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JOHN YAKABUSKI, M.P.P. - RENFREW-NIPISSING-PEMBROKE

Oral Questions

March 2, 2009

Renewable Energy and Energy Conservation

Mr. John Yakabuski: To the Premier about the going-red energy bill. Last week, when the minister was asked about warrantless searches, he didn't seem to know what the media were talking about. I'm happy to familiarize him with the bill. This bill allows intrusion into businesses without warrant. But furthermore, and more importantly, it allows government inspectors to go into private residences with a warrant to get the audit papers.

Premier, will you admit that you've taken the nanny state to a very scary new level and you're now forcing your way into people's homes?

Hon. Dalton McGuinty: I'm going to allow the minister to speak to this momentarily. Let me just say at the outset that I understand where the opposition is coming from on this score, but to somehow frighten Ontarians into thinking that there are some nefarious undertones associated with this bill is less than forthright. Our intention, and we are open to positive and constructive amendments, is to ensure that Ontario can leap forward, that we can move beyond old energy sources of the past, that we can take advantage of clean and green sources of electricity, that we can create new jobs at the same time and that we can do more to fight climate change as privileged global citizens. That's our intention, but I know the Minister of Energy and Infrastructure will want to speak to some of the details momentarily.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John Yakabuski: Premier, this is like 1984 all over again, and I am not talking about the year. What the Premier is saying in this bill is that he is going to treat law-abiding citizens in the province of Ontario like common criminals. He's going to allow government inspectors armed with search warrants to barge into people's homes and rifle through their personal belongings and papers to find an energy audit paper.

Premier, how can you justify such an intrusion into the privacy of people's homes in Ontario in 2009?

Hon. Dalton McGuinty: To the Minister of Energy and Infrastructure.

Hon. George Smitherman: On a matter of clarification, the honourable member has just come from an hour-long briefing with my deputy minister and senior officials at their

request, for the second time, where he could have posed the same question and received the same answer as I'll offer now.

Firstly, there is no opportunity for warrantless search. He said they'd knock on the door, arriving with the search warrant in hand, but the bigger point is, only in the circumstances where a piece of legislation uses the word " mandatory" do governments seek the opportunity to address that in circumstances where it hasn't been abided by. The language in this legislation is identical to that in a 2002 bill that came from the opposite party. But I'm very happy to have a conversation with the member in the context of whatever amendments might be helpful to make the bill better. This is certainly one of those things I'd be very happy to talk to him-

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

Mr. John Yakabuski: This is nothing but an outright assault on the private property rights of individuals in this province. They're going to treat Ontarians like criminals, violating their privacy rights while they're picking their pockets with skyrocketing energy prices and a new tax. There's nothing green about putting families and businesses in the red, and citizens are seeing red over the intrusion on their privacy rights.

Premier, do you really think that you're going to get away with this tawdry, green-tinged seduction of Ontarians?

Hon. George Smitherman: We've had evidence-in fact, I've twice paid at least \$10 for a CD of the member's artistic creativity and it's nice to see more of it on offer today.

On the matter he raises, though, as I assume he means that to be a serious matter, as I've said already, there is no such mechanism for intrusion into the private residences of individuals unless in a circumstance under investigation where a mandatory element of a legislation has not been fulfilled-and through the courts. But more importantly, as we move toward committee, we assume opportunities for enhancement and improvement to the bill.

If this is the primary matter of concern for the opposition, I give them every indication that I'm happy to have a conversation after question period. I'm very certain we can make progress on this very specific point of it and hear other points of concern from the honourable member and other members of the Legislature.