Quit and Get Fit. Our government is extending and improving support so that smokers have many more doors to access to get help for kicking the addiction.

Our approach includes smoking cessation counselling in health care settings, including family health teams and other health professionals; working with pharmacists to

deliver cessation services in pharmacies; working to provide better access to prescription quit-smoking medication; providing targeted help for smokers with chronic diseases in a hospital setting; expanding access to nicotine replacement therapies through primary care providers; and working with trade associations, employers and unions to provide workplace information and support to employees.

Le ministère de la Promotion de la santé et du Sport injecte présentement un total de 42,8 millions de dollars dans des programmes d'abandon du tabagisme et des initiatives de prévention et de protection. La province a annoncé qu'elle investirait 5 millions de dollars supplémentaires en vue de consolider les efforts continus destinés à prévenir l'accoutumance au tabac chez les jeunes et à soutenir les fumeurs souhaitant arrêter de fumer.

Nous sommes convaincus que ces nouveaux investissements seront affectés à des stratégies prioritaires qui contribueront fortement à réduire le taux de prévalence du tabagisme. Ces actions, conjuguées aux mesures répressives prévues dans la lutte contre la contrebande du tabac telles que proposées dans le projet de loi 186, renforceront collectivement l'excellent travail accompli jusqu'ici dans le cadre de la stratégie Ontario sans fumée.

Our stakeholders have provided us with positive feedback, and underscore the importance of the steps we are taking. Martin Kabat, CEO of the Canadian Cancer Society, Ontario division, has this to say: "The Canadian Cancer Society applauds the Ontario government's decision to invest additional resources into smoking cessation so that individuals who want to quit smoking can find the support they need.... this investment will save lives."

Dr. Lynne Thurling, president of the College of Physicians and Surgeons of Ontario, echoed a similar sentiment. She said, "The College of Physicians and Surgeons of Ontario warmly welcomes the government's enhanced commitment to smoking cessation in Ontario and to reducing the supply of illegal tobacco across the province. We are committed to supporting initiatives that seek to improve the health of Ontarians and our health care system. We congratulate the government on this important initiative."

George Habib, president and CEO of the Ontario Lung Association, said that "improved access to smoking cessation products and services and a focus on preventing youth from starting to smoke are important elements of a provincial lung health action plan. Smoking kills and is a leading contributor to lung disease. Every step to help a smoker quit is the right one."

Dr. Peter Selby, clinical director of the addictions program and head of the nicotine dependence clinic at the Centre for Addiction and Mental Health, shared the following comments: "The comprehensive approach to addressing tobacco addiction by this province is exemplary. They are providing the right tools and resources to help people quit and improve their health."

At this point, I would like to elaborate more specifically on the key mechanisms contained within Bill 186

that will support our efforts. Collectively, the steps proposed under Bill 186 will help keep illegal tobacco products out of the hands of Ontario's youth. This will reduce the chances of them picking up the deadly smoking habit in the first place. This is the core of our approach.

Creating a smoke-free Ontario requires a multi-pronged and long-term approach. We are working across government to support additional action that builds on the smoke-free Ontario strategy. We are committed to work with our partners and stakeholders on an ongoing basis. We will continue to address the recommendations provided in the October 2010 report of the Tobacco Strategy Advisory Group.

We will also continue to examine smoking rates in the province over time to determine what further steps are required to safeguard the health of Ontarians. The passage of Bill 186 is an important building block to help prevent young people from becoming addicted to tobacco. Under the McGuinty government, the smoke-free Ontario strategy has earned international recognition as a pioneer in the battle against tobacco use. The additional steps that I have outlined will build on this legacy by fostering a healthier province and helping to save lives.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Norman W. Sterling: I want to say at the outset that I support this bill very strongly, having been an advocate in this area for some period of time. In fact, some would know that I introduced the first piece of legislation to ban smoking in the workplace and in public places in 1985—December 1985, actually—when this issue of controlling smoking and stopping smoking wasn't nearly as popular as it is today.

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I would argue, however, that it has taken the government a long time to address some of the issues with regard to contraband tobacco. Not only are we losing somewhere between a half a billion dollars and \$1 billion in tax revenues—monies which we could spend on a whole host of good things that government could do, including improving health in other ways—but as anyone who has been involved with this issue knows, the best way to discourage young people from taking up this addiction is to raise the price of tobacco at the retail level. Unfortunately, the fact that some 40% to 45% of young people are buying illegal smokes at about \$10 to \$15 a carton rather than \$60 to \$80 a carton is inviting young people into the whole atmosphere of trying, continuing and becoming addicted to tobacco.

The public accounts committee found last year that it's absolutely essential that the Ministry of Revenue give up its hold on seizing contraband tobacco and give it to the police. This bill includes that, and I congratulate the government on that particular part of the bill.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

M^{me} France Gélinas: Ça me fait plaisir de faire quelques commentaires par rapport au membre de

Glengarry–Prescott–Russell. C'est sûr que tous les membres ici sont d'accord qu'il faut faire plus pour essayer d'encourager les gens qui fument à arrêter de fumer et pour décourager surtout notre jeunesse de commencer.

Le membre pour Glengarry–Prescott–Russell a mentionné certains programmes qui avaient démontré qu'il y avait certains succès. Le problème, c'est qu'on n'a pas une stratégie complète. Donc, on a des programmes qui sont lancés; certains d'entre eux sont bons mais on ne sait jamais si c'est un programme sur lequel on va pouvoir compter à long terme. J'ai donné l'exemple d'un programme pour et par les jeunes qui avait été mis en place à la grandeur de l'Ontario au travers des services de santé publique. On a vu le financement pour ce programme-là être réduit à néant au point où les groupes qui avaient été formés de jeunes, qui eux-mêmes allaient faire la promotion d'un Ontario sans fumée pour s'assurer que leurs pairs ne commencent pas à fumer—ça a été arrêté. Donc, un bon programme—et il en a nommé d'autres.

Le problème avec notre ministère de la Promotion de la santé et du Sport est que ça ne fait pas partie d'une stratégie. Le projet de loi que l'on a devant nous amène des mesures punitives qui ne sont pas un pilier d'une stratégie de la promotion de la santé. Ça pourrait faire partie d'une stratégie complète mais en ce moment, la stratégie complète, on ne l'a pas; on ne la voit pas. Bien qu'il y ait eu un groupe qui a fait ce genre de recommandation à la ministre, elle les a renvoyés du revers de la main en disant qu'elle n'était pas intéressée. Maintenant, c'est la ministre du Revenu qui nous amène ce projet de loi.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Jeff Leal: I certainly appreciate the remarks of the member from Glengarry–Prescott–Russell, who has had an exemplary career in public life in this province, both at the municipal and provincial levels. We will certainly miss his contribution to public affairs in the province of Ontario and the great community he represents. He has a very long history in this area, as mayor of Rockland, and certainly back in 1995 when he became the member for Glengarry–Prescott–Russell, as being a very strong advocate for public health and in the area of looking at ways that we can reduce the amount of smoking in the province of Ontario.

One of the areas that I think Bill 186 is important—for too long in the province of Ontario we had this ridiculous situation. In order to seize illegal tobacco, you had to get on the phone or somehow contact a Ministry of Revenue person, who would then have to go out and do the inspection, and then perhaps they could find a police officer to lay a charge. This bill certainly gets rid of that barrier that was really preventing the police from doing their jobs in seizing illegal contraband tobacco in plain view. This bill goes a long way to get rid of that barrier, which indeed was preventing a lot of seizures taking place throughout this province.

I must apologize to the member from Carleton–Mississippi Mills: I said 1986; it was 1985, because I remember that when I came onto Peterborough city council, we actually looked at his legislation. We were one of the first municipalities in Ontario to draft an anti-smoking bylaw. I guess I could debate with my good friends from Ottawa who was first, but certainly we looked at the information that was available in the late 1980s. The member from Carleton–Mississippi Mills had done a lot of work in that particular area, and we took a look at prospective laws and incorporated that into our bylaw.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. John O'Toole: I couldn't let the opportunity go by without commenting and praising the member from Glengarry–Prescott–Russell. I was with him for some time this weekend and know just how much he prepared for his remarks today and how sincere he is in his desire to make Ontario a better place.

If he was asked by the Premier, I'm convinced he would run again. I know that in his heart he wants to run again—as I said, I did spend some time with him. Perhaps in his rebuttal he might deal with that issue. I think he would be sorely missed here, and I would suggest to you that he's—his skills in hockey are also a topic on which we could spend some time as well.

But I think in his remarks he went a bit too far on what the government is doing. He could have dwelled a little bit on what they failed to do. That will be adequately covered in my time, which is soon coming up. Just out of friendship and respect, I think the member from Glengarry–Prescott–Russell—a good friend, I know, of the member from Carleton–Mississippi Mills; they've both been here some time and do know how controversial this topic really is.

It is topical, and I'm old enough to remember the 1985 attempt to get that out of the workplace. In fact, where I worked at General Motors, it was commonplace. I wonder today how it was actually permitted. When you think back, it's almost like the old factories of the past. Even offices and boardrooms were full of smoke, which is certainly unacceptable by any measure today, as it should be.

As well, the example being set by models and movie stars and all the rest of it has gone completely the other way today—it's unacceptable, and that's the right model—but unfortunately, young people today are some of those who are picking this habit up. So this is an important bill, and we'll talk about it later.

The Acting Speaker (Ms. Cheri DiNovo): The member from Glengarry–Prescott–Russell has up to two minutes to respond.

Mr. Jean-Marc Lalonde: First of all, I want to thank very much the members from Carleton–Mississippi Mills, Nickel Belt, Peterborough and Durham.

Let me tell you that I was fortunate, really, to visit Brock University on one program that we called Leave the Pack Behind. I was very shocked and really im-

pressed at how important they thought this program was for the students at Brock University, and I'm sure it is very important for all of us.

But now I can see that parties on both sides of the House seem to understand how important this bill is for the future of our young people. I go to schools quite often, and especially in high schools when I see kids coming out of the schoolyard for a smoke, I feel like going to speak to them.

Let me tell you that the Minister of Health Promotion and Sport has another program that is very important also. Sometimes, to prevent the habit of smoking, if you are busy with other things, you forget about the importance of smoking.

We have what we call Healthy Communities. I was able to go and see seniors to present this program. They joined the program—they applied for it and got the program going. It's unbelievable how good that program was for those people wishing to stop smoking.

I can see that we have some major roles to play, and I'm sure the three parties in this House will continue working toward stopping these killing cigarettes, as I call them, that we see so many people smoking right now. But the reduction in schools really encourages all of us, because it is working. Smoke-free Ontario is working.

1620

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. John O'Toole: First of all, I'd like, along with others, to recognize that this is indeed Nursing Week in Ontario. My first duty this morning was to have coffee with the nurses at the Uxbridge Cottage Hospital. "Valuing the invaluable" being the theme for this week that we celebrate—Florence Nightingale's birthday is this week, so I guess that's the tradition. It's very much linked to the discussion this afternoon on Bill 186, An Act to amend the Tobacco Tax Act.

Our critic and our caucus and our leader, Tim Hudak, are in support of the bill, so we put that on the record clearly. We could make comments with respect to some of the things that have been avoided and the lack of action, which is really—my point here this afternoon is to point out some of the stuff that perhaps you could say "too little, too late."

Some people say that we have the evidence in front of us that there are 13,000 people a year who lose their lives in Ontario from this terrible and tragic addiction. I'm going to be referring to a report called "Contraband Tobacco in Canada: Time for Action." So I'm not making this up. It's non-partisan, in the respect that it's really to bring some light to what should have been done over the eight years times 13,000. Think about that for a moment. It's about 100,000 people whose lives have been lost because of the lack of action. I'm not blaming it all on Premier McGuinty, by any stretch, because it's an addictive substance.

If you look at some of the provisions in the bill—they made some announcements, in the context of this bill, to provide up to \$5 million in transitional supports. One would wonder if they've done enough.

Here's the history. The McGuinty Liberals have waited eight long years to tackle this problem. That's first. They hide under the radar, under the smoke-free Ontario—and you can't smoke in your car—and a few tokenistic measures. But that's the record—eight years. We know the cost to the health care system and the human tragedy involved.

The Liberals have failed to address illegal cigarettes and the underground economy. They have failed to address illegal cigarettes and their link to organized crime. They have failed to address underage smoking as a result of contraband tobacco.

Our party, under Tim Hudak, has said that we will—we absolutely supported this, right from 1985, when the member from Carleton–Mississippi Mills spoke up strongly on this topic. Our party would hold this government to account, and we are concerned about contraband tobacco and the loss of revenue and its cost to the Ontario treasury.

The member from Nickel Belt spoke earlier today, and I think her references to the individual's quality-of-life issues are something to be focused on here, and people should look at that.

I am a reformed smoker, if you will. I always figure it's sort of like being an alcoholic; I think you're always one puff away from being a smoker.

When I look at this, the effect on mostly seniors—we need to have a better, more sympathetic transition plan. Putting the aids out there, aiding people to break the habit, is a very important first step. This bill has a punitive tone to it. That's what scares me. The first approach is sort of the hammer, as opposed to extending the hand.

In the bill, which is a reasonably sized bill—it has a lot of details; it's 53 pages, with 54 different sections. Here's what it says under the enforcement provisions:

"Fines under the act: Currently, section 29 of the act prohibits the possession of unmarked cigarettes. Currently, penalties provided under the section include fines and, in certain circumstances, imprisonment. Amendments create separate prohibitions, and corresponding offences, for simple possession and for possession for the purpose of sale. For the offence of simple possession of a small quantity of unmarked cigarettes (for which the thresholds are set out), the penalty is a fine of a fixed amount based on the quantity of unmarked cigarettes. The imprisonment of repeat offenders is authorized." So you can go to prison. "In other cases, the penalty is a fine and may also include imprisonment"—and it goes on. The fines range from \$100 to \$500. The imprisonment provision is also carried on in section 29.1 of the act, which I won't go on to.

It also does provide some detailed clarification on some issues, because if people will circumvent the law—but I always refer it back to my constituents. I think it's very important that we keep in mind that, for the most part, we're talking about two specific groups, one of which I believe should be dealt with in an educational framework. They should be somehow forced to take a

course, if you will, to show them these catastrophic conditions to their lungs and their future quality of life. I think that would be my first attempt, as opposed to whacking them with a \$500 fine. I really do.

But we're sending mixed messages here. We're trying to work in a climate of the decriminalization of marijuana. What's that saying to young people? That this is just—"Marijuana, well, they're going to decriminalize that. Cigarettes are just an inconvenience—the dirty butts hanging around the schoolyard." It's more than that: It's killing you, and the evidence is in there now. The evidence is in there, clearly.

On the marijuana thing, I'd say that it's setting up a potential here for failure, so we've got to sort out our position. You can't tell me for a moment—and the Speaker in the chair now is a doctor; he would know. I can't imagine that smoking cigarettes could be any better or worse than some other carcinogen, like marijuana. I can't imagine. I mean, they're both bad. They're all bad; let's be honest about it. Why are we allowing the discussion to even occur?

But this goes on in the bill here. There are several definitions that are added to this section. This is needed for enforcement clarification, I think. The act connects them with the introduction of the concept of raw leaf tobacco and fine-cut tobacco. I suspect there are 100 ways of getting around the law, and that's what these clarifications are:

"The new expression 'tobacco product', defined in section 1 of the act, refers to what, in the current act, is defined as 'tobacco'". Tobacco and tobacco products: So it's broadening that inclusion.

"The current definition of 'tobacco' in section 1 of the act is replaced: the new definition specifies that tobacco means raw leaf tobacco and tobacco products." So we're getting into it.

Now, here's the real issue here. The real issue here is that they're giving the police, and this has been said many times, the authority to intervene and, theoretically, arrest; certainly, at the very least, give a ticket. That's what this is about, which seems to me like something that could have happened last week or even eight years ago, and I'm not sure why it didn't.

I guess, when you look at this, you've got to put some framework around it. In Durham region—again, I mentioned this earlier. In January 2011, Durham had a competition:

"Butting out could put you behind the wheel of a new car....

"The challenge is an incentive to adults to quit smoking in March. All participants who butt out" in March "and remain smoke-free for the month will be eligible to win a 2011 Honda CR-Z Hybrid or a Honda Insight Hybrid, one of two vacation getaways or one of seven regional prizes.

"Shelley Simic, a public health nurse with the health department, says, 'We know that many Durham region smokers are interested in quitting, as an ongoing health department survey indicates that approximately 20% of

Durham adults are currently smokers and of those, about 60% plan on quitting within the next six months.'"

So there's a lot of appetite, and that's happened through education and the right kinds of incentives, as opposed to a big-stick approach.

I'm questioning whether or not the police officers that I met with in the last couple of weeks are complaining. They don't have the resources to do what the laws are now. Pulling over a car and giving somebody a fine for smoking, or calling to produce your package of cigarettes to see if they're contraband—by the same token, the cynicism here is, if they pull out a pack of du Maurier, they're fine, because it's not contraband, so they're not stopping smoking in any respect. They're stopping contraband, or trying to. Most people will be transferring the cigarettes or somehow defacing them in such a way.

1630

It goes on, "Tobacco use is the leading cause of preventable death and disease in Ontario, says Dr. Robert Kyle, Durham's medical officer of health, adding that quitting smoking is 'one of the best steps a person can take to improve their health.

"Although quitting isn't easy, there are ways to improve your chances of quitting. This contest is one incentive to help people quit. We also encourage participants to talk to their health-care provider about other proven smoking cessation strategies," Dr. Kyle adds.

"The challenge is for Ontario residents, 19 years of age and older who are currently daily or occasional tobacco users. Individuals can register"—and that contest has been completed.

This just shows that every region has some such plan under a public health mandate to do outreach, educate and engage people to take the initiative to quit, and they need to have the right tools in the right place at the right time to make that happen.

Now, if I look at some of the data that's around here, "It's estimated contraband smokes—often sold in plastic baggies or from the backs of vans and trunks of cars—account for 43% of the cigarettes puffed on by high schoolers, according to a study by the Centre for Addiction and Mental Health last fall.

"Legal cigarette companies have complained not enough is being done to stop contraband tobacco, which eats into their sales.

"Because teens are sensitive to prices, illegal cigarettes are blamed for luring thousands more kids into smoking every year."

There's been a sensitivity around this whole contraband issue that the government has refused to deal with, actually, because of their willingness to be complicit in things that are going on, in my view, in certain outlets for these cigarettes.

The contraband scourge has six key principles:

For young people, it means cigarettes for sale in the schoolyard that cost less than a pack of gum.

For the taxpayers, it means annual tax revenue losses in the billions of dollars, funds which are no longer able to help support health and education initiatives.

For public security, it means unparalleled revenue flowing into organized crime to fund illegal activities such as arms trafficking and the growth of criminal networks.

Number four, for the honest merchant—this is your corner store merchant—it means the loss of a significant source of their revenue, one that creates jobs and offers an essential service to the community. After all, legal cigarettes are not illegal; it's a legal product. If they want to deal with that, that's a much more serious, more difficult challenge.

For aboriginal communities, this bill means the increased presence of criminal groups which operate behind the scenes on the reserve in order to participate in contraband tobacco sales and other illegal activities. Very controversial and sensitive; no one really wants to touch that one.

For the social fabric of our country and our province, it means citizens losing faith in their governments' ability to enforce the laws of the land to protect them, their children and their communities.

Some would say that the laws are there already and they're just not being enforced. They know in a lot of cases they just don't have the tools, and the persons on the front line in our law community are not being encouraged to enforce these existing laws. Somebody said earlier in the debate—I think it was the member from Nickel Belt—that she assumed that they had the right to intervene when a contraband product was being sold.

I think that if you look through, there's some really important evidence. I don't want to bore people, but I think it's not just a case of loss of revenue, which is clearly evident. I would just show you the amount: Contraband cigarettes are priced cheaply at, as I said, \$1 a pack, and sold with absolutely no government inspection, tax collection or age verification. That's circumventing the whole system that's in place there. It's illegal to sell cigarettes to minors.

“How significant is this problem?”

“In one word—huge.

“Independent research firm GfK Research Dynamics has ... analyzed the issue through both quantitative and qualitative studies over the past three years.

“Its 2008 study reveals some startling facts:

“Almost one half (48.6%) of the cigarettes consumed in ... Ontario were contraband.” Every time you see someone smoking anywhere, it's a 50% probability that it's contraband.

Where does it come from? How does it get there? Is it safe? Not is it safe—no cigarettes are safe. That's kind of an oxymoron.

“Ontario's share of the illegal cigarettes consumed in Canada has increased from 31.6% in 2007 to 48.6% in 2008”—and it's higher today—“and has more than doubled since 2006.”

A lot of other things have doubled here, like the debt and the deficit, but we'll stick to the facts here in this harmonious discussion this afternoon.

This government, for eight years, has sat on its hands. Why? At the risk of offending someone—“Quebec's share of the illegal cigarettes consumed in Canada has increased from 30.5% in 2007 to 40.1% in 2008.” My impressions are that in Quebec they maybe smoke more. I don't know for sure, but here's the facts.

Here's the statistics; here's the study. This study's available for people who are interested in finding out.

The trend is a very positive sloping line. It's accelerated. From 2006, contraband use in Canada has gone from 16% to 80% today—80%. It's about time they stepped up and recognized it.

Where is contraband tobacco coming from? I'm going to read it here. I'm not trying to create some angst here. According to the Royal Canadian Mounted Police 2008 Contraband Enforcement Strategy, there are a number of different products coming into Canada:

“—cigarettes manufactured in the US and smuggled into Canada (90% of the contraband product available)—that's coming in from the US, the contraband;

“—cigarettes unlawfully manufactured in Canada, often on aboriginal reserves;

“—counterfeit cigarettes, made to look like legitimate brands of tobacco products, smuggled into Canada, largely from Asian sources;

“—improperly sold tax and duty-free cigarettes, often from aboriginal reserves;

“—legal cigarettes stolen from retail stores or delivery trucks and resold through the black market.”

That's where this contraband stuff is coming from.

I'm running out of time here, and there's a couple of other facts. There are some facts here on Akwesasne, which I'm sure others will talk about.

Here's another one here. The largest sales revenue for the province of Ontario today is tobacco. Tobacco is higher than gas, lottery tickets, food items and others: 24% of the revenue is from tobacco, and a lot of that is revenue we're missing.

Solutions: There's a list of solutions for this. One solution is working with health care providers to educate, especially young people. I would dare say, in defence of people I know in my riding who are seniors and have smoked all their lives, it's unpleasant, and it's unfortunate. They should try to work with them with Champix and some of the other prescription medications with their doctor, and they should try to do everything they can. I don't hold out much hope because I, myself, have known people who have died from COPD or other respiratory ailments because of smoking.

I think its time has come, and this bill is certainly a step in the right direction, but the real issue is the legality of smoking itself. That's a broader debate which I don't want to get into. I could say some things that are small but humorous, but this certainly isn't the time to bring any kind of humour into this discussion when you're talking about people's lives and the province of Ontario trying to do the right thing.

Again, it's an important debate, given the fact that this is Nursing Week in Ontario. Many of those nurses could

tell patients, if empowered, and help them to be educated that it's simply the wrong thing to do, and our young people should listen up and make the right decision.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

1640

M^{me} France Gélinas: It was interesting listening to the member from Durham quoting a whole bunch of interesting and mainly sad statistics. You have to remember—we'll put it into perspective: Right now in Ontario, the Ministry of Health and Long-Term Care has, for its 2011-12 budget, \$47.1 billion at its disposal to treat people once they are sick. If you look at our Ministry of Health Promotion and Sport, they have \$398 million. Not even 1% is invested in Ontario in keeping people well versus treating them once they get sick.

There is a huge shift that needs to happen. One of the big ones is that we need comprehensive health promotion and tobacco control. We had made some great gains with smoke-free Ontario, and some of them he referred to. We need to bring this into another five-year or 10-year strategy so that we continue to see a decline.

With the climb in illegal tobacco flooding the market in Ontario and in Quebec—and, by the way, you're right: People in Quebec smoke more than we do here in Ontario, but we still smoke too much. If we see those cheap cigarettes coming in through the—

Interjection: They vote right.

M^{me} France Gélinas: But they vote right. You're right. They smoke too much, but they vote right.

The flood of illegal cigarettes coming into our province makes it more and more tempting for youth to pick up the habit, as he said, because youth are so sensitive to pricing issues. As well, if this continues, it decreases the incentive for smokers to quit smoking. It has to change. We need a good health promotion strategy.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Dave Levac: I appreciate the opportunity to bring a few comments to the debate. The member from Durham has offered us some sober thoughts about this.

As I've been listening intently to the discussions, sometimes in the House and sometimes on TV, I was hearing actually an admission of the complexity of the issue. Many times, people have been talking about the health care side of it, the business side of it, the tax side of it, the First Nations side of it and the border side of it. Let's make sure that we understand that we're talking about ongoing discussions with First Nations, Quebec, the federal government and the state of New York. The goal is to try to get a handle on the contraband issue, on top of the other issues that are being brought to the front, by having young people stop smoking. I acknowledge and admit that there are many things to do inside of this legislation, but it's not going to be able to solve all those problems all at once.

The call from the opposition in both cases has been, "Let's see if we can make sure that we do a better job of stopping kids from smoking," and I totally agree with

them. My friend from Nickel Belt and I were co-sponsors of a bill that saw the potential of a direct marketing campaign to get kids hooked. The bill was successful in getting the attention of the government. They did take action, but again, as in all cases, people always find a piece inside of the legislation that they can sneak around, so we've got to plug that hole. I wish her luck on her private member's bill. I didn't get a chance to talk to her about co-sponsoring it, but I do agree that what she's looking for is one more way to plug those holes to stop those kids from smoking. So I do acknowledge her work on that aspect and her desire and passion to ensure that our kids don't start smoking.

The member from Durham has brought up some interesting comments that basically ask us to look at a very complex issue and try to get to the heart of it, which is the illegal part. I do agree with him that we need to do more. This legislation doesn't solve the problem completely, but we're taking that next step to get there, and I appreciate the member's comments.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Ted Chudleigh: The member for Durham, of course, spoke eloquently about the problem and brought a lot of facts into the debate which in some cases have been missing.

It's interesting listening to debate in the House, because you pick up certain facts that are always interesting, like when they do the butt counts outside of various offices. They found that 50% of the butts outside the Ministry of Finance were from illegal cigarettes. It's interesting that the government's own employees are supporting these kinds of things.

Some of the statistics that the member was talking about: He talked about children and how they are being coerced into smoking illegal cigarettes and smoking more of them—they can get a package of illegal cigarettes for about the cost of a package of gum, in some cases—and how that encourages youth and their ability to continue this habit.

You get to be about 25 or 30 years old; I think that's when you start to quit for the first time, and it goes on and on. I myself quit in 1983 after about 17 years of smoking. I started late in life. I started smoking late, at about 18 or 19 years old, and I have found that, over my experience with smokers, those who started later, those who started after they were 16 or 17, had an easier time of getting the monkey off their back. Some started as early as 12, 13 or 14; those people have a really difficult time quitting.

I don't see this legislation as helping people quit. I don't see this legislation as helping solve the problem that we're faced with in Ontario today.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Peter Kormos: I'm going to be speaking to this bill in approximately four minutes' time. Here we are; it's almost 5 o'clock on this long Monday afternoon. People have been very patient with us.

The member from Durham, of course, made an exciting, inspiring and passionate speech, and I thank him for that, because I've been starting to drift a little bit and I was fearful that we were losing some of the audience, that people were reaching for their remote controls. We're going to do our best, because his wrap-up is going to be a crescendo, and then I, of course, will have to struggle to meet the standard that the member from Durham inevitably sets for oratory here in this chamber.

It's going to be interesting, because as we know, second reading debate is about the general scope of a bill. I've taken a look at this. I've heard the debates and I've listened to the minister and parliamentary assistants and so on. Fundamentally, this bill is about tobacco, we're told. It's about a strategy to prevent new smokers from beginning to smoke, especially young people—we're told this; I'm not sure that's the case. That means it's about addiction and this government's fight to help people overcome their addiction. And if it's about addiction, then, it begs commenting on the government's support of Internet gambling, the most addictive form of gambling, a form of play that will create more addicts than any other gambling style or design.

So you see, in a roundabout way here, we're going to talk about this bill in its general scope. I know the Chair will be very, very patient with me, because I'm going to take us down to Welland. We're not going to take the QEW; we're going to take the scenic route, and I'm looking forward to that, Speaker.

The Acting Speaker (Ms. Cheri DiNovo): The member from Durham has up to two minutes to respond.

Mr. John O'Toole: The member from Nickel Belt, I think, made a very good point in terms of how much money—half the budget, roughly 47% or something—is spent on treating, and less than \$1 billion is spent on wellness and prevention, so that's a very good point. In our own notes, we know that \$1.6 billion a year is spent on dealing with smoking and smoking-related illness. The member from Brant as well, I believe, talked about how there's more work to be done on the whole illegal aspect of it, and Halton gave a very sobering comment with respect to his history of smoking.

I could repeat a similar message, but I think I've really been the warm-up act for the member from Welland. In fact, any titillating comments that I might make will be eclipsed by his insights and comments with respect to his experience as a lawyer and as a person who, as I suspect, had to prosecute or defend drug users and other abusers. I'm sure he did that in his time as a lawyer.

I think we've all learned a lesson here. I can only summarize this: What took so long? Eight years—and I can only say this: They have failed to address illegal cigarettes and the underground economy, the Liberals have failed to address illegal cigarettes and their relationship to organized crime, and they have failed to address underage smoking as a result of contraband tobacco. I'm calling on the Minister of Health Promotion and the Minister of Revenue to step up to this, have some

hearings, strengthen the bill, and make it better to save the people of Ontario the grief of having to die, as was said earlier, from cancer related to smoking. That would be something worthy of this afternoon's debate.

I look forward to the remarks from the member from Welland.

1650

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Peter Kormos: I do want to make sure I mention Bill 176, the private member's bill in the name of Ms. Gélinas, the member for Nickel Belt. I'll describe that a little bit.

I just find it incredible that we would have to even contemplate introducing a bill that would ban tobacco products that are designed to taste like menthol and chocolate and so on. Obviously we know what the motive is, right? This doesn't appeal to 58-year-old people like me. This appeals to kids. You've got an awfully sinister industry out there that is still hell-bent on getting kids addicted to tobacco.

We all know the arguments the tobacco industry still makes. They say, "We don't tell people to smoke a pack or two packs or three packs a day. People can smoke one cigarette a day." And I know some people who somehow manage to pull that off—not very many. You see, the tobacco industry wouldn't make any money if smokers only smoked two cigarettes a day. They're relying upon the addicted smoker. That's what it's all about. And let's make note of the fact that this is a Ministry of Revenue bill. This is about ensuring that the government gets its piece of the action. It's about making sure that the government gets its revenue, its tax, on tobacco.

I suspect, just from the tone of the debate so far, that the bill may get all-party support. I suspect that. People should be a little more careful, because reference has been made—part of the guts of the bill, if you will, is section 29. Section 29, of course, provides penalties for, let's say, simple possession of untaxed tobacco, unmarked tobacco. There's going to be a device whereby the tobacco or the cigarette—I presume that the tube, the white paper, is going to somehow be marked, as compared to now, where I believe a stamp—it's like a postage stamp on a package of tobacco that indicates that various taxes have been paid on it, that it's legal. They're somehow going to put a watermark or something in the actual paper wrapping of the cigarette; how they're going to mark loose tobacco, I don't know, but I suppose maybe they're going to mark the package.

People should pay close attention to section 29. Section 29 gives the authorities some pretty unprecedented powers of detention, search and seizure. As a matter of fact, you'd think that the notorious Dalton McGuinty G20 secret regulation was a trial run.

"(3) If a person authorized by the minister has reasonable and probable grounds to believe that a person is in possession of any unmarked cigarettes" that person "may, without a warrant,

"(a) stop and detain the person;

“(b) inspect the person’s personal belongings for unmarked tobacco products;

“(c) if any unmarked tobacco products are found, require the person to provide identification....”

“Reasonable and probable grounds”? Interesting. I suppose if you’re seen leaving a tobacco shack that’s known for the sale of illegal tobacco, that would provide reasonable and probable grounds. But we should be very careful that in the relentless fight against tobacco that we don’t give up some traditional legal standards, especially when it comes to search and seizure and detention of the person, amongst other things.

There’s been some reference to the act being, let’s say, punitive. I find the fines, the penalties, somewhat inconsequential. If the quantity of cigarettes found is 200 or fewer, the penalty is a fine of \$100, and in addition to that, a multiple of three times the amount of tax that would have been paid had that consumer bought those cigarettes legitimately. I suspect that usually the second category will be a more common one. If the amount of cigarettes is more than 200 but fewer than 1,001, there is a fine of \$250. In view of the fact that a carton—how much is a carton of cigarettes? I don’t know what a carton of cigarettes. It’s—

Mr. Ted Arnott: Eighty dollars?

Mr. Peter Kormos: Eighty dollars? Sixty dollars, \$70. The prospect of buying bootleg tobacco, black market tobacco, is a significant enough saving that I suspect people are prepared to take the risk, and I’m not sure that these monetary penalties are sufficient to deter that consumer from taking the risk.

I appreciated the comment made earlier by some people speaking to this bill, certainly reinforced by the member from Nickel Belt and certainly spoken to by the member from Durham, that it seems to be that when somebody’s committing this type of an offence, it’s an opportunity for an intervention in that person’s life and lifestyle. I think it would be far more effective.

The crazy thing is, you’ve got corner store people coming to you all the time. You know what regional health departments do: They set up stings to bust these people, right? They send in young-looking people—or no, what they are is they’re young people who look as if they could be 18 or 19. A busy corner store operator or a careless, youthful employee doesn’t check the age and, sure enough, the person’s underage and the corner store gets dinged, and you’ve got to sell a heck of a lot of loaves of bread to make up for the fine that you have to pay. But it’s still not illegal for young kids, underage—it’s illegal for you to sell them tobacco, but it’s not illegal for them to possess it. For the life of me, there’s not one of us who hasn’t driven past secondary schools and seen that gaggle of kids across the road from the school, smoking up the store. It’s heartbreaking, amongst other things.

But it causes me great concern—and I’m not talking about turning these kids into criminals or throwing them into Sprucedale or a training school. I’m talking about making it an offence for a person under age to possess

tobacco such that—you can do all sorts of creative things. You could, as the penalty, as the consequence, make them attend a quit-smoking program. You could make them attend a heart and lung association program. These people love to put on those kinds of programs. You could maybe scare the daylights out of them: Have the member for Nickel Belt relate the story that she told today about dealing personally with people dying of cancer—or any other member of this assembly, for that matter, or any other person in the community.

Here we are: a revenue bill that, in and of itself, I’m not convinced is going to do much to reduce tobacco consumption, because I say that the penalties aren’t high enough. Others in my own caucus might even disagree with me on this. But the break you get when you buy illegal tobacco is so huge that the penalties—a \$250 fine for several cartons of cigarettes? People are going to take that risk. I believe the penalties have to be stronger, so that people won’t even think about doing it. The consequences would be so serious that risk aversion will kick in, rather than risk taking. After all, these are smokers: They take risks every time they put a cigarette to their mouth. Quite frankly, there isn’t enough downside here.

The revenue bill: We met with the Ontario Provincial Police last week. The member from Durham made reference to his meeting with police officers. I know the member for Nickel Belt was with me in our caucus room when we were meeting with OPP officers. The member for Nickel Belt very specifically raised the issue of enforcement of this type of legislation. She asked those cops point blank, and that’s after these police officers had explained to us that they need a minimum of 600 new OPP officers across Ontario to do core policing. They made reference to the fact that every time there’s one of these flashy press conferences here, either in the government caucus room or down in the media room, where you’ve got the Attorney General—the last time, I saw the Attorney General was there, and the Solicitor General, and half a dozen other ministers, and they looked like Pinochet with his cabinet, because they had all these police chiefs standing behind, with all the gold braid and the gold leaves on their visors. It looked like a movie set.

The chiefs of police, of course, are going to come, and they’re not going to tell the minister, “Oh, please, I’ve got more important things to do. We’re busy out here.” But photo op after photo op—and one of the things that the OPP told us last week is: Don’t forget, every time there’s an announcement of X number of police officers dedicated to a specific target, like guns and gangs, those are cops being taken away from other parts of the province and from other policing duties, because there are no new cops.

1700

We asked the police. The member from Nickel Belt, point blank, asked the police about enforcing this type of legislation contained in Bill 186. I don’t want to burn anybody here. The police were quite clear: This wasn’t going to be high on the priorities. They’re unable to meet the demand for their time and resources and energy now,

so that enforcing a revenue bill, which is what this is, is not going to be very high on their priorities at all. They're stretched too thin.

Where does that leave us? Window dressing, fluff, a bill that's the consistency of bull spit, and of little more value. And the government pretending this is part of an anti-tobacco strategy? Come on. Come clean, please. A government that says that it's so concerned about young people and their exposure to tobacco and the risks that it poses in terms of addiction that they'll go to any lengths to control it? This is hardly a length.

Let's talk about addictions for a minute. This is the same government that, in its budget bill, introduced Internet gambling to the province of Ontario, the most addictive form of gambling, a form of gambling that is designed—just like the candy-flavoured cigarettes or cigarillos like the member for Nickel Belt is trying to ban with her Bill 176, just like the tobacco companies and the tobacco industry have candy-flavoured cigarillos because they want to bring young people into their regime and get young people hooked so they become clients for life. Premier Dad has become Premier Bad. This government is introducing Internet gambling with the official seal of approval of the province of Ontario on it, and we're not just talking about poker games. We're talking about the mindless gambling games. We're talking about the fake roulette wheels and slot machines.

I had occasion before—but I want to do it again—to make reference to some of the evidence given in litigation that occurred here in the province of Ontario, in a case called *Dennis v. Ontario Lottery and Gaming Corp.* One of the expert witnesses was Dr. Kevin Harrigan, “research associate professor at the University of Waterloo where he teaches and conducts research in computer-game design including electronic gambling games such as slot-machines and video poker games. His particular research interest at present is in understanding whether and, if so how, structural characteristics of slot machines may explain why so many people develop an addiction to them.”

We're not talking about your friendly Saturday night poker game anymore. We're talking about kids glued to a screen—nurtured on it already because we've Pokémoned them to death—with mommy or daddy's credit card in their left hand, developing one of the most vile addictions with the approval and with the seal of authenticity on it of the province of Ontario, by Premier McGuinty and the Liberals. It doesn't have to be a kid, quite frankly, because daddy will be doing it, too.

The Acting Speaker (Ms. Cheri DiNovo): Stop the clock for a second. The member from Mississauga–Streetsville on a point of order.

Mr. Bob Delaney: Pursuant to standing order 23(b)(i), the member has strayed very far off topic. Unless he wishes to assert that the kids are smoking while they're doing gambling, he is indeed off topic.

The Acting Speaker (Ms. Cheri DiNovo): Thank you. I believe that the connection here is the issue of addiction.

Member from Welland?

Mr. Peter Kormos: I believe that was a point of envy, not a point of order. He just wanted to get in on some of the speech action this afternoon. But there will be time for a rotation, and the member from—how'd things go federally in that riding, by the way?

Interjection.

Mr. Peter Kormos: Interesting. The member for Mississauga–Streetsville will have his kick at the can.

Again, the interesting thing is: Yes, there is a consistency to addictions. The same things go on in the brain that make you addicted to alcohol, that make you addicted to heroin, that make you addicted to tobacco, that make you addicted to pornography, that make you addicted to gambling. Let's take a look at some of those universal themes, as I take the member from Mississauga–Streetsville on that scenic route to Welland via Highway 2 and Highway 20, via Regional Road 24.

What are the structural characteristics of slot machines that may explain why so many people develop an addiction to them? These are the slot machines—electric slots—that Premier Dsad, now Premier Bad, is unleashing here in the province of Ontario. “It is a distinguishing characteristic of slot-machine gambling that the player wins very frequently while as a matter of statistical probability, his bankroll steadily declines as the wins are reinvested.” See, these machines are an illusion. It's why all the ringing and dinging and bang, bang, bang, ping, ping, ping is going on, because you win more and more frequently but less and less monetarily. Before you know it, the machine—the Ontario Lottery and Gaming Corp., for that matter; well, the government of Ontario—has all of your money. Dr. Harrigan expressed the opinion “that slot machines are highly addictive.” Why—

The Acting Speaker (Ms. Cheri DiNovo): I would remind the member and caution the member to bring it back to the addiction of tobacco as well.

Mr. Peter Kormos: Of course. I appreciate this because I've only got four and a half minutes left. I've got some work to do, don't I, Speaker? Any help you can give me, I gratefully accept.

We've got a highly addictive government addicted to gambling revenues, luring more and more people into highly addictive gambling. The observation was made by a fellow talking head on some broadcast that they did. As a drunk, you can drink away the family home in three or four or five years; as a gambler, you can gamble it away in a month. It's that much faster. There's that much less time to intervene. I know I've got to move on because there's only three minutes and 50 seconds left.

The other expert witness was Dr. Robert Williams, Ph.D. in psychology from McMaster University. He indicated to the court that the factors that contribute to the likelihood that a person would engage in problem gambling include:

“(i) the availability of electronic gambling machines”—and here's where we make the relationship to tobacco, because the easier the access to tobacco and the cheaper the tobacco is, the greater the likelihood of addiction, just as there is with gambling;

“(ii) erroneous beliefs about how gambling works and the probabilities of success;

“(iii) the ready availability of funds through nearby automated cash machines; and

“(iv) ineffectual self-exclusion programs.”

How can this government wave this bill like some flag of victory when they’ve thrown the towel in and are creating made-in-Ontario, authorized-by-your-very-own-Premier-McGuinty Internet gambling sites that are going to make more and more people addicted to gambling, including, young, young people—and including their parents—and where people are going to be gambling away, as I say, in short order, the family home? We know that happens. We know the despair that gambling creates. We know the disease that it is. We also know that, as I say, the same addictiveness is what is part of the tobacco addiction.

I’m interested in seeing how this bill progresses. I have every confidence in our critic the member from Nickel Belt and her ability to steer this bill through, amongst other things, committee. I trust that the government is anxious to get it to committee. I don’t know whether it will be a topic of discussion at tomorrow’s House leaders’ meeting, but I’ll certainly be asking for some directions from the member from Nickel Belt about what her goals are.

Under the cover of our concern about young people and smoking, I’m concerned about excessive police powers when it comes to enforcement. But then, I’m concerned about the fact that there aren’t enough cops to enforce it anyway, so what the heck, why worry? Right? The cops were candid. You can’t expect the cops to be going after—because the cops know that they’re being set up here. You can’t expect that they’d waste huge resources in going after the government’s money problems when you’ve got cops—we learned about cops in northern Ontario and remote, rural Ontario—who are an hour apart from each other and the drama and danger that creates for a police officer or the citizenry when a cop, an OPP officer, goes into, let’s say, a domestic violence scene alone, and his potential partner is an hour away. What is he supposed to do, not enter the house while some woman is getting the daylight’s beat out of her, because his partner isn’t there yet, is an hour away? You’ve got to go in.

1710

You’ve got these incredibly explosive and dangerous scenarios—everybody knows that a domestic violence scenario is one of the most dangerous for police officers as well as the victims of the crime—and the closest cop is an hour away or further. That’s not creating safe and secure communities, is it? And it’s not creating a safe working environment for the cop.

We have high expectations of police, as we should. We scrutinize every bit of their conduct, as it should be. But if we’re going to do that, we had better make sure they have the resources and the training—including the staffing—that they need.

Yes, the bill will do a little bit—a very, very little bit—to address the problem of contraband tobacco,

contraband cigarettes and the influence that has on young people who are starting to smoke, but at the end of the day, not a whole lot—not a whole lot at all—will it, Speaker?

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Bob Delaney: It is always a privilege to follow the member from Welland in debate. While I’m not exactly sure which act or acts he was discussing, although I am sure that not much of it related to the bill before the House, one has to say that as a raconteur he probably doesn’t have a peer anywhere here. As one who has been here for about eight years, I have to say that the member for Welland has been, in many ways, a very fine role model and example for us all. So I thank him for his contribution, whatever in creation it was.

Now, I just have one technical correction to make. The member, in his exuberance, let slip on one of the few occasions he talked about it that there were search provisions in Bill 186, but in fact, it is just seizure, not search.

As I’m sure the member is well aware, because he’s got an excellent record of attendance, tobacco provisions and penalties have been increased and stiffened in six of the last eight budgets. This is important, because when we look at tobacco enforcement, it covers three federal and two provincial acts. The federal acts are the Excise Tax Act, 2001, the Customs Act and the Tobacco Act, and the provincial acts are the Tobacco Tax Act and the Smoke-Free Ontario Act.

This is running according to plan and just the latest in a progressive series of steps by which the province of Ontario tightens the supply of raw leaf tobacco, tightens the restrictions against distribution, display, advertising and marketing, and tries to dry it up from the vantage points of both supply and demand. I look forward to discussing this in the minutes to follow.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

M^{me} France Gélinas: It was most interesting to listen to the member from Welland. He knows how to tell a good story for sure, but he also brings some very important points.

On January 21 this year, I had the opportunity to go for a ride-along with the Sudbury Regional Police and saw first-hand the number of calls coming in. Priority number one was dangers to person or property, and then priorities two, three and four coming up on the screen in the cruiser where I was. I was in for a 12-hour shift from about 4 o’clock in the afternoon until 4 o’clock in the morning on the night of Friday to Saturday. We never even covered all of the priority ones, never mind looking at priorities two, three or four. Forget it. It was non-stop with just the priority ones.

So last week when the OPP were here, I asked where illegal tobacco would fall within the priority system, and he repeated the exact same thing I had been told by the Sudbury Regional Police: Priority number one is dangers to person or property. He said that in his wildest

imagination he could not see how illegal tobacco would be a danger to person or possessions. I said, "Smoking gives you cancer," and he started to laugh. He said, "Yes, but it takes 40 years. Within 40 years, we'll get there."

So in a regular shift for the cops in northern Ontario doing excellent work, making this law into reality is not going to happen. They haven't got the manpower to do that.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. John O'Toole: Everyone should be up on their feet trying to compliment the member from Welland, who brings a lot of sort of related comments with respect to the addiction issue.

I think the issue we're dealing with is something quite straightforward. I think the most troubling are the two age groups: the very young people who are being affected by this lack of action and the elderly. It's got this very draconian approach: to kind of put them in jail for smoking. I think there's a better way of approaching it that's more educational and more firm, but also providing the people with the tools.

As he said in his remarks, now they've legalized online gambling. Are they doing this all for revenue? When you look at the amount of revenue being lost by contraband cigarettes, you'd think they'd be—maybe that's really what the agenda is here, is increasing the revenue by increasing the enforcement. Not working on the addiction side of it; working on the "How can we increase the revenue?" side of it.

Maybe it is coming together. Maybe I see it as—you gamble online. You can be smoking at home because you can still smoke in your house and that, and you won't be caught in your own home with contraband cigarettes. So maybe it does make sense. I don't know. Maybe they're just trying to increase their revenue. I hope that's not the case. I wouldn't want to cast any suspicions on it, but they have a deficit that's something close to \$17 billion, if you can believe that number. But it is a troubling thing. I'm not sure what they're actually going to do to fix the revenue problem, except raise taxes.

What they should probably do—they're probably going to do this. They're probably going to increase the HST to 15%, I think.

Hon. Monique M. Smith: You're making that up, John.

Mr. John O'Toole: Look, I've heard it on the street from my constituents, and I always listen to my constituents.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

L'hon. Madeleine Meilleur: Comme professionnelle de la santé, ça me fait toujours plaisir de parler sur le sujet de la cessation du fumage. J'entends mes collègues parler sur ce sujet-là et je les trouve un petit peu déprimants parce que je crois que ce qu'on avance ici aujourd'hui va vraiment aider à améliorer la situation.

I see many tools here in the proposal that will make it easier for smokers to get support and reduce the demand

for tobacco. For example, they will receive free nicotine replacement therapy that will be available through family health teams and public health units. The pharmacists will be there with their advice. They will be able to get other services and other professional advice from hospitals, from workers in different health care occupations. Also, there will be a \$5-million investment in the smoke-free Ontario strategy. I think these are all very positive steps that will help our youth—and the not-so-young—to either stop smoking or, at least, not begin smoking.

One thing that I was very disappointed in is, when we moved forward with smoke-free Ontario, the leader of the official opposition voted against it. I don't know what he's going to do this time: if he will continue to vote against it or if he will support Bill 186, which will help all of us to improve our quality of life and especially our health.

The Acting Speaker (Ms. Cheri DiNovo): The member from Welland has up to two minutes to respond.

Mr. Peter Kormos: I want to be very, very clear about the search and seizure provisions in this bill. Section 29 permits "the person authorized by the minister may, without a warrant,

"(a) stop and detain the person;

"(b) inspect the person's personal belongings for unmarked tobacco products;"—that means your clothing, that means your knapsack, that means your containers, that means your vehicle, as well as the plain view provision.

But in addition to the plain view, "(4) A police officer or a person authorized by the minister may, without a warrant, seize, impound, hold and dispose of unmarked cigarettes ... if he or she has reasonable and probable grounds to believe that the unmarked cigarettes are in the possession of a person contrary to subsection (1)...." Those are very, very specific, dramatic powers of search and seizure.

1720

It's not the search that's incidental to arrest; it's the sort of bad detentions and searches and seizures that were conducted during the G20 weekend, with Premier McGuinty's notorious secret and illegal regulation. One wonders how members of his cabinet could have participated in such an evil and anti-civil-libertarian exercise. Why wasn't there even one person who was prepared to ring alarm bells?

Once the Premier got caught, of course—you see, not only were members of the Legislature told incorrectly about the impact of the regulation, but the cops were told incorrectly about what the impact was of the regulation, and that's a very, very sad thing to do.

You've got the Premier today running around criticizing another party leader for wanting to tinker with the Human Rights Tribunal. This is the Premier who abolished the Human Rights Commission and who imposed an illegal G20 regulation on the people of Ontario.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Bob Delaney: For those at home who are perhaps watching this just before dinner, I'd like to welcome you

to a debate on an act whose intent is to renew Ontario's smoke-free strategy.

What are we trying to do here? We're trying to prevent youth from starting to smoke, we're trying to enhance smoking cessation resources and supports, and we're trying to reduce the availability of cheap, illegal tobacco. That's the scope of what's going on in this bill.

Before I start, I would like to dedicate what I'm saying to an old friend of mine who worked with me back in the 1980s. She was a bright, vivacious, attractive, well-educated woman whom I depended on and was very fond of in the time that we worked together. She and her husband live in Calgary now, and I was just informed that she has contracted untreatable phase-four lung cancer. One of the things that she could never manage to do is to kick the weed. In this vein, I'd like to, in remembering that, remind anyone who's watching that there is no free lunch. There is no free smoke. It's going to get you. She had not smoked a cigarette in 20 years.

Tobacco availability isn't what it used to be. I am part of the baby boom generation. Let's just remind people of what the world was like as we grew up. You could buy a pack of smokes for under a buck. You could buy them from a vending machine. You could go into a corner store. They were cheap, they were available and they were advertised. The tobacco manufacturers sponsored events—cultural, sporting; you name it—and they prompted people to smoke.

I can remember my high school colleagues smoking on the school bus. In my first year of university, I can remember bringing in a screwdriver so that we could unscrew one of the windows and open it up in the middle of the winter because I was in a class where several of the people insisted on smoking these absolutely horrible European cigarettes, and it was either that or suffocate.

Tobacco is harder to get now. Tobacco is more expensive now. In this vein, the province of Ontario is doing its best to both reduce the supply and diminish the demand for tobacco, because tobacco kills.

Let's go over a few of the points. Addressing illegal tobacco is a priority for the Ministry of Revenue, and the province is making significant progress. Let's go over a few of them. Convictions under the Tobacco Tax Act increased by 44% in fiscal 2009-10 from the previous year. From April 1, 2008, until the end of last year, 2010, about 135 million illegal cigarettes, 700,000 untaxed cigars and about 45 million grams—that's about 45 tonnes—of fine-cut tobacco had been seized by ministry investigators and inspectors. How much does this amount to? Figure that a cigarette is roughly one gram of tobacco. It gives you an idea of the amount of tobacco that's been pulled off the streets.

During fiscal 2009-10, investigations nearly tripled compared to fiscal year 2008-09, and this act is just one in a series of acts that depends on working with the support of the federal government through the acts that I mentioned just a few minutes ago, as well as authorities in Quebec, New York state, our neighbouring states and various police agencies. This isn't the kind of act that, all

at once, you can throw out and say, "Here it is. It's one grand omnibus bill," because you and your partners have to advance increment by increment, and do it together. You can't get too far ahead of your partners nor lag too far behind, which is what this bill recognizes and what this bill does very effectively.

Let's talk about some of the things that are actually in the bill. The bill proposes new measures that, if passed, would increase oversight over the distribution of raw leaf tobacco in the province. It would permit police to seize illegal tobacco that's found in plain view and, for the first time ever, require fine-cut tobacco to be marked—all steps forward to our goal of reducing youth smoking.

This is important because raw leaf tobacco is to smoking very much what crude oil is to the petroleum industry: no raw leaf tobacco, no smokes. Getting right at the source, let's talk about some of the things that Bill 186 proposes to do with regard to the source: raw leaf tobacco and manufacturing.

Bill 186 proposes significant strengthening of controls over the production, distribution, sale and purchase of raw leaf tobacco. Of course, raw leaf is the single non-replaceable input to the manufacture of all tobacco products, both legal and illegal. The proposed amendments in Bill 186 would, if passed, enable the province to better control the production, distribution, sale and purchase of raw leaf tobacco throughout the entire supply chain, including raw leaf that's exported from or imported into Ontario. So for everybody who wants one simple thing, one simple act, it can't be done. We've got to do this in stages, working with the federal government, working with the adjoining jurisdictions, working with other police forces. The bill has also proposed complementary enforcement measures to ensure the integrity of the new licensing and registration system for raw leaf tobacco.

Before we continue too far down the line of the abstract, I want to bring it back to the line of the practical. I had another friend who lived in Toronto, a very lovely lady who, by her own admission, said, "I like to smoke." She was diagnosed with lung cancer.

Here's the thing about lung cancer: It doesn't kill you right away. It's incredibly painful. And when does it take you? It doesn't actually take you at the time that you inhale the fatal puff. Some of my schoolteacher friends have said, tongue-in-cheek, that the attitude in high school—I certainly remember this—is that you feel that you're immortal, indestructible and infertile. It's an interesting thought to conjure with, but certainly the immortal and indestructible part. That puff that you inhale in high school can kill you.

This woman, Stephanie, was in her 40s, divorced, the product of a very wealthy family—all of the things that you aspire to in your adult life. Her children were pretty much full-grown. One day she discovered that she had lung cancer. She went to the Mayo Clinic. She spent a lot of her own money on it, looking at specialists throughout the United States, and in the end it killed her. That's the kind of person who this act aims to assist. That's the kind

of thing that we're hoping, if you're watching this, makes you say that's your last cigarette. Or if your friends have said, "Try this," we're hoping that you won't, because it will kill you.

Ontario has taken measures in five of the past eight years to address illegal tobacco. If passed, Bill 186 would make it six of the last eight years. Some examples include controls on cigarette-making machinery, unless you're registered as a manufacturer under the Tobacco Tax Act, and penalty provisions, to include a fixed penalty clause that's three times the tax assessed on illegal products, which escalate with each subsequent offence. As I said earlier in one of my comments, just like Al Capone, this is a tax act. It may not be sexy but, by God, it has teeth. Enhanced seizure provisions, new offence provisions, stiffer fines and prison terms for certain offences, including for persons distributing contraband—that's what it takes.

1730

Among the other things that Bill 186 offers are new and better tools for ministry inspectors and law enforcement officials, including expanding the ability for investigators to seize contents and records found in a vehicle transporting contraband tobacco, and adding a prohibition to suspend a tobacco retailer's licence to sell or store tobacco in a retail outlet if the retailer has repeatedly contravened the Tobacco Tax Act or the Smoke-Free Ontario Act. So if you're making money out of this and you want to get involved in illegal smokes, we're going to take away your source of funding, and we mean it, because the act has teeth.

There's authority for the court to suspend a driver's licence for persons convicted of offences under the Tobacco Tax Act involving the use of motor vehicles. You think you can make some easy money loading a couple of garbage bags full of baggies with illegal smokes and driving them from one place to another place? You're going to lose your car; you're going to lose your licence. There are provisions to prohibit the possession of any quantity of unmarked cigarettes, unless they're otherwise permitted under the Tobacco Tax Act. Like I said earlier, teeth—teeth in that.

I want to talk for a third time about a friend of mine whose experience underlines why we're doing this. I had a friend in the 1980s and 1990s named Donna, who lived in Regina, also divorced. She had a lovely daughter, and her daughter had just gotten married. She was a new grandmother. She had been married as a teenager, so she was in her early 40s, at her peak earning years, had her house all paid for and life was looking good. But Donna just couldn't manage to give up smoking.

One day I was sitting at home in Mississauga. The phone rang, and it was her on the other line. I looked at it, and I could see the area code 306 from the province of Saskatchewan, but I didn't recognize the number. I picked up the phone and it was her. I said, "I don't recognize the number. Where are you calling from?" She said, "I'm calling from the hospital." I said, "What happened?" She said, "Well, I've been diagnosed with lung

cancer." We talked about that for a little bit, and finally I said, "What is the prognosis?" She said, "Not good." And I said, "Talk to me a bit about it."

We spoke to one another on and off for the next few weeks, and then there was a long period of silence. One of the people I knew from my company advised me—or advised a lot of us via an email—that my friend Donna had died of lung cancer, for absolutely nothing, because she just couldn't quit smoking. And those were legal smokes. They weren't smokes that you look at and think to yourself, "I wonder how many rat droppings are in this tobacco?" Do you really know what's in the stuff in that plastic baggy? How much do you know about the person who sold it to you? Do you really trust them? Even if you want to smoke, and I hope you don't, why are you buying this stuff?

Let's go back to some of the things that are in this bill. The tobacco retailer inspection program, established five years ago, in March 2006, conducts on-site inspections of tobacco stocks at retail outlets to ensure that tobacco products in Ontario have their taxes paid. Why are we going after taxes? Because that's the part with teeth. The ministry staff target an average of 450 retailer inspections every month. There is a consequence to dealing in illegal tobacco, and that consequence is that it's going to cost you serious money.

The Ministry of Revenue inspectors have been trained in the identification of illegal and counterfeit products. Where illicit tobacco is discovered, the product is seized and the vendor is assessed a penalty of between three and eight times the value of the Ontario tobacco tax owing. The penalty varies with the amount of illegal tobacco seized.

Untaxed and unmarked cigarettes are discovered in about 10% of retail inspections. The program's effectiveness is increased with stronger participation among other law enforcement agencies, which is why there's a risk-based model to assist in identifying potentially non-compliant retailers. There is a whole host of behaviours that you can ascribe that say, "If all of these things are true, or even some of them are true, we should pay attention to these." If it looks like you're running a clean game, not many of these things will be true, so you're not really going to get targeted. Most of the unannounced inspections are going to come to people who very clearly appear to be contravening the act.

Total penalties assessed, since the inception of the program, against those in violation of the Tobacco Tax Act amount to more than \$18.4 million.

Where the retailers continue to not comply with the Tobacco Tax Act and/or the Smoke-Free Ontario Act, prohibition notices have been used as an enforcement tool. These measures prohibit specific retail locations from selling any tobacco products during the enforcement period. So if you're in a business where a lot of your top-line revenue flows from the sale of tobacco, and it's supposed to be legal tobacco, and you want to get creative and start selling cigarettes in baggies, remember, you're going to lose your licence to sell legal tobacco,

and all the people who come in and buy something else while they're in your store looking for a package of whatever aren't going to come into your store. It's a lot like losing your liquor licence if you're a bar.

From April 1, 2008, to December 31, 2010, 131 million illegal cigarettes, 558,000 untaxed cigars and about 40 tonnes of fine-cut tobacco have been seized by ministry investigators. Investigations have almost tripled in fiscal year 2009-10, compared to the previous fiscal year. This act has teeth, and people are using those teeth.

The number of convictions under the Tobacco Tax Act in fiscal 2009-10 increased 44%. Not only does it have teeth, not only is the ministry going to get to you, but you're going to get convicted. It's not worth it. Don't do it.

To create a detriment and inform the public and media of ministry efforts to curtail the flow of illegal tobacco, news releases summarizing prosecutions under the Tobacco Tax Act are posted on the ministry's website and on the government of Ontario's newsroom sites.

All of this has to continue to move forward in concert with the federal acts under which the province of Ontario works, along with the acts in neighbouring jurisdictions.

There are some notable changes to enforcement measures in other jurisdictions. For example, in our neighbouring provinces of Quebec and Manitoba, they too have announced various enhanced enforcement measures to prohibit and discourage the sale of illegal tobacco, including, in Manitoba's case, prohibiting the sale of tobacco products over the Internet; increasing the penalty and fine amounts for tobacco-related offences; forfeiture of vehicles used in connection with tobacco tax offences; and denying driver's licence renewals to those with unpaid fines—very similar to what's being proposed here.

In Quebec, the National Assembly recently passed Bill 59, An Act to amend the Tobacco Tax Act, and it too introduced new measures to fight illegal tobacco in Quebec, including a moratorium on issuing manufacturers' permits, increased fines and penalties.

I'd like to deal very briefly with the seizure provisions here. Currently, if a police officer sees illegal tobacco in plain view, the officer would be required to call the Ministry of Revenue to seek authorization to seize the product. That doesn't make any sense. That's why we're including a seizure power of tobacco or illegal cigarettes in plain view inside a vehicle if it's pulled over for another traffic offence. These proposed amendments would allow a police officer conducting a lawful search, or who is otherwise carrying out his or her normal duty, to seize illegal cigarettes in plain view without having to call the Ministry of Revenue. This makes sense. It gives it more teeth. To an act that already had teeth it gives a little bit more teeth.

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I think we just need to summarize in the last minute why it is that we're doing this. Tobacco kills you. I don't think anyone here is going to quarrel with that. In order to do with tobacco what has been done with other things

that have been phased out over the years takes a gradual, step-by-step approach. There have been innumerable measures down through the last four decades in which the United States and Canada, who led the world, banned smoking and have gradually been squeezing the distribution channels so that it's harder to get, harder to transport, harder to do illegal cigarettes.

This is the latest in a clear, coherent, multi-step plan. It's a plan that's working. It's a plan that's squeezing the distribution chain. It's a plan that's taxing people who break the law. And it's a plan that is ultimately effective to make Ontario smoke-free.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. John O'Toole: The member from Mississauga—Streetsville often makes any arguments often, meaning that he goes on incessantly, and a lot of times people don't listen as effectively as they could.

Now, I think what's important—the real reason here—is that we think it's time to move forward with this. Our leader, Tim Hudak, has urged us to support this and strengthen it. I'm confident that our health critic will be up and add some content to the discussion here.

I talked to Dr. Robert Kyle, the medical officer of health for Durham. Their work on the education component at that level is very important, and that's what I say needs to be done. If you look at the health care challenge in Ontario, indeed in Canada, about 47% of the total spending we record is for health care, but less than a billion dollars is spent on wellness and prevention. If you look at every dollar spent on the prevention side, it accumulates \$3 of value on the health side. Not only that: Think of young people and the unconscionable diseases and the sadness in families because 13,000 people a year in Ontario die from smoke-related problems. That's the real essence of what we're discussing here this afternoon.

Let's get moving forward. You've been eight years. We know that we're supporting it because it is at least a first step. Let's get it done before the election is called.

Now, I don't know if they're going to get it done. I still remain concerned that this House will be dissolved and nothing will happen. I hope that's not the case. There are too many lives at stake. Eight years times 13,000: That's what has happened over the last eight years. Let's get on with this bill and get it done.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

M^{me} France Gélinas: The numbers are worth repeating: 13,000 people will die. Every 40 minutes somebody dies. This is like an entire city that disappears from the province of Ontario every year.

All that Bill 186 is doing is looking at the supply side. The member kept saying that this act has teeth. It may have teeth to decrease the supply, but to an addict—and no question about it; nicotine is an addiction—the downfall had better be big, because their addiction will tell them to keep taking that risk. The \$100 fine for some people on fixed incomes will be massive, but will it be enough for an addict to switch? My feeling and my experience tell me, "No, this is not what's needed."

The demand for the products is not being addressed at all in Bill 186. All we talked about is the supply chain and how we are going to regulate the supply chain so that we can decrease supply. But if you decrease supply and don't put in any strategy to deal with demand, your overall goal of getting at those 13,000 people a year who die because they use tobacco products is not going to be successful. To be successful, you have to have a strategy that deals with both sides: that deals with the supply and that deals with the demand. Right now Bill 186 is one-sided. It is bound for failure.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments.

Mr. Jeff Leal: I think the member from Mississauga–Streetsville made a very compelling case with regard to the merits of Bill 186 this afternoon.

I've taken the opportunity to talk to Ms. Deb Hammons. Many would know her as the executive director of the Central East LHIN. I know that, over the last number of years that she has held that position, she has certainly been driving that tobacco strategy through the whole area of the Central East LHIN, right from Brighton to Algonquin park and into Scarborough, and has been actively working and putting the strategy in place for tobacco cessation education and programs to make that happen. She needs to be commended for her leadership in that particular area.

I know others want to get rid of her job in the not-too-distant future, but she's been there doing a very great job working with Dr. Rosana Pellizzari, who happens to be the medical officer of health for Peterborough county and city. Her predecessor was Dr. Garry Humphreys, who was also a leader in this area, developing programs so people would quit smoking.

We do know, with a health care budget of some \$47 billion, increasing about 6.5% each and every year, that if we could put more emphasis on the prevention side—again, an area of activity that the Central East LHIN has been very involved in, again under the leadership of Deb Hammons making that happen. We know those kinds of planning activities that go on through the LHINs are supported by a Conservative senator, Wilbert Keon, one of Canada's most outstanding heart surgeons. He's come to the forefront in the last couple of months talking about how we need these programs in place—

The Acting Speaker (Ms. Cheri DiNovo): Thank you. Questions and comments.

Mrs. Christine Elliott: We have been debating Bill 186, the Supporting Smoke-Free Ontario by Reducing Contraband Tobacco Act, all afternoon. I think a number of really valid points have been made on all sides of the Legislature. I think the major concern, though, is that while it goes some way to dealing with this situation, it isn't a balanced strategy, because what we're dealing with here is a very pernicious addiction.

I know the member from Mississauga–Streetsville had some personal anecdotes that were really quite sad about people he knew who had passed away from lung cancer. I guess I have one myself. My own mother passed away

from lung cancer in 1996 because she wasn't able to quit. She has a lifelong smoker, and as the member from Nickel Belt said, it is a terrible way to see someone die.

My concern is really with young people getting hooked on cigarettes and then not being able to stop. It is something that I have certainly warned my own children about. I've actually put the fear of God in them that if they ever start, I will find them and I will find out about it.

But sadly, it's all too available for too many young people who are able to buy baggies of cigarettes out of the trunks of people's cars. We need to have a very serious strategy to combat this. The effects of this aren't going to be known immediately because young people do think that they're invincible and that nothing bad will ever happen to them. But I can tell them from my own personal experience that it can and will catch up to you.

There are some other things that we could be doing, including some strategies to help people quit, because the benefits can be felt even if you quit now after smoking for many years. You can still improve your chances significantly of not getting lung cancer and passing away in that way.

I guess, as a public service message, I would say to people: Please do whatever you can to try to quit, and I urge the government to help people do that.

The Acting Speaker (Ms. Cheri DiNovo): The member from Mississauga–Streetsville has up to two minutes to respond.

Mr. Bob Delaney: I want to thank the members for Durham, Nickel Belt, Peterborough and Whitby–Oshawa for their helpful comments.

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To the member for Durham: I just want to remind him that only two people in the Ontario Legislature voted against the Smoke-Free Ontario Act, and the leader of PC Party was one of them.

To my colleague from Nickel Belt: I'm glad she agrees with me that the act has teeth. I refer her to the actual Smoke-Free Ontario Act and the other acts both in our budget and introduced by the Ministry of Health Promotion and the Ministry of Revenue over the past six years. There she can see the specifics of how Ontario helps smokers kick the habit. As proof, we can see very clearly, year over year over year, that smoking rates are going down.

To my colleague from Peterborough: He can see the outcome where the rubber meets the road, as they say, in the great city of Peterborough. He can see that because he's been consistently so closely involved in his community. On both a macro and a micro level, the member for Peterborough very clearly gets it.

To my colleague from Whitby–Oshawa: I echo her sentiment. Let us continue to be active and non-partisan as legislators and to ensure that no more of our friends and our family die from the single most tragic and preventable cause of cancer in our age. That means doing everything we can, setting our elections, our quarrels and our party policies aside and getting on with everything

we can do to get people to stop smoking and to choke off the supply of cigarettes and tobacco on the supply side all through the distribution chain.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Dave Levac: Ted, do you want to?

Mr. Ted Chudleigh: No, go ahead.

Mr. Dave Levac: I get the time after anyway.

I appreciate the opportunity to speak to Bill 186. I was quite prepared to give up my spot for the member. I thought he had some—you wanted to put it all into one spot. Is that the hope?

Mr. Ted Chudleigh: No, go ahead.

Mr. Dave Levac: No, no. I just wanted to make sure that you had an opportunity to speak if you wanted to. So I'm using that time—

Interjection.

Mr. Dave Levac: I'll get it wound up, and we'll be able to speak to the points. I can probably make my point in five minutes, and we can get this over with.

Anyway, this is my opportunity to speak to the bill, and the perspective I want to talk about is kind of putting things together. As I've spoken about in this House many times, what legislation actually means is that, at this particular time, these are the pieces of legislation we're looking at to try to go from one spot where we've been to where we want to be. I would suggest very respectfully that to try to capture this as a piece of legislation that doesn't do this for this group or doesn't do that for that group is not looking at it in the perspective of the ongoing saga of cigarette smoking.

At one time, pharmacies used to sell cigarettes in their stores as a way to make money. Quite frankly, they themselves got together, I remind my honourable friends, as a collective will, as health care providers, and said, "We will sell cigarettes no more in these stores." So in any pharmacy that you go to in the province of Ontario, you will not see them selling cigarettes because they've made that choice.

Quite frankly, as we move forward from this point with this piece of legislation, and we make decisions on whether or not it will pass, we will be saying the same things again in the future: that there will be more that needs to be done in order for us to cut down the amount of money we're spending on health care issues regarding smoking.

From the onset, I acknowledge to the House that I've never smoked. I never have, and I never will. My intention was never to get involved in cigarettes because the very first and only time I took a puff on a cigarette as a curious young person, I hacked myself out of the decision on my own, quite frankly. From that moment on, in terms of me being an active individual playing a lot of sports, I saw the results of some people who did smoke and tried to maintain their athletic abilities. I saw them slowly slipping, recognizing that in the long run this smoking thing had something to do with their ability to perform.

Now I come back away from the personal story and suggest that Bill 186 is there for three major purposes. One is to provide additional help for people who are trying to stop smoking by engaging the delivery of smoke cessation resources. So we are talking about one more step inside of that smoke-free Ontario legislation that we passed collectively—almost unanimously, as pointed out by my other colleague who said there were a few people who did vote against this—not very many, by the way—which speaks volumes to the idea that we are after the health care side of this.

But there's a business side to this, and I think we have to acknowledge fairly that since it's not a banned substance, it is for sale. Because it is for sale, I took the perspective of an individual who said, what's the outcome here on this particular issue that we're talking about regarding legitimate sales? They're a business; they have an opportunity to perform, and they've offered their voice and their lobby towards this, and they have every right to do so. For me, I wish they, along with many other people, would try to follow the lead of the pharmacists, who recognize, on the better overall condition of our province of Ontario, that they would change the product that they use as their mainstay of earning an income. I would encourage them to see if there's an evaluation or another way in which we could help them sustain their businesses without selling this product.

That said, I also bring that conversation on to the farmer. When I first met the farmers, back when I was elected in 1999, I had indicated to them that I thought there was a bogeyman in the room, and the bogeyman wasn't politicians, and at the time, I didn't think it was the people who sold the cigarettes. There were others who manufactured the cigarettes who were making some strides to remove the board in its existence, because it protected the price of tobacco.

The other comment that I want to make is that the list of prescription medications for smoking cessation under the Ontario drug benefit formulary, pending successful negotiations with the manufacturer, is another goal in this side of this legislation.

When you try to characterize this as simply the tough side of the contraband issue, the illegal cigarettes, and all we're going to do is get hard on that—those other two functions have not been mentioned very often.

I would suggest respectfully that there is a balance that's trying to be struck here, but we need to continue to work forward, to have our young people stop smoking.

I had mentioned earlier in a two-minuter that when my friend from Nickel Belt and I got together to discuss the possibility of legislating against flavoured tobacco and selling cigarillos as a single entity—let me take just a few seconds to describe what they were. They looked very suspiciously like lip balm and eye makeup, and they smelled not like tobacco; they had a smell of cherry, strawberry, daiquiri, chocolate and vanilla. Can you imagine what a smart kid could do to their parents to trick their parents? They've got these singles for sale; they put them in their backpack. The parents stumble upon them—without looking inside of them, because

they're sealed—and they look at it and they ask the kid, “Daughter X, daughter Y, what's this?” “It's eyeliner. Don't worry about it.” And they can't smell it. You don't smell the tobacco; you smell the flavour. It's a single, so it doesn't have the health warning on it. So if I see it, and it's got a fancy name to it, all the parent is going to say is, “My daughter's got lip balm or eye makeup.”

I wasn't overly impressed with that particular task, and I remember that the member and I handed out samples, with permission from the House, because it was a prop, but we allowed it because they needed to see what the product was. I know that she and myself were just inundated by comments from individuals in the House who didn't have an idea; they didn't have a clue. When they saw that happen, I think that helped sell the case. It was pretty hard to try to say that these little inventions had nothing to do with trying to get kids hooked on tobacco. That in itself is an example of working cooperatively to have the entire House—I believe everybody in this place does not want their kids to start smoking, or their grandchildren or their relatives or kids of school age.

I think we need to continue to have this dialogue to ensure that we try to plug any hole that's in there, and to continue to move the legislation forward that allows us to continue to get us off of that weed.

I do want to talk just for a very short moment on First Nations. I've talked to some of the elders and some of the clan mothers on the strict belief in what tobacco was actually supposed to be about. They're not fans of smoking. As a matter of fact, in my conversations with people from Six Nations, especially the health council inside of the elected council, they have some problems with their young people smoking as well. As a matter of fact, their numbers are higher. What they're looking for is leadership as well, and co-operation, and it's strictly them.

Quite frankly, I know, Speaker, that I said I could do it in five minutes, and I'm probably going to tell you that I can't do it in five minutes because there's a whole history that we have to talk about. I'll defer to your wisdom on when you'd like to have things wrapped up, but I do have more time to spend, and I could spend the next 10 minutes after we come back explaining why the bill is designed the way it is.

I'll defer to the Speaker on this.

Second reading debate deemed adjourned.

The Acting Speaker (Ms. Cheri DiNovo): Thank you. It being 6 o'clock, I declare that this House stands adjourned until tomorrow morning at 9 a.m.

The House adjourned at 1800.

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Vice-Chair / Vice-présidente: Laura Albanese
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Bob Delaney, Kevin Daniel Flynn
Pat Hoy, Helena Jaczek
Norm Miller, Leeanna Pendergast
Peter Tabuns
Committee Clerk / Greffière: Sylwia Przewdziecki

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permanent des affaires gouvernementales**

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Vice-Chair / Vice-président: Jim Brownell
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Kuldip Kular, Dave Levac
Amrit Mangat, Rosario Marchese
Bill Mauro, David Oraziotti
Joyce Savoline
Committee Clerk / Greffier: William Short

**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

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Vice-Chair / Vice-présidente: Lisa MacLeod
Laura Albanese, Michael A. Brown
Donna H. Cansfield, Aileen Carroll
Howard Hampton, Ernie Hardeman
Lisa MacLeod, Leeanna Pendergast
Jim Wilson
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Justice Policy / Comité permanent de
la justice**

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Vice-Chair / Vice-président: Reza Moridi
Bas Balkissoon, Lorenzo Berardinetti
Ted Chudleigh, Mike Colle
Christine Elliott, Peter Kormos
Reza Moridi, Lou Rinaldi
David Zimmer
Committee Clerk / Greffier: Katch Koch

**Standing Committee on the Legislative Assembly / Comité
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Joe Dickson, Sylvia Jones
Amrit Mangat, Yasir Naqvi
Michael Prue, Mario Sergio
Maria Van Bommel
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**Standing Committee on Public Accounts / Comité permanent
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Vice-Chair / Vice-président: Peter Shurman
Wayne Arthurs, Aileen Carroll
France Gélinas, Jerry J. Ouellette
David Ramsay, Liz Sandals
Peter Shurman, Norman W. Sterling
David Zimmer
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

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Vice-Chair / Vice-président: Paul Miller
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Jeff Leal, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Lou Rinaldi
Tony Ruprecht
Committee Clerk / Greffière: Valerie Quioc Lim

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Vice-Chair / Vice-président: Vic Dhillon
Vic Dhillon, Cheri DiNovo
Rick Johnson, Sylvia Jones
Jean-Marc Lalonde, Ted McMeekin
Shafiq Qaadri, Khalil Ramal
Elizabeth Witmer
Committee Clerk / Greffier: Trevor Day

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