



No. 18A

N° 18A

ISSN 1180-2987

Legislative Assembly  
of Ontario

Fourth Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Quatrième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 2 June 2003**

**Lundi 2 juin 2003**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 2 June 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 2 juin 2003

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### GOVERNMENT ADVERTISING

**Mr Rick Bartolucci (Sudbury):** Linda Ouellette, a constituent of mine, has a dilemma. Imagine her amazement when she went to pick up the mail last Tuesday and found not one letter from the Premier of Ontario, not two letters from the Premier of Ontario, not three letters from the Premier of Ontario, not four letters from the Premier of Ontario, not five letters from the Premier of Ontario but six letters from the Premier of Ontario.

Linda Ouellette's message is simple to the government and to Ernie Eves: instead of wasting your money, our money, taxpayers' money on this senseless, ridiculous propaganda, put it toward our hospital; put it toward people who really need it.

The fact is, this government under Ernie Eves proves its inefficiency every single, solitary day. Linda Ouellette is but one example of many across the province of Ontario who are receiving this junk mail. She wants it stopped. The people of Sudbury want it stopped. The people of Ontario want it stopped.

Dalton McGuinty wants it stopped. The Liberals are the only party to ensure that this kind of junk mail will cease once we form the government. We're saying to the government, show your efficiency and show your feelings to the people of Ontario. Put the money where it's needed, not in self-serving propaganda.

#### MISSING CHILDREN

**Mr Wayne Wettlaufer (Kitchener Centre):** Last Sunday, May 25, marked National Missing Children's Day. Though it is a very difficult subject about which to speak, I wanted to officially recognize the hard work and commitment of Child Find Ontario.

Each year, over 66,000 cases of missing children are reported in Canada, enough to fill every seat in Sky-Dome. This is a staggering number. These children and teenagers are classified as runaways, wandered off or are the victims of parental or stranger abduction. Thankfully, over 90% of these children are recovered but, regrettably, as was seen in Toronto recently, these cases sometimes end in tragedy.

It is the responsibility of all of us to protect the most vulnerable in our society. We can achieve this through

making our communities safer, teaching our children the rules of safety and by providing police officers the tools that are necessary to help keep our children safe.

The green ribbon is a symbol of hope and a reminder of the importance of child safety practices. It is worn to recognize the vital role that we all play in child safety, to remember those who have not yet been found and to reinforce the efforts that are put into the safe return of those who are dearest.

I wish to encourage all Ontarians to wear a green ribbon and to recognize the work of Child Find Ontario, not just during the month of May each year but throughout the entire year. If we work as a community, we can help find these missing children, and together we can help stop tragedies from happening.

#### ITALIAN NATIONAL DAY

**Ms Caroline Di Cocco (Sarnia-Lambton):** Today commemorates Italian National Day. It was on June 2, 1946, when the people of Italy voted to abolish the monarchy and establish a democratically elected assembly and create a republic. This step made Italy a staunch democracy. Today, Italy is a leading industrial nation, a founding member of the European Union and a vital strategic partner in NATO. The Italian consul general is hosting a reception tonight to celebrate this history.

In the early 1950s, Ottawa entered into a bilateral agreement with Rome to process large-scale Italian immigration to Canada and there followed an aggressive Italian labour recruitment for the Canadian market. The year 1958 saw 28,500 Italians immigrate to Canada. This surpassed the number of British immigrants.

Canadians of Italian origin are one of the largest immigrant groups to settle in Canada. This has had a significant impact on the cultural, political and economic sectors in this country.

Next week, on June 12, the first major national exhibition on the heritage and day-to-day lives of Italian-Canadians will open at the Canadian Museum of Civilization. The exhibition, *Presenza*, gives voice to a generation of Italian-Canadian immigrants from across the country.

It is important that we celebrate a heritage as being part of us as Canadians.

#### SENIORS' MONTH

**Mr Cameron Jackson (Burlington):** I am pleased today to rise in recognition that June is Seniors' Month. It has been my practice in my community of Burlington for

the last 17 years to host a very major seniors' seminar that will be occurring this year on Saturday, June 7, at the Burlington Seniors' Centre, 2285 New Street in Burlington. The doors will open at 9:30, and we'll be providing refreshments throughout the day.

This year we're pleased to announce that our headliner for this year's show is Mr Entertainment from the province of Ontario, Gordie Tapp. His humour has been entertaining generations of people all across North America, and he's going to be very warmly received. It's his fourth visit to our seniors' seminar.

We'll also have representatives from the Ontario Residential Care Association. Jill Davies will inform people about retirement home living, and Karen Stewart from Sheridan College's gerontology program will do a presentation on the myths of aging.

We have representatives from the police and fire departments to help seniors better understand how to safety-proof their homes and how to avoid being victims of fraud.

Admission is free. If anyone would like to attend, they can call our constituency office at 905-639-7924. We get 400 to 500 people out every year, so call today and get your tickets.

#### ROAD SAFETY

**Mr Michael A. Brown (Algoma-Manitoulin):** In October 2002, I wrote the Minister of Transportation regarding turning lanes at Lake Huron Drive in Desbarats.

In late 2002, I wrote to the Minister of Transportation supporting a resolution from Verna Lapish of the Bar River Women's Institute. In my letter of support, I asked that the ministry install flashing amber lights at the intersection of Highway 17 and Kensington Road in Desbarats. This intersection provides road access to Central Algoma Secondary School, a school with 650 students.

Minister Sterling acknowledged the need for improvements in a letter of January, which stated simply, "Improvements are needed."

On March 6 of this year, the community's concerns became reality with a tragic accident that resulted in the death of 16-year-old student Josh Brockelbank and severe injuries to other passengers in the vehicle. The vehicle was rear-ended by a transport truck as the victims' vehicle attempted to make a legal left-hand turn at Main Street.

The minister has received hundreds of letters from students from CASS and from Johnson Tarbutt public school, parents, teachers, municipal councils, the school board and myself. I've met with Reeve Elwood McKinnon, his council, the school board trustee and other concerned citizens.

We want action, and we want action now. We can do the following now: we can declare the area a school zone. We can install rumble strips to slow traffic and heighten their awareness. We can install an amber flashing light at

Kensington Road. We can reduce the speed limit. We can increase the police presence in the area.

1340

#### ENVIRONMENTAL PROTECTION

**Ms Marilyn Churley (Toronto-Danforth):** I attended a press conference hosted by several environmental leaders in this province who said that the government's Bill 25, the so-called An Act to enhance public transit and provide for a smart transportation system in Ontario, if proceeded with, will actually be dumb growth.

I'm one, even in the opposition, to say good things about this government very occasionally if they do something right. I'm on record as saying that their Smart Growth panels were a good idea, including the public and being able to reach consensus on smart growth. But today we find out from these leading environmentalists that in fact it's all been a scam; it's been put on to fool the people of Ontario, to make them believe the government actually cares about environmental planning in this province.

If this bill goes through—and these people are calling for the government to pull it and start all over again—it will mean that transportation corridors and major infrastructure such as power plants as well as highways are no longer defined as undertakings and will be excluded from the 25-year-old practice of applying the Ontario Environmental Assessment Act to their planning.

Even Debbe Crandall, who is a member of the government-appointed central Smart Growth panel that made the recommendations, and whose environmental group fought to preserve the Oak Ridges moraine, said, "We no longer have any voice on protecting the environment." Others said the same thing. A mayor is taking the government to court over this.

I demand that the government pull the bill and start all over again if they're committed to real smart growth, not dumb growth, in this province.

#### HUNTSVILLE SPORTS HALL OF FAME

**Mr Norm Miller (Parry Sound-Muskoka):** This past Saturday, the Huntsville Sports Hall of Fame in my riding of Parry Sound-Muskoka inducted the following new members for their achievements and support of the athletic community.

John Clayton's impressive lacrosse career began as the youngest member of the Huntsville 1965 junior B champions and as a member of four of Oshawa's Minto Cup championship teams. John Clayton then received a university-level hockey scholarship.

Andy Longpre won four Muskoka-Parry Sound high school wrestling championships and two OFSSA championships. He then joined the University of Guelph team and the national team. Andy Longpre continued his dedication to the sport as a coach.

R.T. "Ginger" Davies was a supporter of minor league lacrosse and hockey. Mr Davies served the sport and local clubs in many ways, ranging from treasurer to timekeeper. His commitment and service were highly valued and he was a major force in the building of these clubs.

Dave Arnold was a member of the national gymnastics team, including the 1983 Pan Am bronze medallists. Dave Arnold went on to coach and judge nationally and internationally, participating in a long list of top-level competitions resulting in an extraordinary list of awards and honours.

The late fire chief of Huntsville, Ross Payne, received the Jack Bionda award for outstanding commitment to the Huntsville sporting community. Mr Payne played on the Ontario champion 1949 Huntsville Hawks lacrosse team. He went on to further make his mark as an executive member, official and loyal fan of Huntsville and Burk's Falls sports teams.

I would like to commend all these recipients for their roles in making amateur sport an important and valuable part of daily life in the Huntsville area.

#### AGRICULTURE INDUSTRY

**Mr Steve Peters (Elgin-Middlesex-London):** Thursday morning, our livestock industry learned that their minister was looking at closing provincial borders to all outside beef. A national furor ensued. The minister went on in typical Tory tradition to point blame everywhere but in the mirror, claiming she was following PEI and Quebec's lead. Reaction was fast and furious.

PEI ag minister Mitch Murphy accused Johns of "grossly misrepresenting the Island's position." Alberta minister McClellan was "totally blindsided and very disappointed." Premier Klein publicly mused whether this was for real or whether our minister was just "flapping off."

Sadly, this kind of knee-jerk, thinking-out-loud, shoot-from-the-hip governing is the last thing an industry in crisis needs. The Ontario Cattlemen's Association and the Ontario Federation of Agriculture were swift to contradict their minister, hoping for damage control as Ms Johns was forced to apologize.

This is the kind of mistake that can have possible permanent implications, and shows a complete lack of understanding of the very nature of Ontario's industry by its very own minister.

The Globe and Mail refers to Ms Johns as "one of the most hapless ministers of the crown that her province has produced in recent years." The National Post surmises that "Johns was either speaking from ignorance or fear, neither of which is much of a sound base for public policy," and that "she might as well have been belching, for all the forethought that went into her remarks."

If the minister is in so deep over her head that she has to resort to making up policy on the fly, the minister should step aside.

#### PETERBOROUGH REGIONAL HEALTH CENTRE

**Mr R. Gary Stewart (Peterborough):** I'm pleased to inform members of the House about a new era in health care in my riding of Peterborough. On Friday, May 30, the Honourable Tony Clement, Minister of Health and Long-Term Care, announced \$176 million in provincial funding by the Ernie Eves government at the official construction launch of the new Peterborough Regional Health Centre.

The total cost of the project is estimated at \$255.9 million. Local funding initiatives and commitments from the city and the county have already resulted in \$47 million toward the construction of this wonderful new health centre.

This new state-of-the-art health facility will replace the existing hospital that was built in 1947. It is designed to accommodate 529 beds—a 30% increase from the current capacity—and will feature an expanded outpatient department, operating rooms, acute care services, mental health beds, rehabilitation services etc. The emergency department will service an incredible 26,000 more emergency room visits every year.

I'd like to take this opportunity to thank Premier Eves, Minister Clement, the hospital administration and all front-line health care providers, but especially the residents of Peterborough riding for their support and commitment to this hospital. It will ensure that our community will continue to have access to quality health care for the road ahead.

#### VISITORS

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: We have a rather special occasion. The Lewis clan is here to see their son Timothy Lewis, one of our pages, in action. I want to welcome Jamie and Jane Lewis, Kristin and David, June and Jim Lewis and Linda Carandang, who are here to see Timothy. Thank you for coming today.

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker: I'm privileged to advise all members that we have with us in the members' gallery today several members of the family of the late Doug Kennedy, who was the former MPP for Peel South and Mississauga South from 1967 to 1985. As you know, Doug passed away last Monday. Members from all parties will be paying tribute to him shortly.

Please join me in welcoming the members of Doug's immediate family. His wife Kay wanted to come, but then decided she could not be here. We have Doug's daughter, Pat Bond, and her husband Robert; his other daughter, Janet Graham, and her husband Brian; and his granddaughter, Amie Reid, who also served in this House as a page in 1983. We're very grateful they're here today.

**Mr Gilles Bisson (Timmins-James Bay):** I'm sure you would want to know that a former member from Etobicoke North, Mr Ed Philip, is here along with his

wife and their little girl, Sarah. I'd like to welcome them to the chamber.

**The Speaker (Hon Gary Carr):** I'll just add, because I had that to do, that Mr Philip, of course, was the member for Etobicoke-Rexdale in the 32nd through the 35th Parliaments. He's joined today, beside him, by former member Barbara Sullivan, who was the member for Halton Centre in the 34th and 35th Parliaments. Please welcome both our colleagues.

**Hon Doug Galt (Minister without Portfolio):** It's certainly a pleasure for me to introduce the family of Spencer Henderson, who is a page with us from Cobourg: his parents, Donna and John Henderson; his brother and sister, Simon and Devon; along with his grandmother, Marguerite Fluker. Please join me in welcoming them to Queen's Park.

**The Speaker:** We also have with us today in the Speaker's gallery a parliamentary delegation from the Moscow region, led by the deputy chair of their Duma. Please join me in welcoming our honoured special guests from Russia.

1350

## INTRODUCTION OF BILLS

### HEALTH INSURANCE AMENDMENT ACT (SUPPLEMENTAL NEWBORN SCREENING), 2003

#### LOI DE 2003 MODIFIANT LA LOI SUR L'ASSURANCE-SANTÉ (DÉPISTAGE COMPLÉMENTAIRE DES NOUVEAU-NÉS)

Mr Duncan moved first reading of the following bill:

Bill 71, An Act to amend the Health Insurance Act /  
Projet de loi 71, Loi modifiant la Loi sur l'assurance-  
santé.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

**Mr Dwight Duncan (Windsor-St Clair):** Many infants and children unknowingly suffer from medium-chain acyl-CoA dehydrogenase deficiency, which may be the cause of 100 infant deaths thought to be SIDS or Reye's. Families in Ontario are aware of the importance of expanding their newborn screening of fatty oxidation disorders and other metabolic disorders that can be detected through tandem mass spectrometry. This procedure is currently conducted in British Columbia, Saskatchewan and Nova Scotia. The sample taken at birth for PKU testing is the same sample that can be used to test for FOD and other disorders. Supplemental newborn screening for FODs could detect MCAD and allow children to live normal lives through treatment.

### PHYSICAL FITNESS DAY ACT, 2003

#### LOI DE 2003 SUR LA JOURNÉE DE L'APTITUDE PHYSIQUE

Mr O'Toole moved first reading of the following bill:  
Bill 72, An Act proclaiming Physical Fitness Day /  
Projet de loi 72, Loi proclamant la Journée de l'aptitude  
physique.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr John O'Toole (Durham):** The intention of introducing this bill is to stress the importance of personal responsibility in our own health. In that respect, physical fitness is an important contributor to health. I move that the first Friday in September of each year would be deemed Physical Fitness Day.

### FAMILY RESTROOM FACILITIES ACT, 2003

#### LOI DE 2003 SUR LES INSTALLATIONS SANITAIRES FAMILIALES

Mr Parsons moved first reading of the following bill:  
Bill 73, An Act to facilitate families by requiring that all buildings open to the public be equipped with family restroom facilities / Projet de loi 73, Loi visant à assister les familles en exigeant que tous les bâtiments ouverts au public soient équipés d'installations sanitaires familiales.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

**Mr Ernie Parsons (Prince Edward-Hastings):** This is a reintroduction of a bill from the previous session which provides for young families and for persons with disabilities access to a washroom where others can be present to assist. It will apply to public buildings and to private buildings such as shopping centres, arenas and stadiums that have significant public access.

### SAFETY IN HIGHWAY CONSTRUCTION ZONES STATUTE LAW AMENDMENT ACT, 2003

#### LOI DE 2003 MODIFIANT DES LOIS EN CE QUI CONCERNE LA SÉCURITÉ DANS LES ZONES DE CONSTRUCTION DE LA VOIE PUBLIQUE

Mr Hoy moved first reading of the following bill:

Bill 74, An Act to improve safety in highway construction zones by amending various Acts to implement the recommendations from the inquest into the death of Dick Van Rooyen / Projet de loi 74, Loi visant à

améliorer la sécurité dans les zones de construction de la voie publique en modifiant diverses lois pour mettre en oeuvre les recommandations faisant suite à l'enquête sur le décès de Dick Van Rooyen.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Pat Hoy (Chatham-Kent Essex):** This is a re-introduction of a previous bill of mine. This bill implements all the recommendations made by the coroner's jury as a result of the inquest into the death of Dick Van Rooyen. This bill calls for increased fines and loss of demerit points. There are also provisions to use police to protect the safety of workers, and the bill requires the closure of the travel portion of controlled-access highways while the work is being done, with the diverting of traffic to the other side of the highway.

ONTARIO DISABILITY  
SUPPORT PROGRAM  
AMENDMENT ACT, 2003

LOI DE 2003 MODIFIANT LA LOI SUR LE  
PROGRAMME ONTARIEN DE SOUTIEN  
AUX PERSONNES HANDICAPÉES

Mr Parsons moved first reading of the following bill:

Bill 75, An Act to amend the Ontario Disability Support Program Act, 1997 to empower the Integrity Commissioner to determine the level of income support / Projet de loi 75, Loi modifiant la Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées en vue de donner au commissaire à l'intégrité le pouvoir de déterminer le niveau de soutien du revenu.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Ernie Parsons (Prince Edward-Hastings):** Again, this is a reintroduction of a previous bill that amends the Ontario Disability Support Program Act, 1997, to empower the Integrity Commissioner to make recommendations concerning the level of income support to be set by the Lieutenant Governor in Council under the program and the time and manner of providing it.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: I understand that this is the reintroduction of another bill. I still would ask that it be reviewed by yourself with respect to revenue implications. Unless the member is suggesting, if the Integrity Commissioner reviews it, that he would be offering a reduction in levels of support, I don't see how this is anything but a revenue bill.

**The Speaker:** I thank the member. As you know, we will review it, as we do all the bills, for appropriateness and, if so, we will report back.

## MOTIONS

### HOUSE SITTINGS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, June 2, and Tuesday, June 3—pardon me, Marilyn?

**Ms Marilyn Churley (Toronto-Danforth):** Finally we're sitting nights.

**Hon Mr Stockwell:** Thank you so much.

Monday, June 9, and Tuesday, June 10; Monday, June 16, and Tuesday, June 17; Monday, June 23, and Tuesday, June 24, 2003, for the purpose of considering government business.

With the heckling of my friend Ms Churley, I would only presume she's voting in favour of this motion.

**The Speaker (Hon Gary Carr):** Mr Stockwell has moved—dispense? Dispense.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1359 to 1404.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Eves, Ernie	O'Toole, John
Arnott, Ted	Flaherty, Jim	Ouellette, Jerry J.
Baird, John R.	Galt, Doug	Parsons, Ernie
Barrett, Toby	Gilchrist, Steve	Patten, Richard
Bartolucci, Rick	Gill, Raminder	Peters, Steve
Beaubien, Marcel	Hardeman, Ernie	Phillips, Gerry
Bountrogianni, Marie	Hoy, Pat	Pupatello, Sandra
Boyer, Claudette	Hudak, Tim	Ramsay, David
Bradley, James J.	Jackson, Cameron	Runciman, Robert W.
Bryant, Michael	Johns, Helen	Ruprecht, Tony
Caplan, David	Johnson, Bert	Sampson, Rob
Chudleigh, Ted	Kells, Morley	Sergio, Mario
Clark, Brad	Klees, Frank	Smitherman, George
Clement, Tony	Kwinter, Monte	Sorbara, Greg
Coburn, Brian	Lalonde, Jean-Marc	Spina, Joseph
Colle, Mike	Levac, David	Sterling, Norman W.
Crozier, Bruce	Marland, Margaret	Stewart, R. Gary
Cunningham, Dianne	Martiniuk, Gerry	Stockwell, Chris
Curling, Alvin	Maves, Bart	Tascona, Joseph N.
DeFaria, Carl	Mazzilli, Frank	Tsubouchi, David H.
Di Cocco, Caroline	McMeekin, Ted	Turnbull, David
Dombrowsky, Leona	Miller, Norm	Wettlaufer, Wayne
Duncan, Dwight	Molinari, Tina R.	Wilson, Jim
Dunlop, Garfield	Munro, Julia	Witmer, Elizabeth
Ecker, Janet	Mushinski, Marilyn	Young, David
Elliott, Brenda	Newman, Dan	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Churley, Marilyn	Martel, Shelley	
Hampton, Howard	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 77; the nays are 7.

**The Speaker:** I declare the motion carried.

DOUG KENNEDY

**Mr Ted Chudleigh (Halton):** On a point of order, Mr Speaker: I believe we have unanimous consent for all parties to have up to five minutes to comment on the passing of my uncle Doug Kennedy, a former member of this House.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed? Agreed.

**Mr Chudleigh:** Doug Kennedy was a man much loved by his constituents and members of this House alike. To understand Doug Kennedy, I think you also have to know where he came from and to understand the adversity and the joy that was his youth.

He was born on farm in the village of Dixie, in what is today part of Mississauga. When Doug was 13, his father passed away, leaving his wife, Evelyn, with nine children: seven boys and two girls. Doug was a true Canadian of his era, because at the early age of 11 he fell forward playing hockey and knocked out one of his front teeth and ever since was identified of course as a Canadian hockey player.

Growing up on a poor farm in the Depression of the 1930s was not easy, and thank goodness his mother, Evelyn, was a resourceful woman and a keen entrepreneur of the day. You can imagine the trouble the seven Kennedy boys would get into on any given day. Today we might suggest that you could make a soap opera out of these goings-on. Well, in the middle of the Dirty Thirties, his mother did. Of course, these were the days before TV and so a radio serial show had to take its place. She wrote to CFRB, CBC and CKEY, and was eventually accepted by all three. On Saturday mornings, the 9 kids would pile into their 1927 Pontiac and head for Toronto along the Dundas highway. With nine kids in the car, I am sure you could have had a whole season's worth of shows just on the trip into town alone. The family came up with the subject of the show, Doug would type the script and the show would air live. After all, there was no taping in those early days of radio. Apparently, the younger members would quite often flub their lines, but that only seemed to make the show better.

One such show was about bringing in straw used for bedding in the barn. After the wagon was loaded, the best place to ride was on top of all the straw, where it was nice and cool and you got a nice breeze. That's where Doug was. His next youngest brother, Arthur, wanted Doug to get down. He wanted to get up there. He told Doug he had a match and Doug had better get down right away. Doug ignored him and soon the straw was engulfed in fire. The fire truck arrived from Port Credit to put out the fire and save the barn, which was only about 50 feet away. Luckily, the fire brigade knew the way to the Kennedy farm well, and there was no wind that particular day. Some two years later, the barn did burn

down, but due to spontaneous combustion in the hay-mow, not to one of the boys. One day Gordon, Doug's oldest brother, bought firecrackers from the local store left over from the May 24th celebrations. He kept them upstairs in a cupboard. Hal, the second youngest, wanted to see if those fireworks still worked, so he dropped a match in the box. Well, the fire department had to chop a hole in the roof to get that fire out.

1410

Doug was about 13 when he was enjoying doing odd jobs and chores on the farm. They had a very tame team of horses, which was referred to as a drowsy team in those days, and he was mowing hay on a very drowsy, warm day in June. As Doug would tell the story, on a drowsy day and with a drowsy team, he was holding the reins very limply in his hands. Suddenly, the horses bolted—a bee sting or something—and headed for the barn, which unfortunately was two fields away. The reins were jerked from his hands, and he held on to his seat for all it was worth. The horse and mower hit a small ditch, and when the mower came down, Doug was hanging on to the toolbox with his legs dragging behind the mower. The horses were heading for a gap in the headland on their way to the barn, and Doug knew there was a big rock in the gap. He swung around parallel and let go, rolling to a stop, unhurt. The horses passed through the gap, but the mower was smashed on the rocks. Life on the farm was never dull, and there were always lots of stories for the radio show.

Doug graduated from Port Credit high school and the Ontario Agricultural College, earning a bachelor of science degree in agriculture.

I mentioned his mother, Evelyn, being a very resourceful lady. She managed to get four of her seven boys through university. Doug graduated in 1940 from the Ontario Agricultural College and, of course, enlisted in the service, where he served for four and a half years. After that, he worked with returning veterans on the Veterans' Land Act, helping returning vets get established on farms across Ontario. He also served on the board of education in Peel and on the hydro commission before being elected to this Legislature.

Doug Kennedy was a man who served his country, a man who served his community and a man who served his province. Doug loved his family. God bless you, Doug. We'll miss you.

**Mr James J. Bradley (St Catharines):** I had the privilege of serving, in my early days in the Ontario Legislature, with Doug Kennedy. I think all of us who were here at that time recognized him as a very popular member of this Legislature as well as a person who was beloved by his constituents because of a genuine concern for his constituents. He had that combination, which is sometimes difficult to achieve, of being a very thorough, complete and assiduous constituency person while at the same time making a contribution within the legislative precinct, particularly in committees. Doug was selected by his party to serve on a number of what I would call significant select committees of the Legislature. As I look

at a former House leader across from me, my friend Mr Sterling, I must say that those were the good old days, Norm, of select committees, where specific items were put before members of the Legislature and they could concentrate on those and bury their partisan hatchets a little bit for a while and come up with a report. Doug was very good in that regard. Yes, he was a strong and loyal Conservative, but he was also an individual who could see the viewpoint of members of the other political parties and tended to be a person around whom you could coalesce in terms of what he had to say.

Unlike most in the Legislature now because of age, Doug served in the armed forces. I don't know if anybody in this House at this time has served in the armed forces, but he did serve in the armed forces. When his country called upon him, he was certainly prepared to serve in the armed forces and was very loyal to his country. I think that was the case. I remember he was from Mississauga, and I was talking to Margaret Marland the other day about this incident. Members of the government may not know this—particularly the newer members—but in those days, government members didn't ask questions. You know how they now ask what some might define, unfairly of course, as lob-ball questions, easy questions for the ministers—I've seen that with three different political parties, so I can say it's not unique to this government. Doug Kennedy, I remember, got up and asked a question, which was quite unique in the government benches at that time. Very few questions came from the government benches. They had to be recognized by the Speaker; there was not a rotation where the government members were entitled to ask a question.

I remember there was an issue that was very significant to his constituents in Mississauga, and Doug was prepared to get up in the House and ask the Premier of the province a question about it. I can tell you he didn't pull his punches when he asked that question. It was something rather revealing for the government, and the opposition of course was delighted that a government member was prepared to do that.

As I mentioned, Doug was very interested in a number of fields within this precinct. One was education, and it was because of his background. He used to talk about his days on the local board of education and on the local hydro commission as two areas where he had gathered some expertise at the local level, on the front line if you will, and was able to utilize that expertise when he got to the House as parliamentary assistant to the Minister of Education from 1976 to 1981.

The routine today is to move parliamentary assistants much more, but the Ministers of Education of the day appreciated Doug's expertise and support, and he managed to stay on as parliamentary assistant for the period from 1976 to 1981, and then in intergovernmental affairs, which was important because we were always involved and engaged in matters of national importance. The Premier and the Minister of Intergovernmental Affairs both required a person with his expertise and diplomacy

to be in intergovernmental affairs, and he was involved in that as parliamentary assistant in both the Davis cabinet and the Miller cabinet.

I notice he was on the Ontario Committee on Taxation. It was a select committee in 1968, an important committee and, I must say, one that has been there for a long time. Different governments have tried committees on taxation, and they've had varying results in terms of the reports being implemented.

He was a member of the select committee on economic and cultural nationalism in Canada from 1971 to 1975. He was on the select committee on highway safety—and Mr Sterling, as a former minister, and other ministers who have been involved with transportation would know that some of the ideas Doug came forward with were exceedingly important—and then on the Inco and Falconbridge layoffs.

Obviously Doug Kennedy's early days remained etched in his mind: his concern, his compassion for his constituents, his recognition that a lot of hard work is required by an individual to succeed when coming from a modest or perhaps financially poor background, that that is necessary, and he showed those attributes.

For 18 years the Legislature of Ontario was pleased to have Doug Kennedy as a member, as were his constituents, who were very loyal to him. He was not an individual who was invited to leave; he was an individual who left of his own volition at the point in time he felt was appropriate for himself.

To members of the family, to the constituents of Doug Kennedy, who will remember him fondly, we all offer our condolences, our sadness at his passing but our happiness that he was a contributor to our society and particularly to our province and his constituency.

**Mr Michael Prue (Beaches-East York):** It is my honour to stand here today to speak about Robert Douglas Kennedy, a man I unfortunately never had an opportunity to personally meet. I remember, though, coming here as a much younger man, when I was a student at the University of Toronto, just across the street, and watching the debates from 1967 to 1972. I remember when he became the chief government whip. I remember all too well those days. They were fractious, but I don't think quite as fractious as today. I remember Mr Kennedy speaking passionately in this Legislature for what he believed in.

He was a man whom I think all of us would admire and all of us would wish to have known. He served four and a half years in the Canadian Armed Forces, serving his country in times of war, and he rose to the rank of captain.

**1420**

After the war he did what most veterans did: they came back and tried to re-establish their lives. He took it upon himself to work for the federal government. I can empathize with that because I myself worked there for some 20 years. He worked helping veterans with the Veterans' Land Act and the Farm Credit Corp, and he did so with distinction and honour, choosing to leave only at

the time that he was seeking elective office to the Legislature of Ontario.

He served his community at the board of education from 1955 to 1963, and also at the Toronto Township Hydro Commission from 1963 to 1967. He knew and understood the people of Mississauga. He knew and understood local government.

In 1967, the centennial year, he was elected to the Legislature of the province. He was elected four more times after that. It is trite to say that he knew the people of Mississauga, and the people of Mississauga knew and trusted him. They elected him each and every time, no matter what the fortunes of his particular party. Whether it went up or down, he was there. They voted for him, they trusted him, and he spoke for them.

One has to look at what he accomplished as an MPP. I think his biggest accomplishment probably came at the time he was the chief government whip. He got the whip to be included in cabinet meetings and to be recognized within this Legislature for the important role that person takes on.

As a private member, he also introduced many bills. I don't know how successful they were but I do know that if you read what his private bills were, what his passions were when he was not constrained by the Legislature or by the party, he did an awful lot of things we can all be very proud of today. He tried to protect the personal privacy of Ontarians through personal privacy act changes. He tried—and succeeded, I believe—to get parking for the disabled. This was 20 or 30 years ago when one did not see disabled stickers everywhere and one did not see them in parking lots or on the streets. He also tried, unsuccessfully—and I think we may come to revisit it soon—a ban on non-returnable bottles, being a true environmentalist who realized how bad those non-returnable bottles are for the environment.

He leaves behind his wife, four children, 10 grandchildren and 12 great-grandchildren. In so doing, I think he leaves them not only with sorrow in their hearts that he is gone but a proud memory of a husband, a father, a grandfather and a great-grandfather who has truly made a remarkable contribution to the people of this province and this country. He served his country, his province and his community in times of war, he served them in times of peace, he made a mark on history and he fought throughout for what he believed.

I am reminded of a line from II Timothy, which I'm going to paraphrase: he fought the good fight, he finished the course, he kept the faith, and we are all thankful that he did so.

**The Speaker:** I thank all members for their kind words. I will ensure that copies of the Hansard go to the family.

**Ms Shelley Martel (Nickel Belt):** Mr Speaker, on a point of order: I seek unanimous consent for second and third reading of Bill 56, which is the Tommy Douglas patients' bill of rights.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

## ORAL QUESTIONS

### CONFLICT OF INTEREST

**Ms Sandra Pupatello (Windsor West):** My question is for the Premier. Premier, in November 2000, the cabinet appointed Mr Don Weiss both chair and CEO of the Ontario Pension Board. This board oversees the pensions of 66,000 current and former provincial employees. Under the law, the province is responsible for any deficit in this plan.

Before his appointment as the head of the Ontario Pension Board, Don Weiss was the executive director of the PC Ontario fund. Don Weiss was your biggest fundraiser. The Ontario Pension Board oversees \$11 billion in the pension fund. Is it appropriate to have the party's top fundraiser in a position to make investment decisions with taxpayer-guaranteed money? Premier, did you not see the potential for conflict when you and the cabinet approved this decision?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I think appointments are based on the ability of the individual who's being considered for the office.

**Ms Pupatello:** Beginning in October 2002, the Ontario Pension Board provided mortgages totalling more than \$150 million for a land deal in Brampton. I have copies of the titles and mortgages here: \$27 million to MCN Heritage in October; \$79 million to MCN Financial later that month; \$21 million to MCN Heritage in January; \$22 million more to MCN Heritage in February. All of these companies are owned and operated by Mario Cortellucci. Mario Cortellucci is the single biggest donor to the Ontario PC Party. Premier, could you please explain how you see your biggest fundraiser making a \$150-million deal with your biggest donor using taxpayer-guaranteed pension money as appropriate?

**Hon Mr Eves:** I think the Chair of Management Board can respond to that question.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** I'd like to address the first part of the question. Mr Weiss appeared twice before the standing committee on government agencies. As we all know, this is an all-party committee, chaired by the official opposition. Before going to the Ontario public service pension board, Mr Weiss had a 30-year career in the financial services field.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** How come he's lending money to Cortellucci?

**Hon Mr Tsubouchi:** Despite the yapping from the member from Vaughan-King-Aurora, when Mr Weiss appeared before the committee, Gerry Phillips from Scarborough-Agincourt, who is the critic for finance, said to him, "I have no doubts about your professional credentials." This is in Hansard, March 27, 2000. Clearly, as the Premier has said, Mr Weiss has the qualifications to deal with the pension fund.

**Ms Pupatello:** Premier, I would like to direct a question back to you. Your biggest fundraiser made a \$150-million deal with your biggest donor using taxpayer-guaranteed money. According to Professor Robert MacDermid at York University, Mario Cortellucci and his companies have donated more than \$1 million to the PC Party and leadership candidates since 1995. He owns Adams mine. Here's what Professor MacDermid said about big donors like Mario Cortellucci: "When you are giving huge sums of money to help political parties get elected, the perception, quite naturally, is that you are expecting something in return."

Mr Cortellucci gave your fundraisers \$1 million. Your biggest fundraiser lent him \$150 million—every penny of it guaranteed by Ontario taxpayers. Premier, how could you appoint your biggest fundraiser to a position where he can lend \$150 million to your largest donor?

**Hon Mr Tsubouchi:** I indicated the credentials Mr Weiss has. Let's talk about some facts here. First of all, the fact that the plan invests in real estate is not new. In fact, in 2002 it invested more than \$1 billion—that's "billion" with a "b"—in real estate. Secondly, the public service pension plan is the only major public sector plan that reported a gain in 2002. Clearly, this is an indication of the expertise there since we're the only major plan that had a gain. It has \$11.5 billion in assets in more than 500 different companies in more than 10 different countries. Clearly, results speak for themselves. When all the rest of the world's concerned about pension investments, this particular pension has the only gain in a major sector. So there you go.

1430

**The Speaker (Hon Gary Carr):** New question.

**Ms Pupatello:** Premier, you're responsible for avoiding these kinds of conflicts. I am directing my questions at you and I would like you to answer this question. This is not a typical investment deal. We've taken a very close look at these properties in question. These lands are located in the northwest Brampton planning area. It's raw farmland. There's no sewer connection. Brampton's planning report says that there's no anticipated growth within this planning area until the year 2026—that's 23 years from now. The property won't be developed for 23 years. According to the planning report, there's no guarantee that it will ever be developed. Your biggest fundraiser gave your biggest donor a \$150-million deal to develop land that won't be developed, maybe, for another 23 years. Premier, I ask you, responsible for this appointment and this conflict, why is your biggest fundraiser in a position to lend \$150 million in a deal to your largest political donor?

**Hon Mr Eves:** I'm sure the Minister of Finance can respond to the question.

**Hon Janet Ecker (Minister of Finance):** The honourable member well knows there are rules around pension plans in terms of the investments that can be made and the decisions that can be made by a board. If there is any question about this particular pension plan, we will certainly look into that.

**Ms Pupatello:** My question is for the Premier, and I'd like the Premier to answer this question. There is more going on here. Around the time that Don Weiss became the chair of the board, the Ontario pension plan changed their policy with regard to real estate purchases. The Ontario Pension Board 2001 annual report states, "OPB invests in income-producing real estate to provide stable long-term returns. Recently, we have identified opportunities to invest in alternative investments, such as private placements...." Before the time that Don Weiss arrived, this kind of investment wouldn't even be on the radar. Suddenly, the Ontario Pension Board is lending money to developers to engage in high-risk, 25-year speculation. Premier, why did this policy change, and what link is there to the arrival of your largest fundraiser to the Ontario Pension Board?

**Hon Mrs Ecker:** As the honourable member well knows, many pension plans invest in real estate and other issues in order to make sure that they are providing their pension members with a wide array of protection. This board is no different. If there is anything that is untoward here, the government will certainly be prepared to investigate it to make sure that the assets and investments of pensioners and the workers who are protected by this plan are indeed safe, to make sure that they have the pension plans that they have been promised.

**Ms Pupatello:** My final question on this is to the Premier. Liberals warned you at committee about this kind of appointment and said there could be a conflict. You were warned about putting Don Weiss in such a position. The facts are irrefutable. They are public documents found in the land registry office. They're from planning reports. They're from annual reports tabled in this Legislature.

Your government appointed Ernie Eves's biggest fundraiser to become the chair. The policy changed to allow riskier real estate developments once Don Weiss got there. Ernie Eves's biggest fundraiser then gave Ernie Eves's biggest donor a \$150-million deal to buy land. The land won't be developed for another 25 years, if that. The facts are clear. Your biggest fundraiser gave your biggest donor a deal valued at \$150 million. Premier, surely you have something to say about this kind of conflict going on in this province.

**Hon Mrs Ecker:** Again, as the honourable member well knows, pension plans must ensure that they're protecting the pensions of their workers. There are requirements—

*Interjections.*

**Hon Mrs Ecker:** They're not interested in listening.

**The Speaker:** We'll wait until they're quiet for the minister. Order.

Minister of Finance?

**Hon Mrs Ecker:** Once again, they are sitting there taking someone who has a 30-year career in the financial services sector, of whom their own critic said they had no question about his professional services.

There are rules around investments and pension plans. There are protections in place to make sure that—

*Interjection.*

**Hon Mrs Ecker:** Mr Speaker, the honourable member is yelling so hard we can't even hear ourselves speak over here. Goodness gracious.

There are rules protecting the pensions of the workers and the pensioners in this plan. As my honourable colleague the Chair of Management Board said, this plan has actually been more successful than other plans that are facing significant challenges.

If there is anything untoward that has occurred here, the government will be quite prepared to investigate facts, not the kind of speculation the party opposite indulges in.

## SARS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Today your health minister said nurses should "hunker down and get the job done."

Nurses, specifically the Registered Nurses Association of Ontario, have been asking your government to conduct a public inquiry into the re-emergence of SARS. They have stated very clearly that they raised warnings with hospital administrators and other officials early on that SARS was re-emerging in our hospitals, yet their concerns were ignored. They insist that there needs to be an inquiry so all the information can come out.

Premier, 31 people have now died. Thousands are under quarantine. Instead of telling the nurses to hunker down, don't you think it's time to listen to their advice and conduct a public inquiry so that all the facts about SARS can emerge into the public?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I said earlier today, and I'll repeat in the House this afternoon, that we are committed to an open and public process. We think the Ontario public has a right to know what goes on in their health care system.

As a matter of fact, less than an hour ago I came from a meeting with the RAO's Doris Grinspun, the ONA's Barb Wahl, the OHA's Hilary Short, the College of Nurses's Anne Coghlan, the College of Physicians and Surgeons's Dr Gerace and the Ontario Medical Association's Dr Boadway. We agreed on some basic principles: the public does have a right to know through some sort of process; whatever we do in terms of a process should not interfere with front-line services being provided to combat SARS right now; we should not be pitting one sector of health care workers against another as we go forward; and bearing in mind that there should be no duplication of the review of the system which is currently ongoing and being led by Dr Walker. I think that all in attendance basically agreed with those four principles.

**Mr Hampton:** Premier, there's a basic issue that nurses want to establish: nurses went to senior officials in the hospital system on May 20 and said they believed SARS was re-emerging in our hospitals.

You're talking about a review. But a review will not provide nurses with whistle-blower protection. This is

one of the concerns; nurses want to be able to tell the public what they suspected and when they suspected it.

A public inquiry such as Walkerton provides you with whistle-blower protection. You can come forward and tell the public exactly what you suspected and why without threat of losing your job.

This isn't about pitting one health care worker against another. This is about providing a process, a mechanism, whereby all the facts can be put on the public record. You're talking about a review, which doesn't accomplish that. We want a public inquiry, which provides whistle-blower protection for nurses so they can come and tell the public what they knew and when they knew it. Why won't you support that?

**Hon Mr Eves:** We are talking about two things: we're talking about the ongoing review, being led by Dr Walker, of the health care system in the province of Ontario and how we can adapt it in the future so it can respond to situations like SARS; and we're talking about a public process that would be open, where the public, including nurses of course, can come and talk about what's going on in the health care system and how we can make it better.

With respect to the second, virtually everybody in the room—with the possible exception of Doris Grinspun—including Barb Wahl of the Ontario Nurses' Association, said that they do not think a public inquiry is the best route, but do agree that a public process or mechanism of some kind is needed, as do I.

## 1440

**Mr Hampton:** Premier, the question is this: will nurses have whistle-blower protection or not? Will they be able to come forward and tell the people of Ontario the full facts, as they understood them, without threat of losing their jobs or without other disciplinary action? Nurses have said publicly that in at least two hospitals they came forward on May 20 and said, "We suspect the re-emergence of SARS." A quarantine was not issued until three days later, after many more people had contracted SARS, after many more people were very sick. So it's a critical issue, Premier. Do you support a public inquiry process whereby nurses have whistle-blower protection? Do you or don't you? Yes or no?

**Hon Mr Eves:** We are in favour of a public process, as is Barb Wahl, the head of the Ontario Nurses' Association, as is the Ontario College of Nurses, whereby nurses and other members of the public will be free to come forward and talk about whatever issues they have.

With respect to North York General Hospital, I'm sure the leader of the third party is aware that the CDC has been on-site since Saturday, and they are totally reviewing all the facts of that particular hospital.

## PENSION PLAN

**Mr Howard Hampton (Kenora-Rainy River):** A further question to the Premier: Premier, you will know that the trustee pension system, the co-operative pension plan in Ontario, is in serious trouble. You'll know that a

number of retirees have had their pension cheques more than cut in half. You will know that it is very clear that the Financial Services Commission of Ontario was part of the process of this pension failure because they failed to properly regulate what was happening.

There's a report in the Ontario Farmer that says your government might be prepared to put new money into the insolvent pension plan affecting the more than 2,300 co-operative employees and pensioners. These are people who paid their taxes, worked hard, made their contribution, but they are now suffering. Premier, on behalf of the 2,300 retirees, can you tell me if this report is true? Are you prepared to support that pension system so that the retirees can collect their pension? Yes or no?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I am sure the Minister of Finance, with the responsibility for pensions, can respond.

**Hon Janet Ecker (Minister of Finance):** As the honourable member well knows, staff have been meeting with the pensioners, and the regulator has been reviewing the windup report from the board of trustees. As the honourable member well knows, there were decisions made by the board of trustees; those are potentially the subject of a legal process. In the meantime, we are working with the co-op pension to try and find what solutions we can to help the pensioners that are involved here.

**Mr Hampton:** These people are out millions of dollars. Your government, the Financial Services Commission, watched while this pension plan deteriorated; it watched while the investment manager made incredibly risky investments with the pension system that should never have been invested in such a risky way. So the question is, are you going to support this pension plan financially or not? While you're at it, are you going to look at the other pension plans in this province that are equally in risky positions, and are you going to implement a reform of pension legislation and pension regulations so that what happened to the co-op plan doesn't happen to other pension plans in this province as well? Are you going to do any of those things?

**Hon Mrs Ecker:** First of all, the regulator was aware of this situation. As you well know, there are requirements for pension plans to report. When there are concerns that have been identified, the regulator moves in to try and resolve those concerns, as they have in this particular case. Our goal is to see what we can do to help the pensioners that are involved in this.

Again, as the honourable member knows, the decisions around a pension plan—the investments that are made, the process that is followed—are up to the board of trustees in this case. This is not a plan that has the benefits guaranteed, as the honourable member well knows. Today, he is sitting here expressing concerns about the status of pension plans in general. Well, maybe that concern should have guided his government before they made decisions in the early 1990s to relax the rules around payments into pension funds. So here we are in a situation where pension plans are having challenges be-

cause of the investment climate in meeting the commitments that they've made, and some of those challenges are attributable to the—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up. New question?

#### SARS

**Ms Sandra Pupatello (Windsor West):** My question is for the Premier. After the tragic events of Walkerton, a public inquiry was held in order to find out what went wrong and to ensure that the tragedy would never happen again. As an outcome, Justice O'Connor's Walkerton report is a road map for quality drinking water in Ontario. With the latest SARS outbreak, Ontarians and health care workers want to know what lessons would be learned to protect our health. The only way we can ensure that the tough questions are going to be asked, including questions around government policy that may or may not have contributed to the spread or the late closure of SARS—those questions simply won't be asked without a public inquiry.

For the last several weeks we've been asking you, Premier, for a public inquiry. Will you today stand in this House and tell us that you will call a public inquiry into SARS?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'm sure the honourable member was paying attention when I responded to the leader of the third party a few moments ago as to what we are prepared to commit to and what everybody in the room, including the Ontario Nurses' Association and the Ontario College of Nurses, agreed to this afternoon. Surely the honourable member is not going to play politics in the gutter with the lives of people in the province of Ontario.

**Ms Pupatello:** The questions that we have been asking have been tough questions, and it is hard for you to address these very difficult issues. We're talking about the public health of Ontarians here. We want to know: did the government call off the dogs too soon on SARS? Those are tough questions—questions you shouldn't be afraid to ask. I believe, and my party believes, that a public inquiry is the only way to get people to come to the table and speak and tell people the truth. I believe that it's the way we can get to the bottom of this. We can get to the bottom of how to prevent it in the future, how we can learn from this experience for the future.

Premier, it is perfectly reasonable for you to call a public inquiry. Do it in the name of the people who did die. Do it in the name of the health care workers who are on the front line. We don't believe it's unreasonable. We've done it in this House before. We have come with unanimity to the agreement that the Walkerton report helped us for the future regarding water. We are asking you reasonably. We are asking for a public inquiry into SARS.

**Hon Mr Eves:** We have committed, if she was listening to the response to the question asked by the

leader of the third party, to a review, which is going on in the health care system right now led by Dr Walker, and we have committed to an open and public look at what has happened and what could be done better as we go forward.

The representatives that I talked about earlier all agree that this is the correct approach. I don't know what more the honourable member wants. In fact, she would do well to listen to her own leader, who on Thursday in a CFRB interview said, "I don't think there's a lot to be gained in finger-pointing in terms of what happened with the second outbreak." I couldn't have said it better myself.

1450

#### FEDERAL FIREARMS REGISTRY

**Mr Garfield Dunlop (Simcoe North):** My question is for the Attorney General. One issue that my constituents often bring to my attention is the federal Liberal long gun registry. For many years now, many complaints—we hear them day after day, week after week—have been levelled at this complicated, costly and ineffective registry. This boondoggle registry is not an effective method of reducing gun-related crimes. Instead, it punishes and turns otherwise law-abiding hunters and farmers into criminals.

Could the Attorney General please inform this House and my constituents about what Ontario is doing to ensure that law-abiding hunters, farmers and other long gun users are freed from unnecessary persecution.

*Interjections.*

**Hon Norman W. Sterling (Attorney General, minister responsible for native affairs):** Members opposite are showing how out of touch they are with rural Ontario, with our hunters, with our gun club members and those kinds of people. This is still a very important issue to that constituent.

They laugh about a useless gun registry. They laugh about a billion dollars being wasted by our federal government when it could be spent on much better matters.

Our government wants to get tough on criminals, we want to get tough on people who use guns illegally, but this gun registry has done nothing for law enforcement or to take guns away from criminals. In fact, Toronto Police Chief Julian Fantino has stated on the issue of street crime, "A law registering firearms has neither deterred these crimes nor helped us solve any of them."

**Mr Dunlop:** It is disappointing to see how much the Liberal opposition despises rural Ontario citizens.

Whenever one of my constituents raises this issue to me, the gun registry's cost is always a factor. Even Jean Charest's own Auditor General, Sheila Fraser, has savaged Ottawa's cost, reckless spending and poor accounting practices. Allan Rock, the father of bill C-68, originally told Canadians that the long gun registry would cost only \$2 million, if you can believe that. Today, spending on this boondoggle has gone up to well over \$1 billion and counting. It has been an unmitigated failure, and it represents a shining example of what is

wrong with the Liberals' policy and the Liberals' lack of accountability to the taxpayers of our country. Instead of wasting the money of hard-working Canadians on the black hole of bill C-68, could the Attorney General please inform us what the federal Liberals should be doing to fight crime?

*Interjections.*

**Hon Mr Sterling:** They continue to laugh about a billion dollars wasted by our federal government on this issue of gun registry. Let's be clear about where the Liberals stand. In October 1998, Mr McGuinty said to us, the Harris government at that time, "Be it resolved that the Harris government fully implement the federal gun registry law in the province of Ontario." That's what the Liberals said. That was before the boondoggle. That was before we told the federal Liberals that this was going to be a boondoggle.

We believe that the federal gun registry is a waste of money, a waste of time, and an affront to law-abiding citizens who want to hunt and enjoy nature in this beautiful province of ours. This government will not stand behind the registry.

*Interjections.*

#### EDUCATION LABOUR DISPUTE

**Mr Gerard Kennedy (Parkdale-High Park):** My question is for the Premier. Would that you could work up some of this enthusiasm on behalf of the 69,000 children in Toronto Catholic schools.

Last week, Mr Premier, you said you were postponing an election in deference to the fact that 69,000 kids were out. Well, today is the 12th day of failure for you—the 12th day when you have not succeeded at restoring school to these 69,000 children, by your choice.

You know, Premier, that the bill we introduced would have put those kids back to work a week ago, and there isn't a single benefit to those children that arises from hanging on till your bill can pass tomorrow.

Premier, I would like you to stand in this House today and explain to those children, to their parents, many of whom went to school today anticipating it should have been there for them, why it is you have extended this lockout and why it is you're against a peaceful solution to get those kids back to their schools with some stability and goodwill in their classroom.

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The honourable member and everybody on that side of the House could have supported our bill 12 days ago and voted unanimously for second and third reading on the same day.

What is it about our bill you don't agree the teachers should be providing in the classroom?

**Mr Kennedy:** The Premier stands in his place unable to say one thing in his bill, not a single thing. Some of his members opposite have been pretending that somehow it would end work-to-rule. Our bill would restore relations in schools and work-to-rule. Why won't you pass our bill?

A week ago you could have passed our bill and put kids back to school. Instead, Premier, you appeared in an expensive pre-election ad campaign about banning strikes and lockouts. Instead, you brought in the first bill in this House to seek unanimous consent with a poison pill in it.

Premier, again, stand in this House and explain to the 69,000 children how it is that you've held them up, taken school away from them for an entire week, and you haven't got one single benefit for those children when your bill passes tomorrow after 13 days that you took their school away from them.

**Hon Mr Eves:** The honourable member knows full well that the teachers in the board he's talking about were locked out. He knows full well that two weeks ago he could have had the courage to stand up in this House and vote for our bill—but you didn't have the guts to do it, did you, Gerard?

Talk about playing politics with the issue: it took them a week to draft a new bill. What is it about this bill that we have that you disagree with? Do you agree that teachers should fill out report cards? Do you agree that they should administer tests? Do you agree that they should be meeting with parents and teachers? Do you agree that they should be participating in co-op education? Do you agree that they should be attending graduation ceremonies? If you do, vote for our bill; vote for it today. We can do it by unanimous consent.

#### ARTS AND CULTURAL FUNDING

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Minister of Culture. Last year I recall your announcement with Premier Eves that demonstrates this government's unparalleled commitment to cultural institutions in this great city of Toronto. In total, I recall that you committed \$233 million for a number of institutions around the city.

Minister, I understand that last Wednesday you and Premier Eves took part in the official groundbreaking ceremony at the Royal Ontario Museum, which I believe arguably is the most prestigious museum in the country, and that this museum received more than \$30 million from the commitment that you made last year.

I know that ROM has undertaken a very elaborate capital project, funded in part by the Ontario government, and I understand that this is one of the many cultural corridor projects that Premier Eves announced in the spring of 2002.

Minister, can you tell this House why this project is so important to cultural development in Ontario?

1500

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** I would like to thank the member for Scarborough Centre for the question. I also want to compliment Her Honour Hilary Weston on her abilities with a backhoe, which was quite interesting.

At the groundbreaking, the CEO of the ROM, William Thorsell, spoke about the ROM being the promise of

possibilities. I had to think to myself what that actually meant. When I think about it, the Royal Ontario Museum is probably our most inclusive institution of diversity in this country, because no matter who you are or what your background is, the ROM certainly has the ability to indicate something about your background. So what does this mean? I believe this celebration of diversity will certainly lead us to more understanding of all our various and diverse cultures here in Ontario. This, in turn, results in a great degree of harmony within this province. This is important for many reasons, but the major reason is that the Royal Ontario Museum is a vehicle of diversity, but also sets a tremendous aim and future for our youth.

**Ms Mushinski:** Thank you for that response, Minister. It sounds like we have a real treat in the new crystal design, which is something we can look forward to. I'm sure the new wing will indeed be a stunning addition to the city, and I'm very excited about seeing its completion. In fact, I plan to watch its progress as I walk past the building, which I often do, and on-line by way of a Web cam showing its up-to-date progress.

I know that government money alone is not enough to fund a large-scale capital project like this, and that it depends on the generosity of people like Mr Lee-Chin, who recently made an incredibly generous \$30-million donation to the museum. I also suspect there are a number of other individuals and corporations who have taken advantage of the numerous giving opportunities associated with this project. What can you tell this House about some of the other donors, and how can people make a contribution to this wonderful project?

**Hon Mr Tsubouchi:** I'd like to add my thanks to Mr Michael Lee-Chin for his contribution of \$30 million to this very important project for the city of Toronto's cultural institutions. I'd also like to applaud the Premier and his leadership in ensuring that the province also contributed \$30 million to this project.

It's not simply a matter of the province and the big contributors—and there are a lot of them. All three chairs of the museum—Jack Cockwell, Jim Temerty and Liza Samuel—each gave \$5 million. But it's also about the small gifts they've been receiving as well. I had an opportunity to speak to one of the volunteers who was recalling to me that when he was 10 years old, his mother took him to the Royal Ontario Museum—this was about 40 or 50 years ago, he said to me—and since that point in time, he's been a volunteer and has been giving to the museum. Here's an example of how any member of the public can give to the Royal Ontario Museum, which is a tremendous institution for all of us in this province, if not the country.

#### PICKERING NUCLEAR GENERATING STATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier.

**Interjection:** Gone.

**The Speaker (Hon Gary Carr):** If we could stop the clock.

**Mr Hampton:** If not, I'll ask the Minister of Energy.

**The Speaker:** Continue.

**Mr Hampton:** Minister, last Friday at 5:30 in the evening, after most of the press gallery had gone home, you issued an announcement that you're going to hold a review of the financial and energy disaster at the Pickering nuclear station. People across Ontario wanted to see an independent, neutral and respected party conduct that inquiry. They were hoping for the Provincial Auditor, who has already conducted a review of the Bruce nuclear station. Did they get the Provincial Auditor? No. What they got were three people who are already associated with failures in the nuclear industry. This doesn't look like a review or an inquiry; this looks like a whitewash. Why wouldn't you appoint a respected, neutral third party who already has some experience in this? Why did you appoint three people who are tied to previous nuclear failures?

**Hon John R. Baird (Minister of Energy, Minister responsible for francophone affairs):** I think it is regrettable that your leader, Ms Churley, chooses to really slap down the credibility of three outstanding individuals.

I think anyone who has known Jake Epp, the former federal Minister of Energy, knows him to be someone of high honour and credibility.

Another member of the team served as secretary to cabinet in both the NDP and Liberal governments. Peter Barnes is a very well recognized and respected former public servant in Ontario.

We also felt it was important to have someone with some nuclear experience. I think Dr Robin Jeffrey, who has a PhD in this field, will bring a lot of experience from his role as chairman of Bruce Power, which has been an unqualified success. If you read the Toronto Star, it highlighted that success.

I find it regrettable that the member opposite makes this an issue of personality rather than the issue at hand.

**Mr Hampton:** Minister, Robin Jeffrey, one of the people you have appointed, presided over the debacle known as British Energy in Great Britain. In fact, on Friday, November 22, 2002, the Edinburgh Evening News said, "Troubled British Energy Ditches Top Man in Shakeup." Who did they ditch? Robin Jeffrey. This is a company that had to borrow \$4 billion from the British government in order to stay afloat. You're going to appoint him to conduct an inquiry of Pickering.

Then there's Jake Epp. What is Jake Epp's history? Well, while he was Minister of Energy, he persuaded the then Liberal government in Ontario to pour several million dollars into nuclear projects—someone also tied to the nuclear industry.

Minister, this is a project that is \$1.5 billion over budget. It's three years late. All kinds of people argue that there are serious management problems, if not a financial scandal going on. Why wouldn't you appoint a neutral, independent, respected, experienced third party like the Provincial Auditor? Why did you go out and find two people who are tied to the nuclear industry, who presided over—

**The Speaker:** I'm afraid the member's time is up.

**Hon Mr Baird:** It seems the leader of the third party says that someone with experience in nuclear technology or nuclear physics shouldn't be involved in a review of a nuclear power plant. I find that of great interest.

I think we're very pleased with the Honourable Jake Epp, a well respected, well regarded person of outstanding character and judgment, who worked very well with all three political parties during his tenure as Minister of Energy; as did Peter Barnes, someone who served all three parties in government very capably, someone of outstanding moral character, a distinguished public servant in Ontario as well and recognized as such.

We felt it was important, as part of the review, to have someone with nuclear experience, and I think Dr Jeffrey certainly brought a wealth of experience as chairman of Bruce Power in Ontario.

#### TRANSPORTATION PLANNING

**Mr David Caplan (Don Valley East):** My question is for the Minister of Municipal Affairs and Housing. Minister, I and many others long suspected that your Smart Growth exercise has been about political cover and not about vision.

When you released your central Ontario strategy, you claimed that you were fully committed to implementing its recommendations. Weren't municipalities and panel members alike shocked to see your government's Bill 25? Your own Smart Growth panel members, Mayor Rob MacIsaac of Burlington and Debbe Crandall, are both on record opposing this bill. Why? Because Bill 25 drastically changes long-standing rights of municipalities to plan and manage community growth, including the right of appeal to the OMB. It also eliminates environmental assessment in establishing major new highways. Maybe you can explain to me how you reconcile Bill 25 to your Smart Growth plan. The provisions of this bill repudiate your own so-called growth strategy and your commitment to consultation. Does this mean, as I believe, that Smart Growth is a sham, or were you simply asleep at the switch when this bill came to cabinet?

**Hon David Young (Minister of Municipal Affairs and Housing):** I thank the member for his thoughtful and respectful question, but I think it's more appropriately directed to the Minister of Transportation.

**Hon Frank Klees (Minister of Transportation):** I'm pleased to respond to the individual. I would strongly suggest, first of all, that the member take the time to read the legislation. The legislation makes it very clear that in no way is the environmental assessment process interfered with through Bill 25. What it does is give a long-term perspective to planning, which there hasn't been in this province for many years. That's what it does. What it does do is allow us to identify, for the first time in many years, where potential corridors should go with regard to traffic in this province.

1510

Any decisions that are made will, in fact, be subject to the environmental assessment process. Please tell your

people that. Let's inform the people out there that what this is about is smart growth, consistent with Smart Growth—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up.

**Mr Caplan:** I have read the minister's bill. Clearly, he hasn't. Subsection 2(5) of Bill 25 permits the Ministry of Transportation to designate the location of highway corridors in complete isolation from other planning and environmental considerations. Read your own bill. All rights of municipalities and the public to participate in these decisions under the Environmental Assessment Act are eliminated. Instead, under your bill it will be a Ministry of Transportation bureaucrat who will make these decisions for all of us. This is completely outside your Smart Growth principles.

Debbe Crandall said that Bill 25 makes a farce of Smart Growth. Mayor Rob MacIsaac is challenging the bill with your environmental commissioner, alleging that the posting of this bill by the Ministry of Transportation on your Environmental Bill of Rights registry is "highly misleading."

Admit that this part of the bill is a big mistake. Agree to do the right thing and withdraw Bill 25.

**Hon Mr Klees:** Either the member doesn't understand or doesn't want to understand, and insists on perpetuating facts that are simply untrue. The fact of the matter is that this bill subjects itself fully to the environmental assessment process. Any recommendations, I might say to you, that would in fact be recommended, either by the Ministry of Transportation or the Ministry of Municipal Affairs and Housing, would take their lead from the Smart Growth planning process. It is not up to the Minister of Transportation to simply make a designation.

What we are saying, and what the bill clearly states, is that any recommendations that are made would be subject to the environmental assessment process and, I might say, the expropriation procedures in place in the province today.

Read the bill. We'll help you understand it. I will offer to provide the member, and any other members, an opportunity for a complete briefing on—

**The Speaker:** I'm afraid the minister's time is up.

#### WORKPLACE SAFETY FOR STUDENTS

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Labour. Minister, the school year is ending. What are you doing to protect young workers on the job this summer and throughout the year?

**Hon Brad Clark (Minister of Labour):** I thank the honourable member for the question.

**Mr James J. Bradley (St Catharines):** Do you have the answer right there?

**Hon Mr Clark:** Are you going to listen? It would be a first time.

As Minister of Labour, young worker health and safety is a priority for the ministry and for me personally.

That's why we publicly challenge students, employers and parents to make this summer an injury- and illness-free one. We're calling it the "Safe Summer Challenge for Young Workers."

Specifically, I say to the employers: make sure your workplace is as safe as it can be. You have that responsibility to provide appropriate training and supervision for young workers.

To the parents: talk to your sons and daughters about safety on the job. Make sure they're getting the training that they require for the tasks that they have.

To the young workers: check out our new Web site that is dedicated to Ontario's young workers—[www.worksmartontario](http://www.worksmartontario). Remember the lessons that you learned in the Live Safe! Work Smart! program that we introduced in the secondary school curriculum. Say no to unsafe work. It's your right. Do not do anything that you believe can put you in danger.

**Mr Miller:** Some people have recently suggested that there is no component for workplace safety in Ontario's secondary school curriculum. But I know this is not the case because you've just mentioned the Live Safe! Work Smart! program that high school students have been receiving.

Can you tell me about your involvement with this program?

**Hon Mr Clark:** I want to thank the honourable member for the question. Again, it allows us to address this misconception.

Health and safety lessons are included throughout the high school curriculum. Students from grade 9 to grade 12 learn critical safety messages in science, career studies, technology and five other subject areas. The Ministry of Labour, along with the Ministry of Education, created the Live Safe! Work Smart! program to provide health and safety resources to all Ontario teachers to help make sure our students are safe on the job. The program is supported by Ford of Canada and the Canadian Auto Workers union. The goal of the program is to encourage a feeling of empowerment among young workers to inspire them to understand and exercise their rights and responsibilities for workplace safety. Working together, we can achieve that goal to ensure that all our young people come home safe after this summer.

#### SCHOOL CLOSURES

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the Minister of Education. Your funding formula is geared toward larger schools and larger classrooms. All the research shows that this is not better for children. Your appointed supervisor claims that by closing schools in Hamilton, he will be able to improve the quality of education in the classroom. This isn't true. School closures are happening too quickly and are premature. Hamilton parents are concerned that the remaining schools will not be able to accommodate the influx of students.

Your supervisor also believes that our schools are somehow disconnected from our communities. A good

example is Woodward school in the north end. Minister, at the very least, I ask you to visit this school and I know you will personally reverse the decision. They are at 105% capacity. Children from working class parents—hard-working people—go there. A large percentage of the children are English-as-a-second-language. Wonderful community programs are fed through that school. It is the community; it is the hub of the community.

Minister, do you agree with your supervisor when he says that the quality of life in our community is not his concern?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I think it's very important to keep in mind that school accommodation reviews have always been the norm in this province. They occurred under Premier Peterson and under Premier Rae; they continue to this day. It has always been incumbent upon school trustees to do an accommodation review to determine where new schools will be required, renovations required, additions required and, in other cases, where school closures are going to take place.

When they do so, they do so in consultation with the local community so that there can be ample input from the local community. I might let the member know that school renewal and maintenance spending is up by \$1.14 million this year. Obviously, the accommodation review that is taking place is taking place in a way that school accommodation reviews have always occurred: in consultation with the community. Having said that, I can tell you that school closures are always difficult.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Dominic Agostino (Hamilton East):** My question is to the same minister. Minister, your supervisor under your direction has basically ordered a closure of 1,900 spaces in Hamilton. What you've done is you've ordered the closure of numerous schools. You don't get the difference between school closures because they're not in the best educational interests of the kids and school closures because you've put a bounty on the heads of those kids.

You have said that for every one of those kids you displace, for every one of those 1,900 spaces, the board will get an additional \$590. That is a bounty you've put on the heads of those kids. What you're saying is that it doesn't matter if it's in the educational best interests of those kids; if you don't close those spaces, then you're not going to get additional money. You're destroying communities, Minister. You're pitting community against community, neighbourhood against neighbourhood. Your formula is flawed. It doesn't work. It hurts kids; it hurts neighbourhoods. You don't seem to get it. I challenge you to come to Woodward Avenue school and tell those parents, where it's at 105% capacity, that it's in their best interest to close.

**Hon Mrs Witmer:** I understand full well that school closures are always difficult. I don't think there's ever been a school closure that hasn't been difficult. But I would remind the members opposite that we have had school closures under Peterson, 1985-90, 184 schools; under the NDP, 1991-95, 134 schools.

I would just let you know that since 1998 to September 2003—this is with the new funding formula—school boards will have built about 316 new schools, undertaken over 291 additions or major renovations, and 200,000 new pupil spaces have been created since 1998. We've reduced portables—

**The Speaker:** I'm afraid the minister's time is up.

1520

#### SPORTS FUNDING

**Mr Bert Johnson (Perth-Middlesex):** My question today is for the Minister of Tourism and Recreation.

*Interjections.*

**Mr Johnson:** For anybody that's interested, I can talk into this microphone, and the people watching TV will hear it, but nobody across the way is paying any attention whatsoever.

My question today is for the Minister of Tourism and Recreation, the Honourable Brian Coburn. He represents Ottawa-Orléans. The good news about this is that there's something good going on in the city of Hamilton. I'm surprised I haven't heard any more about it this afternoon, especially from the member for Hamilton Mountain, and that is that I've heard a lot of rumours that Hamilton is vying for the Commonwealth Games in the year 2010.

Minister, my question is, knowing that our government has always been interested in sports—very supportive and so on—could you tell me what our government is doing in support of giving the games bid—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up. Minister?

**Hon Brian Coburn (Minister of Tourism and Recreation):** I tell you, there's not too much that escapes the scrutiny of the hard-working member from Perth-Middlesex.

You're absolutely right. There was good news in Hamilton this week: the bid for the Commonwealth 2010 Games. We have been solidly behind that from the get-go. We provided \$500,000 initially to help prepare the bid package. That culminated in an announcement last Monday in Hamilton, where I was joined by the Honourable Brad Clark and the Honourable Frank Klees to announce \$500 million in support of the Commonwealth Games. I want to also add the great work that Minister Klees, Minister Clark and my parliamentary assistant, Wayne Wettlaufer, have put into this initiative. The funds announced cover infrastructure renewal and new infrastructure operating costs. That also goes toward promoting programs for amateur sport and the enhancement of amateur sport here in Ontario.

**Mr Johnson:** Thank you, Minister, for that answer. It's obvious that Hamilton is the only choice for 2010, and I look forward to seeing athletes, not only from our home but overseas, competing in the great city of Hamilton.

The financial commitment from our government is great news for Ontario athletes. Could you tell me more

about the other support the government is giving for sports in this province?

**Hon Mr Coburn:** The Eves government is dedicated certainly to promoting leadership, commitment, dedication and teamwork in our province's athletic sector to help create role models for Ontarians and all ages. Last year we committed about \$148 million for sport and recreation in the province of Ontario. That's a huge investment for our young athletes, through innovative programs like SuperBuild, culture and tourism programs, the foundation for athletes, and sport training programs. We've recently embarked on developing an Ontario action plan as well, in concert with the federal government and our provincial counterparts right across the country. That helps create a comprehensive strategy for successful sport development here in Ontario. We've also taken on managing the Ontario Games program. Our government certainly has always understood the importance of community sport, and we continues funding many worthwhile community sport and recreation programs.

#### SCHOOL FACILITIES

**Ms Marilyn Churley (Toronto-Danforth):** My question is to the Minister of Education. Minister, once again under your government, people are getting hit in the pocketbook and communities are being undermined.

Your hatchetman, Paul Christie, wants to charge parents for parking when they fill their vehicles with equipment and stay to watch their kids play baseball, soccer or whatever on school grounds.

First you force the boards to charge much higher fees for community groups using our schools, and now you want to charge them for parking. What's next? A cover charge to watch the games? What's worse: meanwhile, how much do MPPs pay for parking at Queen's Park? Zero. Zip.

Minister, this is wrong. We get free parking, yet your henchman is going to start charging parents to stay at their school grounds to watch their kids play. Why don't you call your Conservative buddy and tell him to drop this community-killing fee today?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I can understand that the member is upset. In fact, I would say to the member opposite, I was very surprised to read in the paper today that this decision had been made.

I have since had the opportunity to follow up to find out what's really going on as opposed to speculating on what's going on. I have learned that it's going to be a pilot project in July and August at about 14 or 15 schools. It is intended for people who park there in order to commute and use public transportation. It's like a public parking lot, and people who are using the school facilities will not be paying any parking fee. If it's determined in August that they won't continue, they won't continue. But I knew nothing about it until today

and I wanted some answers, and that's what I have learned.

#### HOUSE SITTINGS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: I will seek unanimous consent to move a motion respecting tomorrow's sitting time.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Stockwell:** I move that notwithstanding standing order 9 and any other order of this House, the House may continue to meet beyond 6 pm tomorrow in order that the Speaker may put the question on government motion number 28, standing in the name of Mr Eves, at 5:50 pm should that be called as the first order of the day, and that immediately following that vote a new sessional day is deemed to have commenced and the order for second reading and, if necessary, third reading of Bill 28 may be called, and following the disposition of Bill 28 the Speaker shall adjourn the House until Wednesday at 1:30 of the clock.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS

##### HEALTH CARE FUNDING

**Mr James J. Bradley (St Catharines):** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Health Canada approved Visudyne on June 1, 2000, as therapy for the treatment of the wet form of age-related macular degeneration; and

"Whereas clinical trials have demonstrated that this treatment safely and effectively stabilizes vision loss in 67% of patients and improves visual acuity in 13% of patients; and

"Whereas patients requiring therapy using Visudyne face a cost of \$1,750 for the drug and \$750 for the clinician procedural fees each time therapy is administered, and to complete a full therapy cycle, a patient would be required to pay \$15,000 to preserve his or her sight; and

"Whereas the Ontario Ministry of Health in May 2002 announced Visudyne funding criteria that is not retroactive to June 1, 2000 and effectively excludes 80% to 90% of all eligible patients who suffer from macular degeneration;

"Be it resolved that the Ontario Ministry of Health immediately change its unfair restrictions on macular degeneration patients and reimburse those patients who have used their own financial resources to receive this vital treatment."

I affix my signature. I am in complete agreement.

## ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** “To the Legislative Assembly of Ontario:

“Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

“Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

“Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

“Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents; and that birth parents rarely requested or were promised anonymity;

“We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to:

“Permit adult adoptees unrestricted access to full personal identifying birth information;

“Permit birth parents, grandparents and siblings access to the adopted person’s amended birth certificate when the adopted person reaches age 18;

“Permit adoptive parents unrestricted access to identifying birth information of their minor children;

“Allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; and

“Replace mandatory reunion counselling with optional counselling.”

Of course, I will affix my signature to this petition.

1530

## ITER FUSION PROJECT

**Mr John O’Toole (Durham):** It is my pleasure to present a petition on behalf of my residents and constituents in the riding of Durham.

“To the Legislative Assembly of Ontario:

“Whereas the proposed ITER fusion research facility would result in 68,000 person-years of employment and an estimated \$9.4 billion in foreign investment;

“Whereas ITER would bring international scientists and researchers to Canada and place our nation in the forefront of new developments in research and technology;

“Whereas ITER is strongly supported by business, labour, educators, elected officials and citizens throughout Durham region, the host community;

“Whereas the province of Ontario has already recognized the economic importance of ITER to Canada and the world by committing \$300 million to support the Canadian ITER bid;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the Parliament of Ontario take the necessary steps to strengthen the Canadian bid for the ITER research facility, including the commitment of more funds and other resources to support a successful Canadian bid; and that the province of Ontario ask the federal government to show the leadership and commitment necessary for Canada to win the ITER bid.”

I present and sign this in support of my constituents and their request.

## TRANSPORTATION PLANNING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** “To the Legislative Assembly of Ontario:

“Whereas the government of Ontario proposes to pass legislation known as the Smart Transportation Act (Bill 25) and this legislation will, if brought into force, have the following ... detrimental effects on the environment and the citizenry of ... Ontario: removal of important environmental safeguards currently in place during the planning and/or construction of major infrastructure projects such as new highways, removal of the democratic rights of Ontario citizens to participate in hearings and other meaningful consultation during the planning and/or construction of major infrastructure projects, removal of current rights of municipalities to control their land use planning and to have access to remedies when those rights are infringed during the planning and/or construction of major infrastructure projects such as new highways;

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

“That the Legislative Assembly shall use its powers to ensure that the Smart Transportation Act (Bill 25) is not passed and is not brought into force.”

I’m pleased to give this to our wonderful page from the great riding of Ancaster-Dundas-Flamborough-Aldershot, Kaitlynn-Rae.

## HAZARDOUS WASTE

**Ms Caroline Di Cocco (Sarnia-Lambton):** I’ve brought to this Legislature over 5,000 signatures from my constituents who have signed the following:

“To the Legislative Assembly of Ontario:

“Whereas Clean Harbors, the former Safety-Kleen, is trucking in highly toxic sludge from Sydney, Nova Scotia, to Ontario;

“Whereas the Clean Harbors, formerly Safety-Kleen, hazardous landfill and incinerator is the only facility on the North American continent that has a permit to landfill untreated hazardous waste;

“Whereas Ontario has become the dumping ground and haven for toxic hazardous waste;

“Whereas it is not in the best interest of the people of Ontario to import hazardous waste; and

“Whereas this Clean Harbors site near Bridgen will have long-term consequences to the environment, to human health and eventually contaminate the ground-water;

“We, the undersigned, petition the government of Ontario to stop the landfilling and disposing of untreated hazardous waste in Ontario and stop the shipment to Ontario from the Domtar tank in Sydney, Nova Scotia.”

I affix my signature to this petition.

#### TRANSPORTATION PLANNING

**Mr David Caplan (Don Valley East):** I have a petition to the Legislative Assembly of Ontario. It's very short. It says:

“Whereas Bill 25 eliminates the Environmental Assessment Act provisions from new highway planning, freezes property rights along new highway corridors, and enables the Minister of Transportation to override local municipal plans and zoning;

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

“That the Legislative Assembly shall use its powers to ensure that municipalities and landowners continue to have the power under the Environmental Assessment Act to participate in—and challenge—economic, planning or social impacts used in planning new highways or transportation corridors, and that the evaluation of air and water quality, toxic runoff and increased congestion impacts continue to be assessed, and that Bill 25, as presented to the Legislature, and as a matter of public urgency, be defeated.”

This petition is signed by Barbara Sullivan of Campbellville. I wholeheartedly agree with it, and I too have affixed my signature.

#### HIGHWAY CONSTRUCTION

**Mr Ernie Parsons (Prince Edward-Hastings):** “To the Legislative Assembly of Ontario:

“Whereas the Ministry of Transportation has designated certain routes for a proposed mid-peninsula highway, and the major proposed route would cut a swath through the Niagara Escarpment, a UN-designated biosphere reserve;

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

“That the Legislative Assembly shall use its powers to ensure that there are no new cuts through the Niagara Escarpment to create a new highway, and that the Niagara Escarpment will be protected, as envisioned in the Niagara Escarpment plan, for current and future generations.”

I am pleased to add my signature to this petition.

#### HYDRO RATES

**Mr Michael A. Brown (Algoma-Manitoulin):** “To the Legislative Assembly of Ontario:

“Whereas the Harris-Eves government has mis-managed the electricity policy of the province of Ontario;

“Whereas last fall the McGuinty Liberal call for rebates, although fiercely rejected by the government, gained huge public support. With no options open, the government introduced and passed a plan to rebate \$75 to customers and place a cap on electricity commodity prices at .043 per kilowatt hour;

“Whereas Mike Brown, MPP, has been fighting for rural rate assistance;

“Whereas the Ernie Eves government forces Great Lakes Power customers to pay into a fund for rural rate assistance; and

“Whereas rural rate assistance would reduce the distribution bills for customers by hundreds of dollars each year;

“Therefore we, the undersigned, support the efforts of Mike Brown, MPP, to have the rural rate assistance program extended to the Great Lakes Power service area immediately.”

These petitions are signed by hundreds of my constituents, mostly from the Wawa area.

#### EDUCATION

**Mr James J. Bradley (St Catharines):** I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas the Conservative government has spent over \$385 million to fire teachers and education workers in our public school system;

“Whereas there are 26% fewer teacher-librarians and 22% fewer physical education teachers in our schools today than there were in 1997;

“Whereas the Eves government diverted over \$100 million in federal transfers for early childhood development into tax cuts for corporations and slashed all new grants for child care spaces;

“Whereas there are almost 40,000 students with learning difficulties waiting to be assessed by a professional;

“Whereas a study by the Ontario Institute for Studies in Education at the University of Toronto says that ‘teachers are demoralized, student achievement has stalled, and school and school districts report great difficulty in meeting local needs’;

“We, the undersigned, call on the Eves government to return peace to our public school system and return \$1.6 billion in essential services that has been removed from the public education system and used to pay for misguided corporate tax cuts and partisan government advertising campaigns.”

I affix my signature. I'm in complete agreement with the sentiments expressed in this petition.

1540

#### AFFORDABLE HOUSING

**Mr David Caplan (Don Valley East):** I have a petition entitled “Fair Rent Increases Now.” I want to

thank Joyce Richardson and all the residents who signed these and submitted them to me.

"To the Legislative Assembly of Ontario:

"Whereas the number of tenants receiving above-guideline" rent "increases is growing exponentially, and;

"Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

"Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

"Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

"Whereas tenants should not be receiving rent increases where there are work orders issued for the building;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline" rent "increases once the bills have been paid."

I'm in complete agreement with this petition, and I have affixed my signature.

#### HIGHWAY SAFETY

**Mr Michael A. Brown (Algoma-Manitoulin):** I'd like to thank Andrew Baird of Bruce Bay Road in Bruce Mines for assembling these petitions and sending them to us.

"To the Legislative Assembly of Ontario:

"Whereas Highway 17, known as the Trans-Canada Highway, between Ripple Rock on the west and Mink Point Road on the east in the township of Johnson, is unsafe, particularly in light of the fact that school buses enter and exit on to this stretch of the road to serve a secondary school of 650 students and an elementary school of 150 students; and

"Whereas there have been several accidents, the latest of which resulted in the fatality of a 16-year-old male;

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

"That the Ministry of Transportation do immediately make changes to the signage, speed limit, width of lane and/or install caution lights in order to make this section of this highway safer for our students as well as for all travellers on this section of the highway."

I agree with this petition. Many of my constituents, from Thessalon, Desbarats, Echo Bay, even Richards Landing and many places on St Joseph Island, have signed this petition.

#### LONG-TERM CARE

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario. This is a petition that arrived some time ago, but I feel I should read it into the record.

"Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks" dead "last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan" way back "in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

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

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I affix my signature. I'm in complete agreement with the sentiments expressed by the folks who signed this petition.

#### ORDERS OF THE DAY

##### TIME ALLOCATION

**Hon Brad Clark (Minister of Labour):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 28, An Act to resolve a labour dispute between the Ontario English Catholic Teachers' Association and the Toronto Catholic District School Board and to amend the Education Act and the Provincial Schools Negotiations Act, when Bill 28 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, at such time the bill shall be ordered for third reading, which order may then be immediately called; and

That, when the order for third reading is called, the Speaker shall put every question necessary to dispose of

this stage of the bill without further debate or amendment; and

That no deferral of the second and third reading votes pursuant to standing order 28(h) shall be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Speaker (Hon Gary Carr):** Mr Clark has moved government notice of motion 29.

Debate?

**Mr Alvin Curling (Scarborough-Rouge River):** I know my critic for education will be here soon and he will be speaking and putting some good lights to this bill itself.

I listened very carefully as the member put forward this closure motion. It is becoming quite a habit for this government to put closure, shutting down democracy itself. It's common for this government to do so. I'm going to ask my colleagues to add to all this as I go along.

I want to emphasize to the people outside that we have now ceased to talk about the motion before us, Bill 28. The government has now locked the students out from going to school—as a matter of fact poisoning the environment, and even inviting the students to go back to school without any teachers, who have been locked out. Therefore, eventually, they have locked those students out of school.

In all this time allocation time, we could have had this bill in place for a long time if only the government had put the Liberal bill in place, which is a very clean bill that would not in any way have played any kind of politics in all of this. It's very regrettable.

What I feel about education is that it is a very strong cultural subject. It's a subject about our people, our expression and our education. This government has now played so much politics in all of this that we find ourselves again in this mess that this government has put us in. Because of the politics this government has played for all this time, since they have taken charge, we now find ourselves debating about time allocation.

I think it was last September when the Toronto Catholic school board was negotiating its contract, and nothing was done then. At long last, here we are in May—as a matter of fact, in June—eight days into the negotiations, and what has this government done? The school board decided, after eight days of talking, to lock those teachers out, eventually locking the students out, they, in turn, losing their time of education. It is regrettable. It is regrettable that the poisoned atmosphere this government has brought to education has now caused these students to almost lose their year.

I have heard many members on the other side talk about putting students first, and that is far from the truth. If this government was serious about putting students first, they would not have locked 69,000 students out of the schools. I know the parents today are pretty upset about that. If you speak to the teachers, they want to be in the classroom. They want to be with their students. They

have known those students over the years and they know their dreams and aspirations. They have worked with them. This board, working along with the government, which supported them very strongly, has now locked those students out.

**1550**

I am very disturbed about this. In the area I represent, Scarborough-Rouge River, I know that these parents are wondering now if these opportunities are lost to their children. Will they be able to regain that momentum, that relationship they have with their teachers? Will that relationship they have with education, their love for books and all that—many of them will be turned off. I think it's about time this government stopped that game of poisoning the atmosphere of the educational field so that people and children can have a better education. It is pathetic.

But as I always said, when democracy has been manipulated in the way this government has, the hope we have is that when an election is called, the people out there would have the right sense about them—which I know they do, because the people are always right—to elect not to replace this controversial, poisonous atmosphere that this government has put forward, and select a government like Dalton McGuinty's, which has put forward a very constructive way to have a better environment for education. I am confident that when the time comes for an election, when we start to educate our children in our society, we will have a better society and not the angry environment that this government has done.

I am so scared about what I see in the government's plan, The Road Ahead. The road ahead for students, the road ahead for faculty, the road ahead for the education system is full of potholes, bumps and bad turns, and if we continue in this respect, we will have a bad economy and people all fighting each other.

I want in my time here just to emphasize the fact that if we can vote today, ask and call the motion that we put forward—Dalton McGuinty and Gerrard Kennedy have advocated so strongly an environment in which we can have good education—we could be there today. We would have been there eight days ago and the children would be back in school, but this government seemed not to have done that. I just want to make my contribution in that respect and say how upset I am that now we have come back again to close the motion, to a shutdown of democracy, which is a part of this government all the way, to make sure that we are unable to express our views in regard to the way in which they are going.

**Mr Joseph Spina (Brampton Centre):** I want to take a moment to discuss this ongoing labour dispute affecting the Catholic elementary school teachers and students of Toronto. As you know, approximately 69,000 students are out on the street. Instead of being in class and learning, they and their parents are helpless pawns in a struggle between the teachers' union and the school board.

We have introduced legislation that, if passed, would allow the teachers to go back to the classroom, legislation that encourages the teachers' union and the board to get back to the bargaining table.

This act that we've had the allocation motion for represents the decisive action the Ernie Eves government is taking to ensure students are able to complete their studies without the threat of school year disruptions because of strikes, those hideous lockouts or so-called work-to-rule campaigns. We all know that a lost day of instruction is a lost opportunity for success.

Many people are concerned about this current labour dispute, most notably parents. They want to know that their children are getting the best education available. They want to see report cards and test results. They want to be assured that if their children need extra help in a subject, it will be available to them. They want to see their tax dollars pay for education, not for a power struggle between the teachers' union and the school board. But most importantly, they see their children's futures at risk.

This government is not prepared to sit idly by while these children, these students are left out on the street. That is why we have taken action and introduced the bill and, as well, this time allocation motion to put this bill through.

If passed, this bill would put an end to the practice of using students and their parents as bargaining chips in contract negotiations. It protects students and their opportunity to learn and succeed. The Eves government has taken action to bring labour stability to Ontario's schools by implementing these particular phrases.

We've already invested almost \$700 million to provide 6% increases to teachers' salary benchmarks. Clearly, then, the problem is not solved by throwing money at it. The problem needs strong and decisive action. That's what we are doing.

The Eves government believes that strikes, lockouts and work-to-rule campaigns in schools, even for one day, have a detrimental effect on students, their parents and the broader community. McGuinty and his Liberals would rather bow to union pressure than make the decisions necessary to put the children and their families first.

Let's get the students of the Toronto Catholic District School Board back in school while the board and the union work to resolve their differences without affecting the classroom. Let's put the students of Ontario above the disputes between the adults. Let's work together to get these students back in the classroom.

This government takes the education of children very seriously. The members on this side of the House take the education of our children seriously. We know that teachers are dedicated professionals who want to be in their classrooms, teaching. My wife has been a high school teacher for 29 years. I myself have spent 12 years at the front of the classroom, teaching. We do not want to be on strike. We do not want actions that we know are detrimental to the education and safety of our students.

The fact is that classroom disruption is occurring and the time for classroom disruption must and will be over. Our goal is to ensure that students receive the education they deserve, without the threat of school year disruption

because of strikes, lockouts or so-called work-to-rule campaigns. That's why we have taken action.

We believe we have listened to the requests from parents and teachers alike and we have responded with this proposed legislation that requires teachers to do things like complete report cards and participate in graduation ceremonies and parent meetings. I agree that these elements are part of the responsibility of being a teacher because, let's face it, the teacher is the one responsible for ensuring that the children are able to do the best they can. Furthermore, it should be there that the teachers are also the ones who are responsible for communicating with parents the progress or lack of progress that these children have made in the classroom. That's why a complete report card is a report card. Anything less is not a report card.

Participating in parents' meetings is a critical element of the responsibility of teaching. It's important that full, complete and open communication remains in place with the parents of the students.

It's despicable that school boards have the opportunity to lock teachers out. This legislation would stop the lockouts. It would prevent work-to-rule campaigns from happening within that board and allow the board and the union to work together to resolve their differences, along with the assistance of the Ministry of Labour's arbitrators and negotiators.

This legislation makes sense. School boards should not—I repeat, should not—have the power to lock teachers out, because they then become the culprits in causing a problem with the learning process of that child. This legislation puts those student needs above the others.

#### 1600

Do you know what's quite interesting? The Liberals don't think so. They oppose this. They opposed the introduction of the bill, they opposed the elements of the bill in debate, they opposed it in second reading and, again today, they oppose it on the time allocation motion.

As I stand here before you today, students are being used as pawns. They're being manoeuvred in a high-stakes chess game played by the teachers' union and by the school board. The union and the board are fighting with each other, in order to do what? To win a game. But no matter who emerges as the victor, the student pawns end up being discarded at the side of the board, and that's not fair.

The members opposite support this battle when they could have chosen to end it weeks ago. They believe it's OK to keep 69,000 students on the street, that administering tests and writing comments on report cards are not in fact part of a teacher's job. How can you give half a report to a parent? Does a C+ mean anything without an explanation? Does an A- mean anything without an explanation? Does a mark of 70 mean anything without an explanation? Hardly. It really doesn't mean anything. It means the child gets a mark or gets a letter. But I, as a parent, surely would like to know why my child got 70 when I think that child perhaps could be achieving more;

or surprisingly, finding that my child scores a mark of A-, B+ or an 85 or whatever it is, I'd like to know why that child achieved—I can guess, perhaps, as a parent, but I think I've got a right to know why my child has been able to achieve or not achieve that level. I should have a right to be able to speak with my student's teacher to get an explanation.

The members opposite support this battle when they could have ended it weeks ago. As I said, they think it's OK to keep the students out on the street and that administering tests and comments on a complete report card is in fact not part of the teacher's job. The Liberals and the NDP believe it is just and proper to use children's education as leverage to deny children the opportunity to learn. The Liberals and the NDP believe the demands of the teachers' unions should supersede the rights of Ontario's children and their families. They believe that the demands of the teachers' unions should supersede the rights of the children and their families. We say that's enough. Enough is enough.

We need to legislate an end to this labour dispute, and all others, and make sure we can put teachers and students back in the classroom where they belong, to do what all teachers just want to do: their job. Teachers teach because they want to teach. They want to do their job. They're happy to do their job. They want to work with children, and they should be entitled to work with their teacher.

This proposed legislation contains a fair, balanced approach to getting an agreement between the union and the board. The two sides have not been able to reach an agreement between themselves, so this bill brings in a mediator-arbitrator to settle the items that are in dispute and bring resolution. This bill provides for the two parties to agree on that mediator-arbitrator between themselves—not an imposition from the government, but to agree on a mediator-arbitrator between themselves. Only if they were unable to agree between themselves, as is standard practice in labour law in Ontario, would the minister step in and have to appoint one. This is fair; this is balanced; this is a historical mechanism for settling labour disputes. This gets teachers and students back in the classroom where they belong. This is the right thing to do. The Liberals oppose it; the NDP opposes it. Let's act to do the right thing by putting the needs of these children first. We must pass this act.

**Mr Gerard Kennedy (Parkdale-High Park):** It is important to join this debate. It is a sad use and abuse of this House that the government members would stand here and talk about urgency and, even more galling, invoke urgency on behalf of 69,000 children whom they could have prevented from being locked out. These people could have done that, because it's their machinations, taking out expensive TV ads the very day this lockout happened. The only turmoil anywhere in the province to be found, and there was Ernie Eves on TV with advertising, trying to take advantage of this particular circumstance. It is an abuse of this House to have the government tell us that now they want to expedite things,

now they want to take care of business. Well, we have watched this government suffer through 13 days—as we head toward tomorrow—of deducting their education away from the children of this particular school board, and all for the most petty political gamesmanship that has possibly been seen in this House. There have been other things perhaps more severe in their impact, but there has been nothing as bald as some of the statements this government has put forward on behalf of this particular initiative.

This initiative from the turmoil team is intended to have one effect. One of the members opposite used the words “sit idly by.” They are nailed to their chairs by the sharp tacks that run their campaign, thinking they can have this dispute go on. This bill in front of us, which purported to help kids, instead was put to this House for one express purpose, that is, to delay and prolong the lockout taking place in the Toronto Catholic board. It is very clear that this government is prepared to enter into a stunt against these children. That's how strongly they apprehend.

We had, for example, one of the members from Scarborough say the other day that this bill was needed to restore certain things in classrooms. In fact, each of these members opposite knows—or if they don't know, then it's even more telling, but they do know—that this bill is not required. In fact, the special provisions they've stuck in their bill, which have held up this lockout, which have supported this lockout—and every member opposite has been careful to support the lockout taking place by this board, an almost unprecedented lockout in the early stages of a dispute. This lockout has been supported by a bill that pretends to do one thing and does something else completely different.

Bills like this have been passed in this Legislature by every stripe of government, and they've done it when it's been apprehended that the children's interests needed to be put first. In this particular case, it was the phony lockout that caused us to want to see an end to this.

Would the government assist and abet in any way in ending the phony lockout? It would not. It brought instead a portion of this bill called part II. Some of the members opposite, including the member for Scarborough Centre, stood up and said, “This is necessary to help the kids get their report cards.” That's not even in the bill. In fact, any back-to-work bill would restore report cards and all of the normal functions. We've had each of the members here stand up and say something to their constituents out there that they know doesn't pass the test of actually being required. Instead, they would actually stall these children from getting back into their classrooms, actually stand in the way of teachers being able to go back to work, not to mention the ill will they're trying to sow among the 3,500 teachers in this particular board, all for a fairly desperate political ambition.

What happens when this government tries this kind of gambit, tries to coordinate its political advertising with the turmoil they've been able to arrange, and then

perpetuates that turmoil, all in favour of trying to incite people around an election, and the election doesn't happen? What happens then? This, I think, is very illustrative, because it shows, quite frankly, the kind of government we're dealing with, a government on its very wobbly last legs. This is not a government that admits its mistakes. This is not a government that, when put into a corner, actually has the courage or integrity to come back to people and say, "We'll fix this. We'll do something about it."

**1610**

I think there are many people out there wondering—parents in the Catholic system, some of the teachers—and we have here in the gallery a couple of brand new teachers. We haven't heard about some of the new teachers and some of the average teachers in this—people who have worked very hard to get their education. Any reasonable people in this province will concede that teachers don't teach for the kind of things that are at dispute or have been forced to be in dispute in this particular bill—not for the money, not for the privileges. Their starting wages are on the order of \$35,000. An average wage is around \$53,000 for people in whom we've put the trust of children. But these members would play games with those kinds of people who need those salaries. They would support locking them out and then support perpetuating the lockout in the bill we have in front of us.

They would hide in this bill something that they knew was designed to guarantee this bill could not pass. Why? Because they put something in this bill that would harm children in London—and these members would support that—that would harm children in Kitchener, that would harm children all around the province, because it would have the effect of giving this government the power to declare any duty they want to ascribe to teachers as subject to penalty if it isn't carried out by teachers.

This is a crossroad for a government that, I guess, finds itself in desperate circumstances. It's prepared, as it was in the past, to make some kind of strange arrangement to sit here at Queen's Park, push a button and things would get better in the playgrounds and the classrooms and so on. Maybe at one time they believed this, but they know better now. They have tried some of these things in the past.

What happened the last time they were going to force things to get corrected in terms of extracurricular activities was that 430,000 high school students lost extracurricular activities. Not one backbench government member roused himself on behalf of those kids. They waited for eight or nine long months. They sat by and watched their government go through exactly this kind of machination, this kind of power and control struggle.

People are fed up with this government's power and control initiatives around schools. Every time you turn around there's someone from the Progressive Conservative Party creating turmoil in schools. People have had enough. They're fed up with this kind of manipulation. The government can exercise its political desperation someplace else.

If this bill had integrity, it would contain ingredients for a peaceful resolution. Those ingredients are well known and available. If this government had integrity, they would be seeking, finally, at the end of their term, after having cost 24 million lost school days—in fact, sadly, thanks to this particular lockout, supported and perpetuated by this government, we've added almost another million days: 69,000 children times 13 days is 875,000 lost days that each of the members opposite bears responsibility for, because they couldn't buck the trend, they couldn't stand up to their political masters, they couldn't say to the campaign strategists, "Don't do this. Don't engineer a lockout just to support the campaign. Put the kids and their parents in a position of some respect."

It's very clear that there should have been, from a government with integrity, a proposal for real multi-year contracts—three and four years—without this kind of gamesmanship on the part of the government. They go to a well—and thankfully, from what we're hearing out there, they go there too often—to draw the seeds of discontent and spread them around. Well, people are fed up. There are many people out there who don't have kids in school, and they're fed up watching a government only able to make a mess of the situation in our schools. They have, unfortunately for this government, a respect that is fundamental for both public education and the people in whom we put the trust to publicly educate our children.

The people opposite play with that. They would instead put a big stick in this particular bill. They would put a stick in that bill because that's all they know. They think they can manage the government just by punishing and blaming people. For eight years we've seen not just the fact that that's wrong but how hilariously ineffective that is. The government can't make anything work. There isn't a single initiative they can point to that actually has brought about the results they promised.

In education we have kids going backwards; we have kids with special needs scoring lower on test results. The only test scores this government won't talk about are their own EQAO test scores. Literacy tests have gone backwards this year. The government will not speak to that. They will not talk about their own lack of achievement, because they won't do what this bill confirms: they will not take responsibility for kids doing well. If they did, either singularly or as a group, we would have seen the peace plan in this bill: not enforcing, not blaming, not punishing, not pointing fingers, but rather setting up the conditions where we start fighting ignorance in this province rather than having people fighting against one another, where we stop blaming school boards and teachers but rather get people focused on the real challenges we've got.

In grade 9 today, 25% of the kids are headed for dropout and this government accepts that. Some 60% of kids who took applied math failed their standardized tests, and a similar number are struggling to get their credit. Those, in future, are the kids who need to get into technological courses, and they can't be exorcised for

that. Instead, they subject this Legislature to an abuse of process, to give us a bill we could have had weeks ago, in the guise of an expedited closure motion—which this government does like some other people breathe—cutting off debate.

I can understand why they don't want debate. In the final analysis, this exists to perpetuate their anti-, bashing stance against people who are in public education. They've taken their stand. Each member opposite will vote this month again for a private school tax credit that will undermine every single publicly funded school we have in this province. And it's designed that way; it's meant to do that. Seventy-five per cent of the \$500 million has been plucked out of the taxpayers' pockets and given to private, secular schools. That's specifically and explicitly the kind of education they see in the future of this province. It's not well-supported public education; it's not education without turmoil and strife. That's not on the agenda for the Progressive Conservatives of Ontario. Instead, what we have from this government is, very clearly, both a commitment to very little on behalf of public education, a strong commitment to private schools—and if anybody wondered, at the same time they're committing \$500 million, they are subscribing to only 31%, less than a third, of the Rozanski report. In each of their communities, these people sent you to look after their kids, to look after their students, and you come back with this bill that would take away extracurricular activities by trying to legislate what they could have for free. Is that the best this caucus could muster? Fifty-eight people came in and said, "This is all we could do." Well, I tell you clearly that this is not the kind of bill that will involve the advancement of children in this province. Instead, this is a bill that is meant to roll things backward into the kind of turmoil this government has become well known for.

I close my remarks by asking for unanimous consent for our Bill 61, a bill that would send teachers back to work, that would end the lockout this government has perpetuated, that would in fact end the work-to-rule—it would have all the positive conditions for all the children who are affected. I think in a few moments time we'll find out whether this government is really prepared to do something worthwhile on behalf of 69,000 children, their parents and 3,500 teachers whom they've been so glad to exploit politically for the last 13 school days.

I'd like to seek unanimous consent for support of Bill 61, An Act to promote stability and end turmoil in the Toronto catholic board.

**The Acting Speaker (Mr David Christopherson):** Is it agreed? I'm sorry, I heard a no.

Are you concluding your remarks now?

**Mr Kennedy:** With that obvious show of the government's position, I conclude my remarks.

**Mr Michael Prue (Beaches-East York):** I wish I could say it was a privilege to be standing here to debate this bill, but I think there are a thousand other things this government could have brought forward had they put forward a clean bill, which this of course is not. In fact,

this is a bill dealing with a lockout. Speaker after speaker on the government side stands up and talks about striking teachers and speaks against the union and about unionists taking action to the streets. This is not the reality of what is happening here in Toronto. The reality is that a majority of the 12 members of the Catholic school board have voted to shut the schools and stop the teachers from teaching. That is what is happening here. What this bill attempts to do is try to ram through in order to further weaken the teachers, further weaken their union. I would suggest it's playing with the children as pawns.

**1620**

A little bit of history about what is happening here is in order. We only need to go back to May 12. On May 12, the board rejected the union's request for a sweetening of what was being suggested under collective bargaining. In fact, when they rejected that, they also reduced the amount that they had previously offered to the teachers back on April 24. The board stated that the outstanding issues that the parties had discussed were no longer on the table for proposals and then locked out the teachers on May 16.

On May 21, this government introduced the bill, but before introducing the bill a couple of things happened. They changed the immigration—excuse me, I've got that on the brain today—they changed the Education Act by putting in conditions by order in council without debate in this House. They bought time on the airwaves to talk about their proposals for the upcoming election, which were clearly going in exactly the same direction as this bill. What they did not do is go to the Education Relations Commission at all. That's usually what happens before bills are introduced and legislation is introduced to force teachers or any other group back to work. One has to go before a body like the Education Relations Commission to exercise its jurisdiction to determine whether the education of students is in jeopardy. Of course this was not done, because this bill was politically motivated; it was motivated to try to form a wedge between the government and the opposition, to try to get the people out there to think that somehow the opposition was keeping the kids out of school.

Quite frankly, that has not happened at all. As a member for a Toronto riding, one of the 22 ridings, we have had very few people call us, e-mail us or write us on this issue. Those who do are almost universally opposed to this government and what they are attempting to do. Far from this being a wedge issue, people are seeing it for what it really is. This is a government bill that is designed to shore up one of their platform planks for the upcoming election. The parents are extremely cynical about what is happening, and the teachers know for sure, each and every one of them knows for sure, what this government is attempting to do and why they're attempting to do it.

If that did not make matters bad enough, the teachers' union has gone back and requested voluntary arbitration under section 40 of the Labour Relations Act to end the lockout. The board rejected this offer even though 69,000

students would have gone back to school. The board appears to prefer this bill, because this bill is precisely what the board intends to do. They are in tandem with this government. The board and this government are in tandem with the steps that they will take in order to force the teachers back to work and to stop the teachers from taking actions which are democratically allowed in our society.

You ask how all this came about. I would suggest all this came about because this government intended, I think quite maliciously, to use the teachers and the Catholic school board in Toronto to their own political ends. Certainly the students have not asked that their teachers be locked out. Certainly the parents have not asked that the teachers be locked out. Certainly the teachers themselves do not wish to be locked out and have done everything humanly possible to try to get the stalled negotiations up and running again. They have agreed to voluntary arbitration. They have now taken the unprecedented step, which I will talk about later, of going to court in order to end this. It is primarily the board and this government that are responsible for the lockout.

I've heard speakers, particularly on the government side, talk about boards that are dysfunctional. They often use this in the description for the Toronto public board, which has been anything but dysfunctional. It has, though, been a board that has been willing to take on this government when they are wrong. They are willing to stand up for the students, the parents, for the schools, for the system, for seniors' educational opportunities, to keep the schools open and sometimes even to keep the school swimming pools open. They are willing to fight for the people of this city.

However, the Catholic board has been far less forthright. There are 12 trustees and I have had, I guess, the privilege of appearing before them on two occasions.

The first was to ask that they not close three schools that serviced the students of Beaches-East York. The board, in a very strange set of circumstances, had a tie vote that night, six to six, on whether to close the schools down. One of the board members, a certain trustee named Mr Stefanini, decided he could not live with this. He didn't know how to vote. So he absented himself and went home in the adjournment period. Therefore the vote was six to five to close down the schools. You will remember, members opposite, that the parents, the teachers and everyone were extremely upset with the actions of the board that night, and went to court. The court in its wisdom determined that the actions of Mr Stefanini and of the Catholic school board were illegal, and ordered a brand new hearing to determine the fate of all the schools in Toronto that might be closed down.

There was a second full round of hearings at which I appeared. This time Mr Stefanini stayed in his seat. At the end of the night, in what can only be described as the bizarrest of circumstances, they voted again, this time by a seven-to-five vote, to close down the schools. In doing so, they did not listen to the parents, the students or the teachers, precisely as they do not listen today to any of

those same groups. The issue may have changed slightly—the closure of schools versus the lockout of teachers—but the same process and the same mentality is being used. It is that board that is dysfunctional and it is that board to which the government is giving its allegiance, not to the people who are working hard for our students and for the benefit of our community.

The majority of the members at the Toronto Catholic school board seem only too willing to follow what this government has set out, only too willing to agree with the lockout, wait for closure and wait for the vote tomorrow because the reality is, they do not know what they are doing. This government is using the opportunity to attack our teachers, the workers in the schools and the poor students, just as they have attacked teachers, immigrants, workers and the poor with other policies. This is legislation to force the teachers back to work. It is not just arbitration, but to institute an agenda to have more cuts, an agenda that they want to put forward in the election.

I listened to some of the honourable members opposite when they stood up to speak. They said, "What are you opposed to? There are only five things that we want to put in here." One of them is to administer tests; another is report cards; another is graduation exercises; the fourth one is the transfer of marks and the last one is parent-teacher meetings.

With respect, this is a smokescreen. The teachers already administer the tests. The teachers already write the report cards. The teachers already do the graduation exercises and, in fact, a good deal more public relations with the community than just graduation. I went to a school, albeit not a Catholic school, and the teachers were out in force for the 100th anniversary of that school that I attended just a couple of weeks ago. The teachers already transfer the marks; and the teachers welcome the opportunity at any time to meet with parents in order to discuss how the children are doing.

#### 1630

We come down to, why is this happening? This is happening because this government is intent upon crippling the rights of a very large group of workers in this province, crippling the rights that they have under the Constitution, crippling the rights that they have guaranteed by charters signed in the United Nations and the International Labour Organization that they can belong to a union and bargain collectively.

I know too well what the attitude is here. Prior to being an elected full-time politician, I worked for some 20 years in the immigration department. You've heard me talk about that before, but what you haven't heard me talk about is the one time in all those 20 years that we were forced out on strike. It was during the time of Brian Mulroney—you know, the guy you were all cheering there the other night, the guy you were all down there to cheer. But remember that the people of this country do not cheer for him. Remember, the people of this country look upon him with disdain, and a great many with disgust, for the years that he was Prime Minister.

I will tell you one of the reasons why they do that. I remember only too well as a federal civil servant going

with my union asking for a very modest raise, a 2% raise when inflation was more than that. I remember going out and starting to talk about how important we thought we were to the government and to the people of Canada in the immigration department, in customs and in all the other groups that were affected.

We had the temerity, first of all, to work to rule for a little while and then we had the temerity to go out on strike. We were out on strike only a couple of days when the government of Brian Mulroney decided to legislate us back to work, much as this government is attempting to do it. But I will tell you that he was probably even worse, because what he did in the legislation is, he legislated us back to work with a two-year contract with no increase at all, and at the end of two weeks of striking we were back in our seats at our government offices, having struck for two weeks and having no increase at all—not an opportunity to bargain collectively, not an opportunity to discuss, not an opportunity to increase our take-home pay—nothing at all.

Every civil servant in this country vowed on that day, I am sure, to defeat the Mulroney government, and I am proud to say that every civil servant played their part and that the once mighty party of John A. Macdonald went down to a party of two, and that it has never really ever recovered again.

**Mr Frank Mazzilli (London-Fanshawe):** Isn't that good for democracy?

**Mr Prue:** That's democracy.

The same thing may happen here today. When you trample on people's rights and you do it so arbitrarily, when you do it without taking into account their legislative rights, when you do it without taking into account their rights for free collective bargaining and they have those rights, when you try to take away what is necessary for functioning within this society, then you trample on people. If you trample on them, they will fight back.

Indeed they are fighting back. They have filed an action in the courts. The applicant, the Ontario English Catholic Teachers' Association, has filed with the court. I'm going to read some of what they're asking for, and I think they have an excellent case. I don't know how long this is going to take, but they are filing for bad-faith bargaining against their board. They have involved, in a great many aspects, this government.

They are requesting:

“(1) A declaration that the respondent, the Toronto Catholic District School Board, has violated sections 17 and 70 of the Labour Relations Act.

“(2) A declaration that the respondent's lockout was unlawful in that it was declared for an unlawful purpose, ie, to avoid its duty to bargain in good faith imposed by section 17 of the act.

“(3) An order that the respondent cease and desist from violating the act.

“(4) An order that the respondent:

“(a) return to the bargaining table to bargain in good faith and make every reasonable effort to make a collective agreement.

“(b) rescind its offer with respect to wages, first tabled on May 12, 2003, and all subsequent offers.

“(c) resume bargaining from its offer of April 24, 2003.

“(5) An order that the respondent shall forthwith post and mail a copy of a board notice in the established form to all employees in the bargaining unit.

“(6) Damages bearing interest to the members of the applicant for lost salary and benefits for each and every day of the unlawful lockout.

“(7) Damages bearing interest to the applicant for all losses it suffered as a result of the unlawful lockout, unlawful bargaining and unlawful interference with the applicant's representation rights.

“(8) Such further and other relief as counsel may advise and the board deem appropriate.”

What this means is that the teachers know the inevitability of what this government is going to do tomorrow, and they are seeking redress through the only avenue left open to them: they are seeking redress through the courts. They believe, and I believe, that they have been wronged. They believe that this board, which I think is dysfunctional to the greatest extent of any public education board in this province, is wrong. They also believe that this board is in collusion with this government and that the board is using this opportunity to hide behind Bill 28.

Bill 28 is nothing more than a smokescreen. It's nothing more than the cynical attempt of this government to try to mould public opinion against the teachers, who work so very hard with our students. It's nothing but a cynical attempt to do what Mr Snobelen said so long ago, and which has been borne out so many times, to “create a crisis in education” in this province so that you can change it to some way that suits your purpose. It is a long-standing and, it seems, never-ending attack on the public school system of this province. There are 69,000 students who have been held hostage for something no more than your failed attempt to get at the teachers and their union in this province.

It too will fail. It will fail just as Brian Mulroney in the end failed. It will fail because the people of this province—teachers, parents, students, educators, workers and anyone who is paying any attention at all—recognize that the reason these teachers have been locked out for these 13 days, the reason they are out there with placards, is because this government is pushing them there—a place they do not want to be.

I stand here unequivocally on the side of those teachers. I stand here saying that what they are doing in standing up for their rights is correct. I want those students back to school just like everyone else.

It would have been very easy for this government to have done the right thing and come to a mutual agreement with all parties. Instead, you chose the side of the dysfunctional school board, sending the teachers back with five conditions, as if they did something wrong. You did nothing to the school board. Why didn't your legislation say that the school board has to treat the teachers with respect, as a first item, or that, number two,

they have to bargain in good faith, or, number three, they have to act in ways that are of benefit to the community? None of those things were added. Instead, you took the party that is being wronged—the teachers, through their union—and you are trying to put conditions on them. They are not on strike, they are locked out, and the people who are perpetrating this—your partners—appear, from everything you have said, to have done nothing wrong at all. Well, the people here in Toronto know they have and the people will remember when it comes to the next election.

1640

**Mrs Margaret Marland (Mississauga South):** Following on from the previous speaker, the member of the NDP, who says he stands unequivocally for the teachers: well, you know what? I stand unequivocally for the students.

What we have said in this bill absolutely is that the teachers and at least the union and the school board have to get back to the table. In the meantime, the students must be allowed to return to their classrooms.

All members are well aware that the Toronto Catholic District School Board has locked out its elementary teachers because they haven't been able to reach an agreement at the bargaining table. This ongoing labour disruption has quite simply ground this part of the education system to a halt. This is a needless disruption. Teachers, parents and their children are suffering from a labour dispute that has been dragging on despite the efforts of this government to legislate a fair and amicable solution.

The impact of this disruption has been felt in many areas. It has forced parents to scramble to find adequate daytime care for their children who should be in school. Some parents who haven't been lucky enough to find adequate supervision have been forced to take time off work, time away from their jobs, so that they can look after their children while the teachers' union and the board do battle over wages.

Of course, it doesn't end there. As bad as the situation is for parents, we cannot forget the effect this needless disruption is having on the children. These children are slowly being robbed of their education. Each passing day that sees them sitting idly at home is a lost opportunity for success. This situation is unacceptable. These children belong in the classroom.

Our government believes that our children are our future. By needlessly denying these children access to the classroom instruction they deserve, we risk jeopardizing their future and ours. Our government has introduced legislation that, if passed, would allow the teachers to return to the classroom, legislation that encourages the teachers' union and the board to get back to the bargaining table. If passed, this legislation would get students back into the classroom, where they belong. It would get teachers back into the classroom, where they want to be. It would allow parents to sleep at night knowing their children are back in school, getting the instruction they need to succeed.

Our children's education is a top priority, not only for this government but for all Ontarians. We have introduced this proposed legislation to protect our children's education, to protect their very future. This ongoing labour dispute needs to be resolved.

I'd like to point out to all members that we are now into the month of June. The last few weeks of the school year are upon us. These are vital weeks. These children have been out of school 11 days as of today, and yet there are almost 69,000 of these students out on the street because their teachers simply are not in school, and their teachers are not in school because the union that represents them and the school board that employs them can't agree. A handful of adults can't agree, so 69,000 students are out on the street. Is that fair? It doesn't seem like it. Each day of instruction lost is a lost opportunity for success. On that, I think we can all agree.

I stand here today to call on all members to support this bill and put the needs of the children above all others. The time for classroom disruption is over. This government's goal is to ensure that students receive the education they deserve, without the threat of school-year disruptions because of strikes, lockouts and so-called work-to-rule campaigns.

To meet this goal, it is clear that a fair and amicable solution must be reached, and it must be reached now. That is what our proposed legislation allows for: a fair and amicable solution. Our legislation was first introduced two full weeks ago, at which time we asked for unanimous consent. We asked all parties in this House to agree to passage of second and third reading upon the introduction of our bill, which of course is first reading. Guess what? The opposition did not support our request for unanimous consent.

Let's get the students of the Toronto Catholic board back in school while the board and the teachers' union work to resolve their differences without impacting classroom instruction. Let's get the students back in the classroom to finish out their school year, a school year that has already been interrupted by this needless dispute. We believe that parents and teachers want their students back in the classroom. We believe in putting students first.

The Ernie Eves government has made education a top priority. That is why we have continued to invest in the education system. This next school year, we'll invest \$15.3 billion, which will increase to \$16.2 billion for the 2005-06 school year.

We have also introduced Ontario students to a new, more rigorous curriculum and province-wide standardized testing, to better prepare them to compete in today's global economy. We have done this because we are committed to maintaining the highest standards in education, and I may add that is a commitment of our teachers as well, but their unions are not permitting them to be in the classrooms where they can teach. Our proposed legislation is simply an extension of this commitment.

The Liberals and the NDP have opposed our legislation. They are opposed to protecting children's educa-

tion. They are opposed to having teachers administer tests and write comments on report cards. They are opposed to putting students first.

I implore all members to stop this needless dispute, join us in making children's education a priority and act to pass this legislation. Let us come together for the children. Let's get those 69,000 children off the streets and back into the classroom where they belong. It makes sense.

It was interesting earlier this afternoon when the questions went to the Premier from the Liberal official opposition members. They are stating that they too have a bill that supposedly would get the children back in the classroom. Well, it was pretty interesting because they waited a week after we had tabled our bill to come up with their bill. It's not exactly the same as ours because, as I understand it, it does allow work-to-rule. It doesn't deal with work-to-rule, which is a form of strike. It's very interesting because they're saying, "You won't give us unanimous consent. We could have had our bill passed." Do you know what? We could have had Bill 28 passed—all three readings—two weeks ago. The teachers and our students have not needed to be out of the classroom for this time.

1650

**Mr Mario Sergio (York West):** To add to the debate here in front of us again on Bill 28, the original bill the government introduced last week, we on this side have said we will support the original, first part of Bill 28. What was that particular first part that we said, yes, we will give consent to and get 69,000 kids, students, youngsters, back into the classroom? That was strictly to deal with the lockout and nothing else. Unfortunately, when the bill was presented to the House, it contained parts other than ending the lockout. Therefore, if we are here today to continue to debate the ongoing problem, it is because the government has so decided.

I couldn't agree more with the last speaker, the member from Mississauga South, who said, "Let's end this meaningful debate." Well, first of all, the debate is meaningful because it shows the continuous contempt of this government to put pressure on those defenceless people out there. The parents are stressed. The teachers are stressed. The kids are not in school. They are not learning. That's where they should be.

Last week, the Premier himself said, "Do you know what? We are not going to go into an election because we have better things to do. We have more important things to do. We have to deal with the issue at hand, and that is getting those 69,000 kids back to school." As I said before, it was very noble of the Premier to say we have to deal with this issue. Well, for heaven's sake, I think we could have dealt with the issue last week. We would have had the kids back in school. If we had debated the second portion of their motion at length at other times, after we had the kids back in school, then we would have had plenty of time to debate the other issues.

Then the member from Parkdale-High Park introduced a very clean, very simple, very short bill which would

have had the approval of the House. It would have had the same effect that the first part of the government bill would have had, and that was to end this 14-day, two-week lockout and get the kids back to school. What was the bill from Mr Kennedy, the member from Parkdale-High Park? It was Bill 61, which said, "stability and good will," and this is exactly what we deserve to give the parents, the teachers and youngsters: to see them back in school. The bill would have given exactly that. It would have ended the lockout. But because the government doesn't want to go along with it and resolve the issue, we continue to debate the issue today in the House.

At the same time, parents are stressed to the point—because a lot of them just can't handle the inadequacies they face on a daily basis: daycare and jobs. At a time when we are dealing with many stressful things—we have the West Nile virus and the SARS virus, which is a big issue and is taking a lot of our time as well. People are concerned as well—do you think we should be adding stress, as legislators, as government, as Premier, as Minister of Education here in this House? Shouldn't we say, "Look, this is an issue that's imposing a lot of stress on our taxpayers. We should not add to the stress?" Let's get the kids, the students, the youngsters, back into the classroom, and then we can debate the after-school programs or eliminating the right to strike. We can have all the time we want afterwards.

I'm telling the Premier and the members on the government side again today, for the benefit of the youngsters, the parents, the teachers and the board as well—because at this point, parents are saying, "We don't care any more who is right or wrong. We want the issue resolved. We want the youngsters back in the classroom where they belong."

For their sake, I say to the Premier, in the best interests of all of those concerned, let's approve Bill 61 as presented by Mr Kennedy, the member from Parkdale-High Park. Let's put an end to it. Let's get the kids back into the classroom, and then we can haggle over the second part of Bill 28 at length or, even better, let the people decide during an election. If it's coming now, if it's coming later, if it's coming next spring, then at least we can say to the people that we have looked after the most important thing: giving the kids an education in the classroom, where they belong. The rest of the issues they can debate as long as they want, or go to the electorate and say, "This is what we are planning to do. Let us know." I would welcome the call from the Premier to give us that mandate. On that note, I do hope that we can see 69,000 kids back in the classroom as soon as possible.

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** It's a pleasure for me to speak this afternoon on this very important bill, Bill 28. This legislation will simply make sure that students in the Toronto Catholic elementary school system get to complete their school year.

It seems that most of the members in this House also support getting teachers back to work. We've heard from

the Liberal Party that they have a bill put forward, that they'd like to get the students back in school. There's a consistency of wanting to reach that goal. But we believe that our bill is the way to get our students back in school.

There seems to be that sticking point in clarifying what teachers' duties are. Any human resource professional will tell you that when you hire an employee it is important to have a detailed job description. The more detailed, the more specific the job description, the better. So I don't see what is so controversial about clarifying some of the duties of teachers. We are asking five things:

(1) That they fully complete report cards, comments and grades included. It's not enough to put the grades; you need to have the comments. Parents need to know how their children are doing.

(2) That they co-operate and assist in the administration of tests under the Education Quality and Accountability Office Act.

(3) That they take part in regular meetings with students and parents. This is something that parents have come to value over the years, having that conversation with the teacher to be able to know how their children are doing.

(4) That they perform duties to assist co-op students in getting placements. I've heard over and over again the number of students who benefit from co-op placements. This is something that is crucial for some students. Not all students are involved in co-op programs, but those who are, value it so much that to have that opportunity taken away is just unfair.

(5) That they perform duties traditionally associated with graduation of students. This is a very important time for students. When they graduate, they want to have their teachers there; they want to have their parents and family there. It's a very important time in a child's career.

By no stretch of the imagination can these items be considered to be outside what most people, including teachers, consider to be part of the work that they perform. These five elements are all vital components of teaching. Testing their students, completing report cards, meeting students' parents, assisting co-op students in getting placements, helping with graduation—these are things that every good teacher wants to do. I get the opportunity to speak to many teachers, and they tell me that these are the types of things that they feel are part of their duties to perform in a classroom, part of their responsibility as teachers to be able to fulfill the students' needs. After all, that's why teachers become teachers: in order to be able to influence the future of this province and of this country. The only people who would object are those who, for their own self-serving reasons, would want to hold our children for ransom as a negotiating tactic. That is not right. It is not right to hold our students for a negotiating tactic.

**1700**

I'm going to be blunt about this. Work-to-rule campaigns that penalize students are more than just an inconvenience, as some seem to think. When some individuals want to keep parents in the dark about the

progress their children are making, that is wrong. It is wrong to not inform parents how their children are doing, and that happens all too often.

When a school board and a union cannot reach a settlement on a contract negotiation, the students should not be harmed. They are innocent. They have no fault in what is happening between a school board and a teachers' union in coming to a negotiated contract. Yet the students are in the middle. They're the ones who suffer in those types of situations. There are far better and fairer ways. That is exactly what Bill 28 does for the Toronto Catholic board. It establishes a fair process of mediation-arbitration to settle the agreement. It's a fair process. The board and the union have seven days to agree on a mediator-arbitrator. Only if they cannot agree will the Minister of Labour act to appoint one. This is fair.

It is June. We need to have these teachers back in the classroom. We need the 69,000 students back in the classroom learning, where they need to be, where they have a right to be and where they deserve to be.

Let me clear about one more thing. What is going on right now is not about money. The government has provided sufficient money, \$680 million to school boards to allow for 2% and 3% increases to teachers' salary benchmarks for this school year and the following school year. The money is there; the teachers aren't, and I know the teachers want to be.

So I urge all members of this Legislature, please don't impair the future of 69,000 children because a union wants to flex its muscles. Please don't put the future of 69,000 children at risk for partisan reasons. I make a reasonable request. Pass this bill. Children belong in school. Let's get them to go back to school.

The Ernie Eves government believes all young people in Ontario deserve the best education possible, an education that enables them to learn, experience new opportunities and reach their full potential.

Parents are also telling us that they want further stability in Ontario's education system. They want a system that ensures that labour negotiations do not disrupt the quality of their children's education. They want students learning our new curriculum in a stable learning environment, and they want their children to have the opportunities to develop to their full potential. So the Ernie Eves government wants to ensure that the education of children in the Toronto Catholic District School Board is not further disrupted. We want our teachers to be there for our students. Without a doubt, Ontario has some of the hardest-working, most highly skilled teachers in the world. I know a lot of these teachers, within the Toronto Catholic school board and with other boards. Having been a trustee for the York Catholic school board for many years, I had the opportunity to speak to many of the teachers. Most teachers are very dedicated and devoted to their profession. Becoming a teacher is not just a job. Being a teacher is a profession. It's something that they do because they want to. It's not just like any other job. They influence the future minds of this province and this country.

We ask a lot of teachers about our curriculum. A lot of the teachers like the fact that the curriculum enhances student learning. We ask teachers to equip students with the knowledge and skills they need to succeed in today's competitive global economy. We ask teachers to inspire in our young people a love of learning to last a lifetime because the need for education never ends. We want our teachers to help our children develop the self-esteem and confidence they need to live fulfilling and productive lives as active, responsible citizens.

I witnessed an example of that this weekend when I heard from a 17-year-old grade 12 student at the Community Hebrew Academy of Toronto's Richmond Hill campus. His name is Yossi Niznik. I attended a ceremony at Chabad Lubovitch in Thornhill which was honouring volunteers who contribute their time in helping students and children with special needs. Yossi talked about the one hour a week that he volunteers with a special-needs student in the neighbourhood. In doing this, he's giving that child's parents a much-needed break.

That is something this student started doing because of the 40 hours of community service work that is part of the curriculum. We feel it is important for students to contribute to the community, become involved in the community. Yossi said that that was the original reason he began to volunteer; he contributed his time because it was required of him through the community service work. But he now says that he enjoys it so much, and not only has he been able to give to the student he works with but he's been able to receive, just by giving. This is what the community service work does for a lot of the students within the province. They now can give back to the community, and in giving they are also receiving.

On provincial, national and international tests Ontario students are proving that they can perform as well as or better than students anywhere in the world in reading, writing, math and science. Our students are also contributing to our communities, and perhaps this is tougher to measure. But all signs indicate that the learning that takes place by having students inject their skills and enthusiasm into the world around them benefits us all; not only those who contribute, but everyone benefits from the contribution of these students.

If the legislation before us passes, teachers at the Toronto Catholic District School Board will be back in the classroom with their students, back in the classroom with our children, where they need to be, where they have a right to be, with the tools and the support they need to ensure that our students achieve success and their full potential in a safe, stable and enriching learning environment.

There has been a lot of discussion here from both sides of the House and people genuinely feel that it's important to have the students back in school. This bill will allow not only to have the students back in school; it will also allow for the teachers to continue to perform the duties that are duly theirs, to be able to fulfill the lives of the students in their classroom and our future.

I feel very strongly that we need to pass this legislation quickly because the students have been out of

school much too long; the teachers have been out of school much too long. Everyone wants to be back in the classroom, and this bill will allow that to happen. I encourage all the members of the Legislature to think clearly before they vote on what the meaning of that vote is going to be. Stand tall and support this bill. Stand tall and support the students of the Toronto Catholic District School Board.

We have heard from a number of parents in that board that they want the students back. They are talking to their trustees and pressuring them to get back to the table. They are talking to the union and pressuring them to get back to the table and discuss, talk and come up with an agreement. It's always best if two sides can come up with a negotiated settlement and an agreement. That always works best. But in cases when that can't happen or doesn't happen, it's the responsibility of a responsible government to do what we need to do to make sure that the students get back into the classroom.

**1710**

This Legislature has been faced with this before. This is not the first time we've had to face this type of dilemma, and I think in the process, we have fulfilled our goal and our responsibility to ensure that that happens. I feel very confident that once this legislation is passed and the students go back into the classrooms, the teachers will be able to recoup the time they spent outside of the classroom.

This legislation will not only apply to the Toronto Catholic school board but it will apply to all the boards in Ontario. What this says is that when teachers are in the classroom, they need to fulfill their duties, and this legislation clearly stipulates what all those duties are. Getting the teachers back in the classroom, getting the teachers doing their duties in the classroom is what this legislation is all about, and what we need to do.

*Interjections.*

**Hon Mrs Molinari:** I'm glad the opposition is actually listening, because they need to know, clearly, what this legislation does.

**Mr James J. Bradley (St Catharines):** The trick this government has used on several occasions and has been a master of is bringing forward bills that have a hostage in them. There are several purposes for this. This is so they can write letters to the editor in your local newspaper saying, "So-and-so supported this bill or was against this bill," and they never talk about the fact that there's a hostage in the bill.

The students in Toronto, in the Catholic school board, which locked out its students—this is not a strike, this is a lockout. It has the same effect: the students are not in school.

This government had an opportunity to pass a bill that was introduced by Gerard Kennedy, the member for Parkdale-High Park, which would have had the effect of going to a system that could be mutually agreed to, where you have mediation and ultimately arbitration, and all other issues would be by the wayside.

What this government wanted to do was put a hostage in the bill, that is, "Let's find something to apply some-

where else in the province.” Is that legitimate for discussion? Yes, it is. I would be suspicious of a bill that the government would be bringing in in that regard, and that bill, by itself, would be contentious, no doubt, but at least it would be subject to full debate and scrutiny and perhaps public hearings, and this Legislature could come to a resolution on the matter. Instead, this government sticks it in this bill. It’s a poison pill, if you will.

If the government really wanted these students back in the classroom and didn’t want to use them as political pawns, they would have voted for the bill that we put forward. The students would be back now. The lockout by the board of education would have ended.

This lockout, by the way, in my view, would never have taken place if there wasn’t a wink and a nod from this government that indeed it wanted to precipitate some kind of, let’s say, contentious issue between teachers and one of the school boards in the province. In effect, it plays into the hands of those who want to fan the anti-teacher, anti-education flames in the province instead of trying to find a logical and reasonable solution, which I think could have been found very quickly in this place had this bill that we proposed been voted upon or if both sides had agreed to arbitration after mediation. This lockout would have ended and we would be in a much better position today than previously. The question is, though, does the government want to continue to play to the anti-teacher, anti-education crowd out there? I think the answer is probably yes.

The interesting thing is, I know many people within the teaching profession who over the years have been supporters of the Conservative Party, perhaps in the days of Bill Davis or, previously, John Robarts, and subsequent to that. Even people who were supporters, who were active in the Conservative Party, are deeply disappointed when they see this government constantly trying to fan the anti-teacher flames in the province and bring forward legislation that they believe is contrary to the interests of public education. In years gone by, some of the greatest defenders of public education were in fact found on the government benches, in the Conservative, the Liberal and the New Democratic parties. When Bill Davis came to office as the Premier of this province, he was noted for his contribution to public education, and we did not see the kind of anti-teacher sentiment expressed, fanning the flames—

*Interjection.*

**Mr Bradley:** Listen, there were contentious issues that arose between members of the teaching profession and the government of the day, but they were resolved. There was a lot of good discussion, some compromises were made and those matters were resolved. Today it’s just confrontation after confrontation.

I am convinced that if we were not on the eve of calling a provincial election, this government would have brought in legislation that would be what we call clean legislation; in other words, no riders to it, no poison pill in the legislation, no hostages, because they would have wanted to see the students back in the classroom where

they want to be, where the parents want them to be and where members of the teaching profession want to be. This government, if it truly wanted to do that, would have brought forward legislation of that kind.

I thought Ian Urquhart, in today’s Toronto Star, captured the feeling of most people in this province. The member for Brampton smiles, but very often I’ve heard government members quote Ian Urquhart in the House. Let me quote the eminent columnist from the Toronto Star:

“It should be noted, however, that the government almost gleefully seized in the lockout as a talking point. Although the Tories have been vitriolic in their criticisms of the ‘union bosses’ in the dispute, they have been careful not to criticize the board. But the Tories could have ended the lockout much sooner if they had been willing to compromise with the opposition parties on the contents of the legislation. What galled the opposition is that the government chose to tack onto the bill a section further restricting teachers’ ability to work to rule, not just in Toronto’s Catholic elementary schools, but across the whole province. One could as easily ask Premier Eves: ‘Are you in favour of the students or scoring cheap political points at McGuinty’s expense?’ The bottom line, then, is that there is plenty of blame to spread around here, but ultimately the buck stops at the government’s door. If the Tories had wanted, they could have had Toronto’s Catholic school kids back in class two weeks ago. They chose another option, for political reasons.” And that’s most unfortunate.

Again I say to my good friend of long standing in the House, the Attorney General of this province, that if we did not have an election pending with a very strong Liberal candidate in the riding of Lanark-Carlton—a former Conservative as well, I’m told—we probably would have had a resolution of this matter. I find it most disappointing that the government has chosen this route. Of course, they have chosen a political answer to this instead of choosing a proper compromise.

**The Acting Speaker:** Further debate? The Chair recognizes the member for Toronto-Danforth.

**Ms Marilyn Churley (Toronto-Danforth):** Thank you, Speaker. I like the way you say Toronto-Danforth. That’s my riding, and I want to introduce Joe Witalis from the Toronto-Danforth riding, who’s sitting in the gallery today and who is here day after day witnessing the debacle that’s going on right now. I’m very pleased that we have a member from the community witnessing this every day, because what is happening here is truly disgusting and so transparent. The government didn’t get away with it this time—they tried.

I was at their platform announcement—I went up there. It was pouring rain, and of course they wouldn’t let me in. And because it wasn’t a government announcement, I didn’t try to get in, as I do in this place when they try to lock me out. This government likes this lockout stuff. When they try to lock me out of government announcements, when they choose to have them in their own caucus committee room, I do demand to be let in.

But I understood this was their platform announcement. I went out and waited in the rain to comment after the fact. Obviously one of the hot-button issues from a desperate government that is down in the polls and grasping for hot-button issues to boost their re-election chances is to ban teachers' strikes and lockouts. What we said is that they took a page from Dalton McGuinty some time ago, who introduced banning teachers' strikes but abandoned it, thankfully. It was a good thing that they abandoned that.

**Ms Sandra Pupatello (Windsor West):** Smile when you say that name, Marilyn.

1720

**Ms Churley:** One of the Liberals wants me to smile as I say that. I think it's a good thing they abandoned that, but then the Tories, who were opposed to it at the time, have now taken it on as their own. The Tories, who said they didn't support that in the past, have adopted Jim Flaherty's platform agenda when he was running for leadership. No doubt about it, he must be feeling pretty proud and puffed up today, because his hot-button, ultra-right-wing ideas have now been stolen by Ernie Eves to get re-elected. That was one of the hot-button issues that was announced that day.

Guess what else happened that day? You've heard it here time and time again.

**Mr Gilles Bisson (Timmins-James Bay):** They didn't call an election.

**Ms Churley:** They didn't call an election, because it didn't work, but what they did do, by strange coincidence—I remember being asked about it that day. I said, “Yep, it's a strange coincidence” that on that very day that the Catholic elementary school board locked out the teachers who had been on work-to-rule—as the police sometimes work to rule. They provide the safety of our communities. The government doesn't intervene then. As I understand, 12 other boards across this province were, and I presume still are, working to rule. That very day when they announced their election platform to ban strikes and lockouts, by coincidence the Catholic school board locked out its teachers, and the government said, “Oh, no, it's just a coincidence. It has nothing to do with our announcement.”

But then some very strange things started to happen around this place. The NDP didn't introduce, as the Liberals did, another piece of legislation. From day one—or the next day—we introduced amendments that would essentially clean up the bill, would take out this odious piece redefining teachers' jobs. As the member for St Catharines just said, if the government wants to debate that, let them debate it. If they want to make it into an election platform, so be it. Let the people decide. But to tack that on to this particular legislation is odious and so transparent that it's laughable.

I would say to the government House leader and the Minister of Energy, when they were on their feet last week giving out my name and number time after time and saying, “Marilyn Churley is keeping 69,000 kids out of the classroom; phone her and complain,” I received

very few phone calls. I was surprised. I was ready; I was braced. My phone number was out there all over the place. I got more calls in support of what we're doing than against—many more calls.

I was surprised at the lack of calls coming from parents on this, because yes, parents are disgruntled, parents are stressed, parents are very unhappy about that. Why wouldn't they be? We all are when the kids aren't in the classroom. They all want something done. But this time they get it. The government did not succeed this time in fooling the people. You can fool some of the people some of the time, but this time they did not fool anyone but their own supporters, like Angela Kennedy, who is, as has been mentioned before, the Tory nominee in my colleague Michael Prue's Beaches-East York riding. She, as I understand it, was the trustee who made the motion that day to lock the teachers out.

Then of course there's the connection to Paul Christie, who happens to be making an enormous amount of money—I forget how much, but well over \$100,000—

**Mr Prue:** It's \$185,000.

**Ms Churley:** Is it \$185,000? He's making \$185,000 at the public school board doing odious, awful things to our communities and our schools.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Oh, Marilyn.

**Ms Churley:** I believe he was also House leader Chris Stockwell's campaign manager in his failed leadership campaign.

But look at all of these connections. We know what's going on. The parents know what's going on, and they want something done about it.

The other thing I'd like to say is that for some reason the government didn't have night sittings last week. On one hand, they're out there saying, “Call Marilyn Churley and her colleagues and complain. They won't pass our legislation, and she's keeping these kids out of school.” But at the same time they were not bothering to try to ram it through like they try to ram through most of their legislation that we disagree with: they weren't sitting at night.

I was out there in the hallways when the government House leader was being scammed by the media, and I have to say his explanation was, as always, highly entertaining but, as usual, quite inaccurate in terms of how this place works. He was trying to tell the media—they weren't buying it, and that's one of the few times they interrupted a scum, actually, because it was just so off-base, what he was saying. He was saying, “Well, we didn't sit in the night because it really doesn't speed things up.”

**Hon Mr Stockwell:** It doesn't.

**Ms Churley:** It does. He's arguing with me again.

Let me tell you how it works. Yes, it's quite right that you can't debate one bill in the same day, in the afternoon and the evening. But what you can do is debate it in the afternoon and then debate it again the following night. That gives you an extra session to deal with it. You

could have dealt with this thing much faster, but instead you wanted the kids left out there.

*Interjection.*

**Ms Churley:** He wants to stand on a point of order, but there's no point of order here.

If you wanted to get those kids back in the classroom, you could have done it faster. But, Mr Speaker, you know as well as I do why this government didn't try to ram this piece of legislation through. They were going to call an election. They were hoping that they could call an election, using their legislation banning lockouts, to have a lot of angry parents out there and a lot of angry kids out there, but in particular the parents, having the opposition being beaten up to justify their legislation and banning strikes.

*Interjection.*

**Ms Churley:** Stop chirping at me, I would say to the member.

We all know what's going on here. The media know it, the public know it, the parents know it.

I had also the interesting privilege of watching the labour minister being scrummed before he went into cabinet on Wednesday. He was all puffed up. He came into the scrum, and the media were asking him, "You're so anxious to get this through, why aren't you calling night sittings?" He says, "The opposition, as usual, are interfering with the democratic process in this place and they're using the kids as hostages." He would be interrupted by the media and they said, "OK, why aren't you sitting at night?" "Well, it's the opposition interfering with democracy and not allowing those 69,000 kids back in the classroom," over and over again. He was on message, let me tell you. That was the message of the day and that's all he could say in that puffed-up, arrogant way of his, saying, "Well, it's the opposition not allowing the kids back in the classroom, huh, huh, huh." That's what he was doing.

**Ms Pupatello:** How will Hansard get that in? How will Hansard record that?

**Ms Churley:** I have to practise that imitation, but he did it over and over—the labour minister.

You know what? People are not buying it. They do know what's going on here. I'm pleased to say that people are getting it and recognize that the government is using their kids as pawns in their pre-election bid. Getting up in this place day after day after day and saying it's us keeping the kids out must be extremely frustrating to the parents out there watching this go round and round. Can you imagine, if you were one of those parents? You see the Liberals get up and say, "Well, if you'd passed our clean piece of legislation, the kids would be back at school." Then they listen to us saying, "Well, if you'd passed our amendment to their bill, they would have been back even before the Liberals introduced their piece of back-to-work legislation." The Tories are saying, "Well, if you would pass our legislation, they'd be back."

What does this mean to the people out there who just want to get their kids back in school, and what does this

mean to the teachers who were locked out? They didn't go on strike; they were in the classroom day after day taking care of the kids, teaching the kids, and that's where they wanted to be. Then by this weird coincidence—I'll just call it that for now—the board decided to lock them out.

I can assure you, I've talked to many of those teachers and I know that they have been making every single effort that they can make to get back in the classroom. But every time they went to the board with a new proposal the board turned them down. The most appalling to me was their recent offer last week. The kids could have been back in school that day, had the board agreed. You wonder who was talking to whom on the phone about that one.

**1730**

What did the board say? The board said—and I'm paraphrasing here—"It's too soon." That was an interesting comment, wasn't it, for somebody who might want to get the kids back in the classroom and resolve this issue? "It's too soon."

The second reason that the board gave was, "An arbitrator would not be able to take ability to pay into account." Mr Speaker, you will remember, because we objected to it, when the Tories changed that law. Now, in the process of arbitration, you can look at the ability to pay. So it's not even factual.

There's a lot of misinformation being given here to try to fool the people and, once again, blame the teachers and blame the opposition here. We're not having any of it. We yknow, because it's very clear, that arbitration law under this government allows the ability to pay to be taken into account.

The other thing that should be taken into account is an issue that's very important to the Catholic elementary school teachers in this province, and that's retention. They've got a real issue here. This is not nonsense. They've got a problem. They are not being paid as much as other teachers are in the system. They are having trouble retaining their teachers. They're concerned that over the long run—it's already happening—they're going to lose their qualified teachers. This is an incredibly important issue to the children and to the teachers. Yes, that could also be taken into account, but isn't that what we want: a fair solution to this? I can't think of a fairer way—well, I can, of course: the amendment we made, to use a standard, clean—as everybody is referring to it—simple piece of back-to-work legislation. Our amendment included fair arbitration. Their arbitration in fact isn't fair, but the teachers were willing to go there anyway. They made their intentions known, that they were willing to go back in the classroom and have this arbitration process put in place, with the ability to pay taken into account, and yet the board turned it down. Here we are this week in this situation, where the kids are still out of school, the parents are still scrambling to try to find care for their children and worried about their children's education.

I just want to tell you a bit about the amendment that we put forward, which the government should have accepted. It would have provided an end to the lockout of the teachers. If the parties had not executed a collective agreement within seven days of passage of the act, the matter in dispute would be referred to the mediator-arbitrator. The parties would then have a further seven days to agree on a mediator-arbitrator—and that's fair, for both parties to agree, but they were willing to accept the government's rules under arbitration. If they cannot agree, the Minister of Labour would appoint one who, in his opinion, is—this is quite a sensible way to resolve this—a person with experience as an arbitrator or mediator or expertise in labour relations and education matters. Then the mediator would have had 90 days after being appointed to make an award that is consistent with the Education Act and its regulations. There's a part II to that amendment as well.

What we asked the government to do was very fair and reasonable under those circumstances. We asked the government to accept a process that everybody could at least live with to unlock the doors and get the kids back in the classroom. We all say in this House that that is our objective. But then the government came forward with a piece of legislation that is unfair to the teachers but, even worse, came forward with a piece of legislation that they knew darn well we couldn't support. They knew that. They know about the NDP's principled response to this kind of thing. But they put it forward anyway, knowing darn well that the New Democratic Party would be unable to support it.

That again ties in with the whole theory that this was manufactured, that these kids were the victims of this government's plan to use them in an election campaign to bolster their re-election efforts. Well, it didn't work, did it? These kids are still out, and you can stand up all you want and puff out your chests and say whatever it is you say about the opposition. The reality is, you're the guys who had every opportunity to work with them and the board to get the kids back in the classroom, and you didn't do it.

**Mr Wayne Wetlaufer (Kitchener Centre):** With all the rhetoric that's been going around here this afternoon, I think people are forgetting why we're here. The education bill that we have proposed is designed with one thing in mind, and that is to get 69,000 children back into school. That's the only reason. There's talk about, "It's being hostile to teachers," it's hostile to this, that or the other thing. Our philosophy is that, whether it's teachers' strikes, teacher walkouts, lockouts or teachers working to rule, it's all detrimental to the student. That is the reason that we are taking the action that we are today.

The NDP and the Liberals are saying, "Oh well, we've introduced our amendments or our own bill." Forget about the politics. Pass this bill. There's one reason for it: because teachers are refusing to administer standardized education quality and accountability tests, the children are not getting the extra help they need after school,

there's no co-curricular etc. That is what we are looking to do.

**Mr Mike Colle (Eglinton-Lawrence):** Certainly it's very important to stand here today and speak out, not only on behalf of the 70,000 students but their mothers, fathers and grandparents, who have been put through virtual hell by the political antics of this government. They forget that families are being disrupted. They forget about the cost there is—extra babysitting fees, child care. They don't care about the stress they're putting on the lives of teachers and their families. That's what they've done, basically, by doing a double-take on this bill, which could have easily been passed if they did what we've done in the past in this House: a simple bill asking for a return to work. That would have gone by here two weeks ago. Instead they're putting their political agenda in Bill 28 with part II.

By doing this, the Conservative government of Ernie Eves is continuing the good tradition started by that famous educator—I think his name is Oklahoma John Snobelen: create a crisis, keep fermenting a crisis, keep bashing public education and teachers, and you get votes. That's what Bill 28 is: a cheap political stunt that they're doing in desperation to try and get people anxious about schools, and essentially make people think it's someone else's fault that their children are not in school. Parents and students are suffering because this government is playing pure, cheap politics at the expense of these children, their parents, their grandparents and their families.

Over the weekend I was at the 75th anniversary of Loretto Abbey. It's one of the finest educational institutions in North America. Loretto Abbey is part of the Catholic school system here in Toronto. It was founded by Loretto nuns from Ireland going back to 1846. These are the traditions of sacrifice that built Catholic education in Toronto. These nuns, along with lay staff, have built some of the finest schools, as I said, in North America, whether they be elementary or high school. Loretto Abbey is typical of the sacrifice and dedication Catholic families and teachers and the Catholic clergy and nuns have made toward education. That's the spirit that built these schools with very little resources, in poor buildings, in substandard facilities. Yet they believed in teaching children and loved teaching children, as most of the teachers in our Catholic schools today do.

1740

Instead, these Catholic teachers have been locked out of their classrooms, and this government has been smiling over the there for the last two weeks because they've been locked out. They think this is good. You've made a political joke of this because it fits your political agenda. You refuse to pass a clean bill that could have had these children back in school two weeks ago. Instead, you've gone along with the John Snobelen school of educational philosophy: create a crisis; create more crisis; get people all angry at someone; bash teachers; bash education. They get their redneck votes this way. It's such a cheap stunt. It's so transparent. The public out there is not buying it. They know that Ernie Eves and the

Conservative MPPs are desperate to try and get votes. They do this on the backs of children who can't defend themselves.

I know the member from Kitchener is standing there. He wants to bash teachers some more because he thinks that's what gets them votes. He's proud to be a teacher basher but he doesn't realize that when he's bashing teachers, he's bashing children. He's bashing children in kindergarten, grades 1, 2, 3, all the way to grade 8. The member from Kitchener is happy to do this. They're glad when they're bashing teachers. That's when they're at their happiest.

Bill 28 continues that tradition, which does nothing but create havoc in our schools for their political ends. I say to all the teachers, parents and students in the Catholic school system in Toronto not to buy this teacher-bashing agenda. Don't feed this government's appetite for crisis. Support your children. Support your local schools.

I ask you again, after eight years of this Conservative government—they've had eight years—are your schools any better in Toronto, in Kitchener, in Kingston? After eight years of bashing teachers, of crisis, after eight years of Mr Snobelen and Eves and their likes, they have basically wreaked havoc upon our schools and hurt children. Don't forget what they've done to our schools and our children, whether it be in Brampton, where they're bashing teachers and bashing children—they would rather have children be locked out of their schools than do their jobs, which they could have done, as I said, two weeks ago. We could have had our children back in school. Instead, the members on the Conservative side are interested in fomenting anxiety; they're interested in fomenting more crises for cheap political gain. Cheap political gain, that's all this is about.

**Hon Mr Stockwell:** I'd hate to think that my friend Colle, when he was teaching, wouldn't have written a report card. I'd hate to think my friend Colle, when he was teaching, wouldn't meet with parents. I'd hate to think my friend Colle, when he was teaching, wouldn't administer tests. I would hate to think my friend Colle, when he was teaching, wouldn't do those good things that we're asking teachers to do when they go back. When I talk to the parents in my riding whose kids are on strike, they think they should be administering tests and meeting with parents.

This separates us from you. When we go to a campaign, I have no trouble being on my side, because when I stand up, I'm going to tell my parents that I believe teachers should be doing testing, they should do report cards, they should meet with you and they should go to graduation. You take your side and I'll take mine. Let's see who gets together.

*Interjections.*

**The Acting Speaker:** Thank you.

Minister. Pardon me. The Chair will recognize and give the floor to the member.

**Mr Bisson:** I haven't been called that yet. Mr Speaker, it's a premonition; it has to be. Are you sure you want to leave this place? Anyway, that's another story.

There are three points that I want to make very quickly.

The government was elected in 1995, and I remember John Snobelen said it best when he was first sworn in as a cabinet minister. He went to that very special meeting with the bureaucrats and said, "We will create a crisis in education in order to create the backdrop necessary to allow us to make the fundamental changes that we want in the system of education."

What we're seeing under this bill is no different. Marilyn Churley, the member for Toronto-Danforth, said it in her speech: if the government wanted this bill, they could have done a couple of things. They could have brought this bill in for night sittings. They could have done all kinds of things to get it in quickly. Instead, what they're trying to do is blame the opposition.

We know how the rules of this House operate. The government can pass any bill it wants in three days. They decided to take a longer period of time. Why? Because there's politics in this. They were hoping that if they took the position they did, they would go up in the polls and they'd be able to call an election.

Well, history has proven that they did what they did. They didn't get the bounce in the polls. If anything, they fell and they weren't able to call the election, so now they're moving forward.

I want to remember Mr Snobelen because he's no longer here. He did create the crisis in education. The government continues to create a crisis in education. This government certainly has an agenda in education that I believe is not, by and large, in keeping with where the public wants to go.

That's the second point I want to make: people are tired of teacher-bashing. As I travel around the province, and I do a fair amount of it, people are tired of teacher-bashing. They've said, "Listen, enough is enough. Move on with the issues that need to be dealt with in education. There are some real issues to be dealt with. Let's stop making teachers scapegoats." I think that's one of the reasons you didn't get a bounce in the polls.

I would be remiss if I didn't say, in the last of the three points I want to make, that this is number 103 of the time allocations passed by this government. Stockwell would have been spinning in his seat over here, as third party member, if our government or any government had ever tried to pass time allocation motions to 10% of what this government has done. I just want to remind members of the House that this is number 103 in time allocation motions. That's pretty dictatorial, if you ask me.

**The Acting Speaker:** That exhausts the time available for debate.

Mr Clark has moved government notice of motion number 29. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."  
 In my opinion, the ayes have it.  
 Call in the members. This will be a 10-minute bell.  
*The division bells rang from 1747 to 1757.*

**The Acting Speaker:** All in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Hardeman, Ernie	O'Toole, John
Baird, John R.	Hastings, John	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Sterling, Norman W.
Clement, Tony	Kells, Morley	Stewart, R. Gary
Coburn, Brian	Klees, Frank	Stockwell, Chris
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tsubouchi, David H.
Dunlop, Garfield	Maves, Bart	Turnbull, David
Ecker, Janet	Mazzilli, Frank	Wettlaufer, Wayne
Elliott, Brenda	Miller, Norm	Wilson, Jim
Eves, Ernie	Molinari, Tina R.	Witmer, Elizabeth
Galt, Doug	Munro, Julia	Young, David
Gilchrist, Steve	Mushinski, Marilyn	
Gill, Raminder	Newman, Dan	

**The Acting Speaker:** All those opposed to the motion will please rise one at a time and be counted by the Clerk.

#### Nays

Agostino, Dominic	Curling, Alvin	McMeekin, Ted
Bartolucci, Rick	Di Cocco, Caroline	Parsons, Ernie
Bisson, Gilles	Dombrowsky, Leona	Patten, Richard
Bountrogianni, Marie	Duncan, Dwight	Peters, Steve
Boyer, Claudette	Hampton, Howard	Prue, Michael
Bradley, James J.	Hoy, Pat	Pupatello, Sandra
Brown, Michael A.	Kennedy, Gerard	Ramsay, David
Bryant, Michael	Kormos, Peter	Sergio, Mario
Caplan, David	Kwinter, Monte	Smitherman, George
Churley, Marilyn	Lalonde, Jean-Marc	Sorbara, Greg
Colle, Mike	Levac, David	
Crozier, Bruce	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 34.

**The Acting Speaker:** I declare the motion carried.

It now being 6 of the clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	Chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	
<b>Baird, Hon / L'hon John R.</b> (PC)	Nepean-Carleton	Minister of Energy, Minister responsible for francophone affairs, deputy House leader / ministre de l'Énergie, ministre délégué aux Affaires francophones, leader parlementaire adjoint
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	
Bartolucci, Rick (L)	Sudbury	Deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
<b>Brown, Michael A.</b> (L)	Algoma-Manitoulin	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	Deputy opposition whip / whip adjoint de l'opposition
<b>Carr, Hon / L'hon Gary</b> (PC)	Oakville	Speaker / Président
<b>Christopherson, David</b> (ND)	Hamilton West / -Ouest	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Chudleigh, Ted (PC)	Halton	
Churley, Marilyn (ND)	Toronto-Danforth	
<b>Clark, Hon / L'hon Brad</b> (PC)	Stoney Creek	Minister of Labour / ministre du Travail
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
<b>Clement, Hon / L'hon Tony</b> (PC)	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Coburn, Hon / L'hon Brian</b> (PC)	Ottawa-Orléans	Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
<b>Cunningham, Hon / L'hon Dianne</b> (PC)	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	
<b>DeFaria, Hon / L'hon Carl</b> (PC)	Mississauga East / -Est	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées
Di Cocco, Caroline (L)	Sarnia-Lambton	
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	Opposition House leader / chef parlementaire de l'opposition

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Dunlop, Garfield (PC)	Simcoe North / -Nord	
<b>Ecker, Hon / L'hon Janet</b> (PC)	Pickering-Ajax-Uxbridge	Minister of Finance / ministre des Finances
<b>Elliott, Hon / L'hon Brenda</b> (PC)	Guelph-Wellington	Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
<b>Eves, Hon / L'hon Ernie</b> (PC)	Dufferin-Peel-Wellington-Grey	Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
<b>Flaherty, Hon / L'hon Jim</b> (PC)	Whitby-Ajax	Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
<b>Galt, Hon / L'hon Doug</b> (PC)	Northumberland	Minister without Portfolio, chief government whip / ministre sans portefeuille, whip en chef du gouvernement
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
<b>Hardeman, Hon / L'hon Ernie</b> (PC)	Oxford	Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement
Hastings, John (PC)	Etobicoke North / -Nord	
Hodgson, Chris (PC)	Haliburton-Victoria-Brock	
Hoy, Pat (L)	Chatham-Kent Essex	
<b>Hudak, Hon / L'hon Tim</b> (PC)	Erie-Lincoln	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Jackson, Cameron (PC)	Burlington	
<b>Johns, Hon / L'hon Helen</b> (PC)	Huron-Bruce	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
<b>Johnson, Bert</b> (PC)	Perth-Middlesex	Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	
Kennedy, Gerard (L)	Parkdale-High Park	
<b>Klees, Hon / L'hon Frank</b> (PC)	Oak Ridges	Minister of Transportation / ministre des Transports
Kormos, Peter (ND)	Niagara Centre / -Centre	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Levac, Dave (L)	Brant	
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
Martin, Tony (ND)	Sault Ste Marie	
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	
Mazzilli, Frank (PC)	London-Fanshawe	
McDonald, AL (PC)	Nipissing	
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Molinari, Hon / L'hon Tina R.</b> (PC)	Thornhill	Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Munro, Julia (PC)	York North / -Nord	
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	
<b>Newman, Hon / L'hon Dan</b> (PC)	Scarborough Southwest / -Sud-Ouest	Associate Minister of Health and Long-Term Care / ministre associé de la Santé et des Soins de longue durée
O'Toole, John R. (PC)	Durham	
<b>Ouellette, Hon / L'hon Jerry J.</b> (PC)	Oshawa	Minister of Natural Resources / ministre des Richesses naturelles
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Prue, Michael (ND)	Beaches-East York	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
<b>Runciman, Hon / L'hon Robert W.</b> (PC)	Leeds-Grenville	Minister of Public Safety and Security / ministre de la Sûreté et de la Sécurité publique
Ruprecht, Tony (L)	Davenport	
Sampson, Rob (PC)	Mississauga Centre / -Centre	
Sergio, Mario (L)	York West / -Ouest	Deputy opposition whip / whip adjoint de l'opposition
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
Sorbara, Greg (L)	Vaughan-King-Aurora	
Spina, Joseph (PC)	Brampton Centre / -Centre	
<b>Sterling, Hon / L'hon Norman W.</b> (PC)	Lanark-Carleton	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Stewart, R. Gary (PC)	Peterborough	
<b>Stockwell, Hon / L'hon Chris</b> (PC)	Etobicoke Centre / -Centre	Minister of the Environment, government House leader / ministre de l'Environnement, leader parlementaire du gouvernement
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	
<b>Tsubouchi, Hon / L'hon David H.</b> (PC)	Markham	Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
<b>Turnbull, Hon / L'hon David</b> (PC)	Don Valley West / -Ouest	Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation
Wetlaufer, Wayne (PC)	Kitchener Centre / -Centre	
<b>Wilson, Hon / L'hon Jim</b> (PC)	Simcoe-Grey	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
<b>Witmer, Hon / L'hon Elizabeth</b> (PC)	Kitchener-Waterloo	Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Wood, Bob (PC)	London West / -Ouest	
<b>Young, Hon / L'hon David</b> (PC)	Willowdale	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Vacant	Mississauga West / -Ouest	

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

## TABLE DES MATIÈRES

Lundi 2 juin 2003

### PREMIÈRE LECTURE

<b>Loi de 2003 modifiant la Loi sur l'assurance-santé (dépistage complémentaire des nouveau-nés), projet de loi 71, <i>M. Duncan</i></b>	
Adoptée.....	760
<b>Loi de 2003 sur la Journée de l'aptitude physique, projet de loi 72, <i>M. O'Toole</i></b>	
Adoptée.....	760
<b>Loi de 2003 sur les installations sanitaires familiales, projet de loi 73, <i>M. Parsons</i></b>	
Adoptée.....	760
<b>Loi de 2003 modifiant des lois en ce qui concerne la sécurité dans les zones de construction de la voie publique, projet de loi 74, <i>M. Hoy</i></b>	
Adoptée.....	761
<b>Loi de 2003 modifiant la Loi sur le Programme ontarien de soutien aux personnes handicapées, projet de loi 75, <i>M. Parsons</i></b>	
Adoptée.....	761

# CONTENTS

Monday 2 June 2003

## MEMBERS' STATEMENTS

<b>Government advertising</b>	
Mr Bartolucci .....	757
<b>Missing children</b>	
Mr Wettlaufer .....	757
<b>Italian National Day</b>	
Ms Di Cocco .....	757
<b>Seniors' Month</b>	
Mr Jackson .....	757
<b>Road safety</b>	
Mr Brown .....	758
<b>Environmental protection</b>	
Ms Churley .....	758
<b>Huntsville Sports Hall of Fame</b>	
Mr Miller .....	758
<b>Agriculture industry</b>	
Mr Peters .....	759
<b>Peterborough Regional Health Centre</b>	
Mr Stewart .....	759

## FIRST READINGS

<b>Health Insurance Amendment Act (Supplemental Newborn Screening), 2003, Bill 71, Mr Duncan</b>	
Agreed to .....	760
Mr Duncan .....	760
<b>Physical Fitness Day Act, 2003, Bill 72, Mr O'Toole</b>	
Agreed to .....	760
Mr O'Toole .....	760
<b>Family Restroom Facilities Act, 2003, Bill 73, Mr Parsons</b>	
Agreed to .....	760
Mr Parsons .....	760
<b>Safety in Highway Construction Zones Statute Law Amendment Act, 2003, Bill 74, Mr Hoy</b>	
Agreed to .....	761
Mr Hoy .....	761
<b>Ontario Disability Support Program Amendment Act, 2003, Bill 75, Mr Parsons</b>	
Agreed to .....	761
Mr Parsons .....	761

## MOTIONS

<b>House sittings</b>	
Mr Stockwell .....	761
Agreed to .....	762

## ORAL QUESTIONS

<b>Conflict of interest</b>	
Ms Pupatello .....	764, 765
Mr Eves .....	764
Mr Tsubouchi .....	764
Mrs Ecker .....	765
<b>SARS</b>	
Mr Hampton .....	766
Mr Eves .....	766, 767
Ms Pupatello .....	767
<b>Pension plan</b>	
Mr Hampton .....	766
Mrs Ecker .....	767
<b>Federal firearms registry</b>	
Mr Dunlop .....	768
Mr Sterling .....	768
<b>Education labour dispute</b>	
Mr Kennedy .....	768
Mr Eves .....	768
<b>Arts and cultural funding</b>	
Ms Mushinski .....	769
Mr Tsubouchi .....	769
<b>Pickering nuclear generating station</b>	
Mr Hampton .....	769
Mr Baird .....	770
<b>Transportation planning</b>	
Mr Caplan .....	770
Mr Klees .....	770
<b>Workplace safety for students</b>	
Mr Miller .....	771
Mr Clark .....	771
<b>School closures</b>	
Mrs Bountrogianni .....	771
Mrs Witmer .....	772
Mr Agostino .....	772
<b>Sports funding</b>	
Mr Johnson .....	772
Mr Coburn .....	772
<b>School facilities</b>	
Ms Churley .....	773
Mrs Witmer .....	773

## PETITIONS

<b>Health care funding</b>	
Mr Bradley .....	773
<b>Adoption disclosure</b>	
Ms Churley .....	774
<b>ITER fusion project</b>	
Mr O'Toole .....	774
<b>Transportation planning</b>	
Mr McMeekin .....	774
Mr Caplan .....	775

## Hazardous waste

Ms Di Cocco .....	774
-------------------	-----

## Highway construction

Mr Parsons .....	775
------------------	-----

## Hydro rates

Mr Brown .....	775
----------------	-----

## Education

Mr Bradley .....	775
------------------	-----

## Affordable housing

Mr Caplan .....	775
-----------------	-----

## Highway safety

Mr Brown .....	776
----------------	-----

## Long-term care

Mr Bradley .....	776
------------------	-----

## GOVERNMENT MOTIONS

<b>Time allocation, government notice of motion 29, Mr Stockwell</b>	
Mr Clark .....	776
Mr Curling .....	777
Mr Spina .....	777
Mr Kennedy .....	779
Mr Prue .....	781
Mrs Marland .....	784
Mr Sergio .....	785
Mrs Molinari .....	785
Mr Bradley .....	787
Ms Churley .....	788
Mr Wettlaufer .....	791
Mr Colle .....	791
Mr Stockwell .....	792
Mr Bisson .....	792
Agreed to .....	793

## OTHER BUSINESS

### Visitors

Mr Caplan .....	759
Mrs Marland .....	759
Mr Bisson .....	759
The Speaker .....	760
Mr Galt .....	760

### Doug Kennedy

Mr Chudleigh .....	762
Mr Bradley .....	762
Mr Prue .....	763

### House sittings

Mr Stockwell .....	773
Agreed to .....	773

Continued overleaf