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of Ontario

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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 22 February 2005**

**Mardi 22 février 2005**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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**LEGISLATIVE ASSEMBLY  
OF ONTARIO**

Tuesday 22 February 2005

**ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO**

Mardi 22 février 2005

*The House met at 1330.  
Prayers.*

**MEMBERS' STATEMENTS**

**SCHOOL NUTRITION PROGRAMS**

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I rise today to draw the attention of this House to concerns I have with changes that could be taking place in the organization of Ontario's Breakfast for Learning program and a delay in the transfer of funds needed to feed children. People working on the front lines are concerned that the government is rushing through the reorganization of the Breakfast for Learning programs. Your efforts to centralize the administration will hurt local programs. It will put children at risk.

Smaller communities frequently lose their voices when service delivery is taken away from locally driven organizations. In my riding of Haliburton–Victoria–Brock, the Train the Brain—Include the Food program has grown from 50 children to one that now serves 5,634 breakfasts and 4,790 snacks weekly. They are succeeding because they are able to tailor their programs to local needs. They raise money locally to help deliver their programs. A centralized service delivery model will not be able to obtain this important source of funds, and children will go hungry.

The ministry page "Results for Ontario Families" brags that the government has "announced plans to improve school breakfast programs by \$4 million, helping children arrive in class ready to learn." It is one thing to announce money; it's another thing entirely to actually spend the money. It's time to spend the money that you have announced, so that children don't go hungry.

**AGRICULTURE INDUSTRY**

**Mr. Ernie Parsons (Prince Edward–Hastings):** I would like to speak today about an industry in my community, an industry that produces something that every citizen in our province needs, and yet they are losing money. They're losing money because they have absolutely no control over the environment in which they must operate. They are without the ability to influence the cost of items they must purchase in order to produce their products. The owners and operators are working or

on call 24 hours a day, seven days a week, and unlike most of us, they do not have sick or vacation days. They are unable to set the price of their finished product to reflect their costs but are forced to take whatever the marketplace offers.

I'm talking about our farmers. Too often we forget where our food comes from. Too often we are not aware of the incredibly challenging and stressful lives of farmers. Farmers are in crisis. This is not a case of too much rain or not enough rain. This is a life-and-death struggle for farmers. My neighbours are selling cattle and corn for less than their grandparents did. There's not an easy answer to this crisis, but there's a real need for every citizen in Ontario to know the situation that our farm community faces.

I'm proud that our government made a commitment to work with farmers before it is too late. I challenge the federal government to join us at the table and bring some of their fiscal surplus.

**SCHOOL CLOSURES**

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Over the last few weeks, I've had the opportunity to attend a number of meetings held in my riding with respect to the possible closure of seven public schools. They are Calabogie, Alexander Reid, Ross Mineview, Horton, Keys, Laurentian and Morison. Hundreds of people have attended these meetings to voice their views on the impact this will have on their children, their neighbours and their entire community.

The Minister of Education has made a big deal about his purported support for rural schools. The fact is that he has paid lip service, and nothing more, to the concerns of rural school boards and parents.

It is clear that the McGuinty government has turned its back on rural Ontario. Such things as lack of support for farmers or denying rural municipalities their fair share of the gas tax clearly sends a message that rural Ontario is not a priority for the Liberals. The attitude of this government leads to declining enrolment in our schools, which is the number one reason rural schools are hurting badly as they struggle to meet ministry occupancy targets.

The minister must know that, for many rural families, their school is the centre of their community. I encourage him to act swiftly to amend the funding formula for rural schools so that our local board also not have to close

these schools, thereby causing much pain and suffering to rural children, families and communities.

#### COMMUNITY REINVESTMENT FUND

**Ms. Shelley Martel (Nickel Belt):** On February 4, the mayor of the city of greater Sudbury wrote to the Minister of Finance to express council's concerns with the government's handling of the community reinvestment fund. The city of greater Sudbury is now carrying about \$3.5 million in its 2005 budget for downloaded provincial services which are capped or no longer reconciled by the province. This amount, added to the shortfall in CRF funding in 2003-04, now adds up to \$6.1 million. The mayor urged the McGuinty Liberals to fully reconcile the CRF in 2003, 2004 and 2005 so that taxpayers would not be stuck footing the bill.

Yesterday's announcement by the McGuinty Liberals does little to resolve our financial problem. The decision to reconcile the CRF for 2003 only means that our city has a shortfall of \$2 million in 2004 and \$3.3 million in 2005. The potential total shortfall over the two years where the McGuinty Liberals have refused to do a full reconciliation is now \$5.4 million. Will this government guarantee that this shortfall will be covered under the new funding formula?

Promising us that we'll receive as much CRF funding in 2005 as we got in 2004 is of enormous concern to council. At best, we'll receive an amount that leaves us with a \$5.4-million shortfall in 2005. At worst, it means the shortfall will be \$6.1 million, which will come out of the pockets of local taxpayers.

The Liberal download looks a lot like the Conservative download on to municipalities. Where is the plan to ensure that communities like Sudbury aren't left to pick up the bills?

1340

#### VOLUNTEERS

**Mrs. Linda Jeffrey (Brampton Centre):** I rise in this House today to recognize the achievement of two great Bramptonians.

Bill Burrell and George Burrows are two World War II veterans who are active volunteers in the city of Brampton. Bill and George have known each other since they were young and have been lifelong friends ever since. In fact, they both served in the Canadian Air Force. During his service with the CAF, Bill Burrell did 32 trips overseas as an air gunner before he was 19 years of age.

For over 30 years, these gentlemen have chosen to serve the Brampton community as members of the Royal Canadian Legion branch 15 poppy fundraising committee. Their remembrance activity goes far beyond the two weeks leading up to November 11 of each year. Together with hard-working volunteers, they have raised more than \$433,000 through their poppy fundraising since 1997.

Their efforts have been instrumental in improving the quality of life in my community. They have not only supported veterans, but have been able to supply medical equipment for use by all who have a need within Brampton.

They have donated significantly to our hospital and the Canadian Cystic Fibrosis Foundation. Just recently, they donated two defibrillators to the Peel Regional Police Marine Unit, having previously donated two to the Brampton Fire Department.

These gentlemen chose to serve our country and risk their lives many years ago, and they've now chosen to demonstrate in a practical way their role as caretakers of remembrance by investing in equipment which will help save lives now and long into the future.

Bill Burrell and George Burrows are here in our members' gallery. It's my honour to introduce them.

#### HYDRO RATES

**Mr. John O'Toole (Durham):** I rise in the House today to raise the electricity price issue. In 1991, Dalton McGuinty, then-energy critic, stated unequivocally, "Rising electricity rates are making it difficult for us to both attract new businesses and keep our existing businesses here." He said that in Hansard in 1991.

Yet, it would appear that a government that should understand the impact of higher electricity rates on the provincial economy is getting ready to raise the rates again in an announcement in the Toronto Star today. This announcement would coincide with one of the busiest political news days of the year, the tabling of the federal Liberal budget. This is further speculation that there's good reason for this timing. It won't be good news. You might say it's a double-header.

While the federal Liberals are taxing and spending in Ottawa, the provincial Liberals will likely be raising electricity rates, like taxes, in Ontario. Judging from the McGuinty government's record on electricity, this scenario should come as no surprise. In fact, the worst, in my view, is yet to come.

Even today, there is confusion between the Premier and his cabinet. Minister Duncan has told reporters that people would pay the true cost of electricity and said he'd have the details tomorrow. However, the Premier says that homeowners won't be paying the new electricity prices to be announced tomorrow. Which one is it? I'm surprised that either of them knows the answer to that question.

#### GREENBELT LEGISLATION

**Ms. Jennifer F. Mossop (Stoney Creek):** I'd like to take a moment to talk about an initiative of this government, one that casts its eye well beyond the foreseeable horizon. I'm talking about the proposed greenbelt.

Bill 135, the Greenbelt Act, will soon come to a vote after third reading debate in this House. If passed, this piece of legislation will mark the boldest piece of plan-

ning law in Ontario's history. It will provide permanent protection for 1.8 million acres, an area the size of Algonquin Park. It will curb unplanned urban sprawl, help to improve quality of life and preserve Ontario's natural heritage for future generations.

For decades, as a society we have talked about, debated and paid lip service to the concept of a greenbelt, to protecting agricultural lands and environmentally sensitive lands, to protecting our water and groundwater supplies, to cleaner air and to smarter growth. The greenbelt legislation means the time for idle chatter is over. The rubber is now hitting the road.

I've heard from so many constituents who have watched their landscape being paved over indiscriminately: no thought, no planning. We must move forward now. In some cases, we are actually too late. In some cases, this is the 11th hour. But if we don't move now and act now, there will be no land to save, no land to farm and thus no need for a farmer. As a government, we will work with farmers and communities to ensure that they prosper and flourish and that there is land and space to breathe, eat and live for generations to come.

#### HEALTH CARE

**Mr. David Oraziatti (Sault Ste. Marie):** I am proud of our government's key investments to transform health care in Ontario into a stable, sustainable system. But first, as we look at the colossal mess we have inherited from two previous governments, it's understandable why it will take some time to correct. On the one hand, we had a government whose vision it was to cut the number of seats in medical schools, and on the other hand, a government that delayed addressing the physician shortage, so much so that the number of communities underserved by physicians more than doubled. The past government stood by as health care costs soared to record rates because they failed to address the root causes and provide more affordable options for Ontarians.

In the past 15 months, our government has made record investments in long-term care, home care, mental health, public health units, immunization programs and supportive housing. The city of Sault Ste. Marie has seen over \$20 million in new funding, and over 100 new community health care workers have been hired such as nurses, dietitians and physiotherapists.

For too long, the underfunding of these services has eroded our ability to provide access to the primary care we all need. Surely even the opposition members would have to say that this new funding is resulting in more community health services. Even the opposition members would have to say that health care costs rising in double digits at hospitals is simply unsustainable. When was this going to change? When the system was bankrupt?

Our government is making the tough choices to ensure that we have quality health care well into the future. We are measuring our results, reducing waiting times and ensuring that there is transparency in the process so that the citizens of this province will also see the results we all want.

#### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Brad Duguid (Scarborough Centre):** Tomorrow is budget day in Ottawa, and once again the federal government is expected to announce a hefty surplus while we here in Ontario face significant budget pressures. Ontario continues to put far more into the federal coffers than it gives back. With this in mind, I'm asking our federal colleagues from Ottawa to consider their constituents when they table their budget tomorrow. As the Premier has pointed out, there's a \$23-billion gap between what Ontario gives to the federal government and what it gets back. In recent years, the gap has been growing.

Let me provide some examples. For every immigrant, Quebec gets \$3,806, while Ontario gets \$819. For every person on EI, the rest of Canada receives \$7,930; Prince Edward Island gets \$14,485, while Ontario only gets \$5,060. That's a difference of almost \$9,500 per person. In Ontario, our post-secondary institutions require an investment of \$1.3 billion just to bring us from 10th in spending to the national average.

All Ontario is asking for is a chance to continue to be the engine that powers this country's great economy. Tomorrow's budget is the perfect opportunity for the federal government to start addressing some of the issues that Ontario has expressed concern over and start giving Ontario its fair share.

This Premier and this government are proud Canadians, but we're just as proud to stand up for Ontario to ensure that we remain the engine of growth that drives Canadian prosperity and the Canadian economy.

#### SPEAKER'S RULING

**The Speaker (Hon. Alvin Curling):** On February the 15, 2005, the member for Oak Ridges, Mr. Klees, rose on a question of privilege concerning letters written to school boards and teachers' federations by the Minister of Education, Mr. Kennedy. The letters, together with a related press release, contained ministry initiatives on education funding and on the length of collective bargaining agreements for teachers. According to the member, the documents amounted to a matter of contempt in that they anticipated the passage of legislation and budgetary approval by the House, and they reflected adversely on the parliamentary process because they presumed that the House would pass the bill and approve a budgetary measure.

**1350**

The government House Leader, Mr. Duncan, and the Minister of Education responded to the allegations.

I have had an opportunity to review the written materials supplied by the member for Oak Ridges, the Hansard for February 15, the assembly's precedents and the relevant parliamentary authorities. Let me say several things about the member's allegations.

First, my reading of the documents suggests that the minister was taking proactive measures dealing with

matters touching on his ministry. There is a line of Ontario rulings to the effect that civil servants can take reasonable planning measures in advance of the passage of requisite legislation. So too can the minister.

Second, the facts in a 1989 ruling by Speaker Fraser of the Canadian House of Commons, a 1994 ruling by Speaker Warner of our own House, and a 1997 ruling by Speaker Stockwell were different than the facts raised by the member for Oak Ridges. Those three cases dealt with government advertising to a broader public audience in circumstances where there was already a bill before the House. In the case at hand, the letters and press release were not advertising; they were primarily addressed to interested stakeholders and there was no bill before the House.

The minister appears to have made an announcement, outside the House, that anticipates a bill and a budgetary measure. But there is nothing wrong with anticipation per se—it happens a lot; the issue is whether the announcement goes further and reflects adversely on the parliamentary process.

In my opinion, the wording and the tone of the documents are not dismissive of the legislative role of the House. On the contrary, they indicate that the government had plans and proposals that require not only negotiation, but also the introduction and passage of legislation. In particular, the board letter and press release contain conditional phrases such as “intends to introduce legislation,” “we are proposing,” and “legislation that, if passed.”

With respect to the word “guaranteed” in the documents, I note that it is not used in the sense that passage of enabling legislation was a foregone conclusion, but rather in reference to proposed payments to transfer partners and a proposed provision in future collective bargaining agreements.

For these reasons, I find that a prima facie case of contempt has not been established.

I want to thank the member for Oak Ridges, the government House leader and the Minister of Education for their thoughtful submissions on this matter. Each of them has done a service to the House by reminding members of the importance of showing respect for the parliamentary process.

## INTRODUCTION OF BILLS

### SPOUSAL RELATIONSHIPS STATUTE LAW AMENDMENT ACT, 2005 LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LES UNIONS CONJUGALES

Mr. Bryant moved first reading of the following bill:

Bill 171, An Act to amend various statutes in respect of spousal relationships / Projet de loi 171, Loi modifiant diverses lois en ce qui concerne les unions conjugales.

**The Speaker (Hon. Alvin Curling):** It is the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those against, say “nay.”

I think the ayes have it. Carried.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** The proposed Spousal Relationships Statute Law Amendment Act, 2005, would, if passed, make amendments to 73 Ontario statutes that contain the term “spouse,” “spousal,” “marriage,” “marital,” “husband,” “wife,” “widow,” and “widower.” Currently, the statutes offend the Charter of Rights and Freedoms.

The bill removes references to gender and gender-specific language from Ontario definitions of spousal terms and uses one term, “spouse”, to include opposite-sex couples and same-sex couples who are married or who live together in conjugal relationships outside of marriage.

This bill also contains amendments to the Marriage Act and the Human Rights Code to affirm the freedom of religious officials to solemnize a marriage or not, or to provide a venue for marriage or related events or not, in a manner consistent with their religious beliefs.

## EDUCATION AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT LA LOI SUR L'ÉDUCATION

Mr. Klees moved first reading of the following bill:

Bill 172, An Act to amend the Education Act to remove political interference in collective bargaining and ensure flexibility at the local level / Projet de loi 172, Loi modifiant la Loi sur l'éducation pour éliminer toute ingérence politique lors des négociations collectives et assurer une flexibilité à l'échelon local.

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

**Mr. Frank Klees (Oak Ridges):** In contrast to the government's bill that will be debated later on this afternoon, which proposes to amend the Education Act to remove the right for school boards and teacher unions to negotiate three-year contracts and imposes either a two- or a four-year contract term, this bill provides for terms of two, three or four years, thereby insuring flexibility for school boards and teacher unions to negotiate freely at the local level, and it removes the political interference in contract negotiations that is inherent in the government's proposed legislation.

## MOTIONS

### HOUSE SITTINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing

order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, February 22, 2005, and Wednesday, February 23, 2005, for the purpose of considering government business.

**The Speaker (Hon. Alvin Curling):** The government House leader has moved government notice of motion 307. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, say "aye."

All those against, say "nay."

I think the ayes have it.

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

*The division bells rang from 1358 to 1403.*

**The Speaker:** The government House leader has moved government notice of motion 307. All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Flaherty, Jim	Munro, Julia
Arthurs, Wayne	Flynn, Kevin Daniel	Oraziotti, David
Baird, John R.	Fonseca, Peter	Parsons, Ernie
Barrett, Toby	Gerretsen, John	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Pupatello, Sandra
Bentley, Christopher	Hoy, Pat	Qaadri, Shafiq
Berardinetti, Lorenzo	Hudak, Tim	Racco, Mario G.
Bountrogianni, Marie	Jackson, Cameron	Ramal, Khalil
Bradley, James J.	Jeffrey, Linda	Runciman, Robert W.
Broten, Laurel C.	Klees, Frank	Ruprecht, Tony
Brown, Michael A.	Kular, Kuldip	Sandals, Liz
Brownell, Jim	Kwinter, Monte	Smith, Monique
Bryant, Michael	Lalonde, Jean-Marc	Smitherman, George
Cansfield, Donna H.	Leal, Jeff	Sorbara, Gregory S.
Chambers, Mary Anne V.	Levac, Dave	Takhar, Harinder S.
Craiton, Kim	Marsales, Judy	Watson, Jim
Crozier, Bruce	Matthews, Deborah	Wilkinson, John
Delaney, Bob	McMeekin, Ted	Wilson, Jim
Dhillon, Vic	McNeely, Phil	Wong, Tony C.
Di Cocco, Caroline	Meilleur, Madeleine	Wynne, Kathleen O.
Dombrowsky, Leona	Miller, Norm	Zimmer, David
Duguid, Brad	Mitchell, Carol	
Duncan, Dwight	Mossop, Jennifer F.	

**The Speaker:** All those against, please rise and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Kormos, Peter	Ouellette, Jerry J.
Chudleigh, Ted	Marchese, Rosario	Prue, Michael
Charley, Marilyn	Martel, Shelley	Yakabuski, John
Hardeman, Ernie	Murdoch, Bill	
Horwath, Andrea	O'Toole, John	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 67; the nays are 13.

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

## ORAL QUESTIONS

### WASTE MANAGEMENT

**Mr. Robert W. Runciman (Leader of the Opposition):** My question is to the Minister of the Environment. Minister, today we read about another attempt by the state of Michigan to effectively close its border to trash

from the greater Toronto area. You, Minister, are on record as saying you are opposed to municipalities being forced to accept garbage from other cities or areas; you said so in this House in November 2000. However, under Ontario's Environmental Protection Act, your ministry has the power and responsibility to force other landfills to accept garbage from places like Toronto, should the need arise.

Minister, will you guarantee Ontario municipalities they will not be forced to accept Toronto's garbage? Will you do that?

**Hon. Leona Dombrowsky (Minister of the Environment):** I find it interesting that a member who was part of a government that, in my opinion, totally ignored waste management in this province has now suddenly found religion and is suggesting that this government must somehow prescribe and enforce. I believe our government has a very effective plan to assist all municipalities in the province of Ontario. We intend to—

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. This is the first question put forward today in question period. The minister hasn't even had a chance to respond. I would like some respect for those who are both asking and answering the question and, furthermore, respect for the Chair. Minister.

1410

**Hon. Mrs. Dombrowsky:** Again, I think it's very strange to receive this question from a member who was part of a government that was prepared to pave the way for Toronto garbage to go to a lake in northern Ontario.

**Mr. Runciman:** I guess we're getting used to that kind of rhetoric and non-answer.

A report from the city of Toronto's solid waste management services clearly states that the city of Toronto has no plan B should Michigan close its border. It shows that the city of Toronto only has the capacity to handle its own garbage for up to two days. Worse, the city received no response to a public tender for other landfills and areas in Ontario willing to accept Toronto's garbage. Minister, your stock answers, and we've heard them a number of times—that you're working with the city, that you're confident in their abilities—just don't cut it. The city's own report says there is no plan. Toronto is sending 200 trucks of trash per day to Michigan. What is your government's plan if Michigan closes its border? What is the plan?

**Hon. Mrs. Dombrowsky:** I find it interesting that the opposition party in Ontario now thinks it's appropriate that a government would assume the responsibility for municipal solid waste. They didn't do it when they were in government. I am very proud, though, to talk about how this government intends to help municipalities deal with their waste issues. We have contributed to the blue box program, something they didn't do. In the last 14 months, we have ensured that the blue box program would stay alive by going from 0% support from that government to \$60 million in support for the diversion initiative that the blue box program represents in this

province. We are also working to ensure that the Environmental Assessment Act is a much better tool that will enable all municipalities in Ontario to consider and manage their municipal solid waste better.

**Mr. Runciman:** It's more avoidance after avoidance. It's your government's responsibility to ensure that public health is safeguarded and that the environment is protected. You have the responsibility, under the Environmental Protection Act, to require municipalities to submit waste management plans. Toronto's own report shows it has no plan. Even more alarming, there's no indication you have a plan. Minister, you can't continue to stick your head in the sand on this issue. Michigan is pursuing every route to close the border to Ontario's garbage at some point. We suspect it's just a matter of time. What will you do in case Michigan is successful in closing its border? Let's get some specifics. Take your responsibility here.

**Hon. Mrs. Dombrowsky:** I'd like to get very specific: You are wrong. You are wrong when you suggest that the city of Toronto does not have an alternate plan. The city of Toronto has talked with the Ministry of the Environment. We are aware that they are confident their supplier will continue to provide the service of hauling their waste and managing that issue. With respect to the responsibility of the province, we have a responsibility to ensure that municipalities have the tools they need to manage their waste well. That is what our government is doing and that is what this ministry is intent on doing. I'm proud of our efforts so far, and we intend to continue to work with them so that they can achieve effective environmental assessments for their waste management plans.

**The Speaker:** New question?

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** To the Minister of the Environment: I've also been asking for your plan to deal with Toronto's garbage since you were elected. You've had more than a year—a year and a half—to come up with a plan. Municipalities in the GTA have no viable long-term contingency plans should there be any kind of disruption at that Michigan border. Toronto trucks 100% of its garbage to Michigan; Durham, 120,000 tonnes; York, 140,000 tonnes; Peel sent 100,000 tonnes.

I'm asking you today, will you commit to require all of these GTA municipalities to develop and implement a realistic long-term plan for their waste disposal?

**Hon. Mrs. Dombrowsky:** First of all, our government respects that it is a municipal responsibility to manage their waste. I find it interesting that the member of the opposition is very adamant that this government should have a plan for all of these municipalities. Can you tell me the file you left your plans in? None. None is what you left when you left government.

In terms of the responsibility of the Minister of the Environment to have an emergency plan, that, of course, depends what the emergency is, where the emergency is and for how long we anticipate the emergency to be in effect. And so, when those events happen, this ministry

and this minister will step up to the plate. We will accept our responsibility. We will come forward with our plan to meet the need of the emergency at that time.

**Mr. Barrett:** Minister, I can certainly tell you that Haldimand county does not want to be on your list for Toronto's garbage. Haldimand county has declared its borders closed for outside garbage.

Last week, you approved shipping Toronto garbage to Haldimand's Edwards landfill, down near Cayuga. Last week, I met with a Napanee town councillor from your riding. He tells me that they want to know why you have turned your back on them. In fact, they're inviting you home to explain your new position of neutrality on the Richmond landfill expansion.

Minister, are you turning your back on the rest of Ontario like you have on your constituents in your own riding? Are you going to make all of Ontario Toronto's own personal garbage dump?

*Interjections.*

**The Speaker:** Minister, just a minute. I'm still having difficulty hearing the questions and the answers.

**Hon. Mrs. Dombrowsky:** I have to say that I'm very disappointed that an environment critic would not understand that when there is an environmental process underway it would be totally inappropriate for me to make any kind of comment, and I've certainly shared that with many people across the province who are involved in the process. I have faith in the process. I believe that in the fullness of time there will be time for me to make a decision. But the member opposite knows full well that that question is totally unfair.

**Mr. Barrett:** Minister, there is disappointment in Napanee, and there is disappointment in Haldimand. Why won't you act now and, at minimum, review Ontario's waste management system?

There is a headline in the Napanee Beaver that shows your lack of commitment to deal with waste diversion in Ontario: "Dombrowsky downplays province's role in finding new waste disposal technology." Will you not ensure that municipalities have the proper tools to handle their waste? Are you going to wait until the transfer stations spill over, when the only option for you would be emergency amendments to C of As to force unwilling municipalities to take Toronto's garbage, whether they want it or not?

**Hon. Mrs. Dombrowsky:** The member of the opposition has all of these ideas, none of which they enacted when they were in government. Our government is sharpening the tool that will assist municipalities as they move through the environmental assessment process. The previous government tinkered with it and made it quite ineffective. There will be an expert panel providing me with recommendations on how we can sharpen the environmental assessment tool to ensure that, as we move forward to protect the environment, we can see that these projects unfold in a more timely way.

The other thing that we are doing to support municipalities is actually ensuring that they get money to support their blue box program. You never cut the cheque



for that; we did: \$60 million to municipalities to help them divert waste from landfill.

1420

### HYDRO RATES

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Energy. Hydro rates are an important issue in Ontario. For the forest industry, the McGuinty government's hydro rate increases have already shut down some operations and killed thousands of jobs. A lot of low- and modest-income families have trouble paying their hydro bill as it is. We understand that you have an important hydro rate announcement to make. The question is, why are you going to hide it on federal budget day? What is it that you are trying to hide from Ontario workers and Ontario consumers?

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** There will be a full announcement with technical briefing tomorrow, along with press releases. I have already made myself available to a number of media outlets to respond. There is no attempt to hide anything.

What we want to make sure doesn't happen again is that prices go up 43% on electricity rates, like they did on your watch—which is what they did. The other thing we want to be certain of is that no future government does what that member did and cancel all conservation programs in Ontario. Finally, this government is moving responsibly, and has been doing so for more than a year, to ensure stability and predictability in electricity prices. Last year, the member predicted the wholesale price of electricity would go up 30% or 40%, and it went down 19%. This government is bringing stability and predictability to a sector that was rocked too often by irresponsible governments like the one that member was part of.

**Mr. Hampton:** It was a simple question: Why does the McGuinty government insist on trying to hide their hydro rate announcement on the day the federal government pronounces their budget? What we got was not an answer but more mumbo-jumbo, like the mumbo-jumbo that people got this morning. The Premier was asked, "What about the hydro rate increase?" And the Premier said, "Don't worry; it's not going to affect ordinary families." But 10 minutes later the Minister of Energy said, "Yes, hydro rates are going to go up." So I'm simply asking for a straight answer. Whose mumbo-jumbo should the people of Ontario believe: the Premier, who said one thing, or you, who said something different 10 minutes later? Why are you trying to hide this on budget day?

**Hon. Mr. Duncan:** We will be announcing the regulated rate plan as of tomorrow. We will be doing so, and I invite the member to attend the technical briefing. That will be made available to him and the media. The decisions that this government made are consistent with Bill 4 and Bill 100. I'm surprised the member opposite didn't understand that. He certainly had a lot to say about the bills when they were being debated, albeit that he was wrong on most of the major points.

What I can tell you is that this government is producing electricity to fuel this economy, and then the member opposite wants to pretend and make statements that are raising false expectations about electricity price increases. I'd invite him to wait until tomorrow to hear what we have to say. It will be done here in the Legislative Building. There will be technical briefings, and I can assure you that the rate increases, if there are rate increases, and whom they apply to, will be nothing compared to the damage that member and his party inflicted on the energy sector in Ontario in the early 1990s.

**Mr. Hampton:** The question is, why is the McGuinty government once again engaging in the politics of diversion? This is an important announcement for industry; it's an important announcement for business; it's an important announcement for workers; it's an important announcement for families who have to pay their hydro bill. What does the McGuinty government do? They try to hide it and make the announcement on federal budget day.

Here's the reality: Last fall, in the Bill 100 hearings, you said that all of the small hydro plants, the coal plants, were going to operate according to a deregulated price. They were going to move up and down according to what the market price was. Now you seem to be indicating that that isn't so. If you know what you are going to announce, why don't you announce it here and now so that the people of Ontario will actually hear the news? Why are you trying to hide such an important announcement and bury it on federal budget day?

**Hon. Mr. Duncan:** We will be announcing tomorrow the policy that we have established, even though the member has not accurately interpreted things I've said in the past.

Let me talk about diversion. That's a party that voted against a price cap and then voted against taking it off. That's a party that said during the election that they would close the coal plants, and then after the election that party said, "Oh, you can't do that in that time frame." That's a party that has such an inconsistent track record and such a bad history that we have every confidence that the people of Ontario will understand the sensibility of our policy, and that our policy is a solid policy to ensure economic development and predictable, stable pricing on electricity and other energy so that our economy can grow in a way that it never grew when they were the government of Ontario.

### AUTOMOBILE INSURANCE

**Mr. Howard Hampton (Kenora–Rainy River):** I have a question for the Minister of Finance and I want to ask him about some other rates. We've seen your inability to be straight with the people on hydro rates; let's try auto insurance rates.

Ontario drivers are furious. Big insurance made record profits last year. You defended them. They're making record profits again this year: 70% higher than last year.

And who is defending them? The McGuinty government. People are being ripped off, taken to the cleaners, and who is defending big insurance? The McGuinty government.

People know that those big insurance company profits came out of drivers' pockets. Are you going to force insurance companies, big insurance, to give the drivers who have been ripped off an auto insurance rebate, or are you going to continue to defend big insurance? Which is it?

**Hon. Greg Sorbara (Minister of Finance):** What we're going to continue to do is to point out the truth of this matter. My friend was in a government for five years, during the course of which time auto insurance premiums went up by 27%. They were followed then by the great Progressive Conservative Party, and they helped the industry raise insurance rates by some 36%. Now, we have been in government some 17 months, and based on the initiatives that we have taken, finally, auto insurance rates are going down. At this point, they're 10.6% lower, and that trend will continue, because, on the insurance debate, I tell my friend, we cast our lot with the consumer.

**Mr. Hampton:** Here is the McGuinty government defence. After year upon year of double-digit increases, after you've wrestled the insurance companies to the ceiling in terms of their profits, now you are just going to let them level out there. In other words, jack up the rate of insurance, award the companies with multi-billion-dollar profits, and then say, "Everything is fine. Everything is wonderful."

People have been ripped off. Drivers have been taken advantage of. What they are asking the McGuinty government to do is to ensure that the insurance companies give some of that money back to the very drivers who have been ripped off. Are you going to do that, or are you going to continue to defend big insurance and their obscene profits?

**Hon. Mr. Sorbara:** We are going to continue to do what we began the day that we were elected. You will recall that, on that very day, our first act was to freeze insurance rates so there would be no further increases. Then we brought in a series of measures and pieces of legislation, the net result of which has been an insurance decrease of 10.6%.

But we are not going to stop there, because the fact is there is capacity, given these very handsome profits, for insurance companies to bring down auto insurance rates much further, and that's what we should be expecting from the auto insurance industry in this great province.

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**Mr. Hampton:** The spokesperson for the McGuinty government says that now that profits are 12 times what they were in 2002, now that they're up there at \$4.2 billion, everything is wonderful and fine. Look, even the Toronto Star says that drivers deserve a rebate: Why should the insurers "not share the...windfall with customers who happened to save the industry a bundle in claims?"

Simple question, Minister: Are you going to pass legislation to force big insurance to give the hard-earned drivers and accident victims of this province some of their money back, or are you going to continue to defend a \$4.2-billion obscene profit?

**Hon. Mr. Sorbara:** I'm glad my friend from Kenora—Rainy River brought up the issue of legislation. I want to remind him and the people of this province that when we brought in a bill in this Legislature to roll back the Tory corporate tax cuts, that man and that party voted against that. Now he's complaining about high corporate profits.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. It would be helpful if you would keep them under control.

**Hon. Mr. Sorbara:** When we brought in legislation to freeze auto insurance rates, that party and that member voted against the bill.

I want to tell you, sir, and I want to tell my friend from Kenora—Rainy River, that the progress we've made on auto insurance rates in the first 17 months of government reverses a trend that had gone on in this province for well over 10 years. I'm confident, sir, that if we continue down this road, we're going to see further significant reductions in automobile insurance rates in this province.

#### GREENBELT

**Mr. Tim Hudak (Erie—Lincoln):** A question to the Minister of Municipal Affairs and Housing: According to a Canadian Press story in the Niagara Falls Review entitled, "Landowners Have Month to Appeal Greenbelt Zone," your parliamentary assistant Mr. Duguid is quoted as saying, "If they haven't brought them forward, they better do it quick, because we're moving quickly to a decision." In committee, he suggested a March 6 deadline. Minister, that's roughly two weeks away. How can we have any faith that in such a short time frame you will bring forward a fair and transparent appeal process for these individuals?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Let me, first of all, say on this greenbelt bill, which we and Ontarians are extremely proud of, that we have had more consultation over the last 15 months than any other bill that has been brought to this House in the last 25 years. I'm told that by some of the senior members of this House. We had a Greenbelt Task Force that went around the province, through this area, to find out exactly what principles the greenbelt should be based on. We had consultations done by the ministry and by myself.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** I don't think the member from Halton is listening. I would ask for order. I would ask if you could have some respect for the decorum of the House and let us have question period without this unnecessary interruption.

**Mr. Hudak:** I don't think I received an answer from the minister to my particular question. Here is the reality: According to the legislation, the only appeal mechanism

is through the Minister of Municipal Affairs himself. In fact, the Liberal members of the committee voted down our amendment to bring forward a transparent, open and science-based appeal process. People are rightly suspicious. If you go to the right Liberal fundraiser, if you've got the right contact with the Liberal Party, you may get your day in court, but for the average property owner, it looks like they're out of luck.

Secondly, when we requested the science behind this bill through an FOI request, we were given a bill of \$1,400. Clearly they're hiding the science. The LEAR studies the minister boasts about are not available to the public; they're ghost studies. We think, and we believe we're right, that the only science behind this is political science, not environmental science.

Will the minister please agree, before calling this bill for third and final reading in the House, to commit to a fair and transparent appeal process and put forward publicly all the science behind this bill?

**Hon. Mr. Gerretsen:** It may come as a surprise to this particular member, but the science that was used in determining the greenbelt was exactly the same science they used with respect to the Oak Ridges moraine. We looked at the LEAR system from the Ministry of Agriculture; we looked at the natural heritage system from the Ministry of Natural Resources. We combined the two and found the science of the area that's proposed to be part of the greenbelt to be exactly what we thought it was going to be, and that's how we determined where the greenbelt is going to be located.

We want to make sure this greenbelt is permanent. That's why we're saying that there are no appeal mechanisms and that the plan will be reviewed once every 10 years, in a concise way, as laid out in the act, through a full and public process at that time. That's the way we can make sure the greenbelt will be permanent for future generations.

#### MUNICIPAL FINANCES

**Mr. Michael Prue (Beaches—East York):** My question is for the Minister of Municipal Affairs and Housing. Because of your inaction, the city of Toronto is being forced to sell the furniture to pay the rent. You owe the city of Toronto \$47 million, but you refuse to pay up. But now that Toronto is forced to sell its assets at a garage-sale price to pay the bills, you're the first in line. You told the Toronto Star yesterday that you would absolutely, unequivocally like to have your hands on the Toronto Hydro lands and even the Science Centre property.

Is this the new deal for cities: Starve them and then take the land off them? What is your new deal for cities? Nineteen Toronto Liberal MPPs are missing in action. When are the 19 Toronto Liberal MPPs going to stand up and say that your new deal isn't a new deal; it's a raw deal?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I'm

pleased to get this question from the member opposite, because it gives me an opportunity, once again, to say that what this government is doing for the city of Toronto is \$80 million more than the city of Toronto received from the government in 2003. What do they get for a total of \$217 million? They get \$91 million or more in provincial gas tax funding, \$74.5 million in transit capital funding, \$20 million in TTC improvements, \$25 million in assistance to promote a competitive business climate and \$6.3 million in public health costs uploaded to the province.

We are proud of that record. We are proud of providing them with \$80 million more than two years ago. And do you want to know something? Next year, it's going up by another \$95 million to \$317 million. We are proud of Toronto, and we want to make sure it will remain the economic engine of this province.

**Mr. Prue:** Mr. Minister, you acknowledge that Toronto needs a permanent solution, but this isn't a permanent solution. The mayor of Toronto requested a joint review of the books by the municipal and provincial auditors, and what did we get? You didn't agree that they be audited. All there was was one-sided finger pointing by your Minister of Community and Social Services. Toronto has nothing to hide. All we see being hidden is from your government: hide, hide, hide.

While Minister Papatello is pointing the finger at Toronto, 19 Toronto Liberal MPPs have been missing in action. Not one of them has spoken up for our city. Minister, are you instructing the 19 Liberal members missing in action to demand a fair deal for Toronto? Is that the reason for the great silence emanating from your benches?

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**Hon. Mr. Gerretsen:** The Minister of Community and Social Services would never point the finger at Toronto. Let me also say that we are extremely proud of the 19 MPPs from Toronto, cabinet ministers and other members, because they fight for the city of Toronto and the province of Ontario on a day-to-day basis.

Let me also say that, yes, we are going to make changes. We're working with the city of Toronto to make sure that the City of Toronto Act reflects the realities of the 21st century, in exactly the same way we're working with the rest of the municipal world in Ontario to make sure changes to the Municipal Act will give municipalities more power and more permissive authorities.

We're proud of our record as to how we're working with municipalities. We'll continue to work with them and the city of Toronto, hopefully, for many years to come.

#### SCHOOL CLOSURES

**Mr. Michael Gravelle (Thunder Bay—Superior North):** My question is for the Minister of Education. Minister, as you well know, the Lakehead District School Board has made what they describe as "a final decision" to close 14 schools in the Thunder Bay area, seven at the

end of this school year and seven more in 2007. In that regard, last week you announced a new policy regarding school closure guidelines that came along with substantial funds for facility renewal.

Minister, despite your public assertion that these new guidelines will have a significant impact on the board's decision, there still seems to be some confusion as to whether these new guidelines will compel the board to make further alterations that could affect the final number of schools closed on behalf of the board and, perhaps more particularly, those children and families affected by the potential school closures. Can you clarify precisely what impact these new guidelines will have on the public board's decision-making?

**Hon. Gerard Kennedy (Minister of Education):** There was provided, for first time in fact in this House, a copy of a report that changes the world in terms of schools staying open, in terms of how we value our schools. It is a different way of looking at the assets we have. In fact, for the first time we regard our school space, first and foremost, as an asset.

The schools that are being talked about in Thunder Bay have a value of \$66 million. In the advice we've given to boards, we are telling them about how the capital funding formula is changing, so there's about \$6 million for the repairs attached to those particular schools. There's also operating direction in terms of where we're going with the operating formula, and we've invited the board to sit down with us and address how declining enrolment areas in Lakehead and elsewhere can be dealt with.

Finally, we are going to review every one of the boards that put forward closures during the moratorium because it has to be done. We need consistency and we're going to make sure that the spirit in the letter of what we proposed is going to be a benefit for every student, equally felt all around the province.

**Mr. Gravelle:** For my supplementary, I think I'd like to ask you how the process perhaps might move forward. Certainly, we know that time is running short, particularly for those schools scheduled to close this coming June. In fact, it's my understanding that the board and trustees are meeting tonight to put more detail into their closure plans.

My supplementary is, will the Lakehead District School Board be able to continue to move forward directly on its closure plans and, if not, what can the board and the public expect to happen next? Perhaps more importantly, how quickly will all this unfold?

**Hon. Mr. Kennedy:** The boards in Lakehead and elsewhere in the province can expect from us what they didn't get from the people opposite, which is some respect in terms of what they've done, but also the need to make sure that every student benefits. We are writing to each of the boards and asking them to hold up any closures that they have in process, any closing processes that they're doing, in consequence of a dramatic change in the resources that are available to them.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. I'm going to start naming members—first of all warning them and then naming them. I'm having a very difficult time hearing the question and then the answer, and the heckling that goes across, back and forth, is not helpful. So from now on, I'm going to start making sure that I name these members so we can get on with the proceedings of the day.

**Hon. Mr. Kennedy:** There are at least five different ways that the Thunder Bay situation has changed—in operating funds and capital funds in the guidelines that they have to go through and the way they assess their entire situation in terms of capital planning. All of that will have to jibe in order for those closures to continue.

We have not taken power away from boards, but the province does set the guidelines and the guidelines will have to be followed. We're going to work closely with the Lakehead board and other boards around the province, because this is a better future for their students. There is more benefit involved if the schools that stay open or the schools that eventually might close are done only when it's better for the students to go to those exact schools. For the first time in Ontario, that's what's possible for all students right across the province.

#### TRANSPORTATION

**Mr. Jim Wilson (Simcoe-Grey):** My question is for the Minister of Transportation. Minister, your government has acknowledged that clogged roads and highways are costing the Ontario economy up to about \$5 billion annually and the Ontario Chamber of Commerce says that gridlock is costing businesses across the province an additional \$5 billion a year in lost time and productivity. Yet in the last couple of weeks, we have learned that GO Transit is increasing fares for commuters by an average of \$6 a month for the average transit user, and students are being hit with two fare increases, with a further 5% hike in student fares.

Instead of unlocking gridlock and encouraging ridership by reducing fares, you're spending \$8.5 million to install French-language signs throughout the GO Transit system. Minister, this is a very rigid interpretation of the French Language Services Act. Less than 1% of people in the GTA even speak French. How can you justify spending \$8.5 million on signs when you could hire 212 new French-language teachers or build a new French-language school for \$8.5 million?

**Hon. Harinder S. Takhar (Minister of Transportation):** Congestion is an issue in the Toronto area; there's no question about it. That is why I introduced the legislation yesterday that will help us improve some of the traffic flow in the Toronto area.

The other issue is that in order to relieve congestion, we have to improve service for GO Transit, and we are absolutely committed to doing it. We signed a \$1-billion agreement with the federal government and we are working closely with the municipalities to improve the service. One of those features is that we have to make

transit accessible to those who use it, and making signs visible so that people can read where to take GO Transit and other transit services is part of our plan to do that.

**Mr. Wilson:** By spending \$8.5 million on signs that aren't needed, you are simply ignoring the facts of the makeup of the GTA and its population. More people speak Punjabi, Chinese and Italian than speak French. It's impractical to ignore the makeup of your own riding, places like Mississauga, Brampton and Barrie.

That \$8.5 million would buy 11,000 cardiac surgeries or 42,000 MRI scans, which the Premier was bragging about yesterday. It would buy you, as I said, a new French-language school or 212 new French-language teachers. Why don't you just back off, amend the act, do what is common sense, respond to the true population out there, and don't waste \$8.5 million when there are so many other priorities that your government should be looking at?

**Hon. Mr. Takhar:** I come from the Peel region, so I think I know what needs to be done in the Brampton or Mississauga area. I think what we need to do is improve the service on GO Transit, and that is what we are absolutely committed to doing. We are not only going to improve the service, but we are also going to make sure that we have a seamless and integrated service available to the users from those areas.

Part of that also is to make sure that people can read the signs. We will not only make it available in French, but we will also make sure that if other requirements are there, we can address some of those issues as well as we go along.

#### ALLEGED SEXUAL ABUSE OF MINORS

**Mr. Peter Kormos (Niagara Centre):** To the Attorney General: Over three months ago, you and the Premier promised victims in Cornwall a full public inquiry into sexual abuse uncovered by the OPP's Project Truth investigation. The people of Cornwall haven't seen you since. You haven't appointed a commissioner. You've done nothing. You found plenty of time to push ahead with your ban on pit bulls. When are you going to find the time to provide some justice for victims of abuse in the form of a full public inquiry, as you promised?

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** When I met with people in Cornwall, when I met with victims in Cornwall, I heard loud and clear that they wanted a number of qualities and qualifications in a commissioner for a public inquiry. They made it loud and clear that they did not want a commissioner from Cornwall or from that region. They made it loud and clear that they wanted to have a judge with experience particularly in criminal law. They made it very clear that they wanted to have somebody who had never had any contact with this file. They also made it clear that they wanted to have a judge who had all these qualifications and was also fluently bilingual.

I am working very hard and am having conversations with the chief justices of the Ontario Court of Justice, the Superior Court and Chief Justice McMurtry. I expect to have a decision from our potential commissioner within the next 10 days, and I hope to have an announcement within the next couple of weeks.

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**Mr. Kormos:** These people are somewhat disappointed that you would blame them for the delay. You promised a full public inquiry.

The victims want to know this, Mr. Attorney General: Will you stop the gag orders that the provincial government has imposed upon victims who have settled with the province of Ontario? It's imperative that those victims be allowed to speak openly about the abuse and the attacks imposed upon them. It is unconscionable for this province to gag victims who have to live with that abuse and those assaults. Will you drop the gag orders that the provincial government imposed upon those victims, so that when your inquiry starts, those victims will have full opportunity to speak to the inquiry and to the public?

**Hon. Mr. Bryant:** The member knows that all of that is complete nonsense. It is unfortunate that victims would have to hear that complete nonsense.

Contrary to a gag order, this government is the first government with the courage, in the face of years and years of allegations, to finally bring to bear a public inquiry so that we can get to the bottom of what happened in Cornwall. That's what this government is doing.

#### FETAL ALCOHOL SPECTRUM DISORDER

**Ms. Laurel C. Broten (Etobicoke-Lakeshore):** My question is for the Minister of Consumer and Business Services. Last year this Legislature rose unanimously and supported an amendment to the Liquor Licence Act, known as Sandy's Law, whose goal was to raise public awareness with respect to fetal alcohol spectrum disorder, an unfortunately common yet preventable disability which is estimated to affect at least one in every 100 babies or 300 Canadian children each year. This amendment came into effect on February 1 of this year. Can you please tell us what exactly this amendment is and how public awareness will be raised in all of our communities and across the province as a result?

**Hon. Jim Watson (Minister of Consumer and Business Services):** I want to thank the member for Etobicoke-Lakeshore, but in particular I'd like to thank the member for Prince Edward-Hastings, because it was a result of his leadership and his personal commitment to this tragic situation that befell his family that we in this House passed Bill 43 unanimously.

This is a law that's aimed at education and prevention of fetal alcohol syndrome. Sandy's Law is about choice and taking responsibility. I'm pleased that our government, the McGuinty government, worked with Mr. Parsons to ensure that licensed establishments and beer

stores and liquor stores now have to display this reminder of the consequences of drinking while one is pregnant.

**Ms. Broten:** I have certainly received numerous calls of congratulations and support for this from restaurants and bars and community members in my riding of Etobicoke–Lakeshore. Who exactly is going to be required to comply with this law is the question that they're asking, and what should they be expecting to see in their community as this law comes into full force and effect?

**Hon. Mr. Watson:** I had the pleasure of going to Belleville with Mr. Parsons. As of February 1, all licensed establishments in Ontario are required to post these signs, and also beer and wine stores and brew-on premises. The sign reads, "Warning:: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby." Individual operators and licensees are able to download the poster free of charge from the Alcohol and Gaming Commission Web site, which is [www.agco.on.ca](http://www.agco.on.ca). I'd encourage those businesses that have not posted the sign to please do so, because that is part of the law that was passed unanimously by this House. Again, I congratulate the honourable member Mr. Parsons for the work he has done. It shows that when this institution works together in harmony, we can make a difference.

#### INFECTIOUS DISEASE CONTROL

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** My question to the Acting Premier is about H5N1. Last year in the Legislature, your Minister of Agriculture accused me of fearmongering on this subject. On April 15 last year, a day after I asked what the government's plans were for H5N1, your minister said, "I think it is very unfortunate that we are fearmongering in this province." You know this file. Do you feel that asking questions about bird flu is fearmongering?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** What I do know on this very important subject is that the Ministry of Health and the Ministry of Agriculture have been working very closely with a variety of interested people. We have, of course, been taking lessons that have been applied through the work of Health Canada, and working very closely with the World Health Organization with a view to learning all the lessons that can be learned.

We've worked hard in the province of Ontario, in the time since we came into office, at enhancing our capacity to address challenges around infectious disease. We've worked very closely, taking a look at the circumstances that occurred in British Columbia. All these things taken together do demonstrate that we take all these problems seriously. That's why we've worked so hard over the course of the last year.

**Mr. Barrett:** Acting Premier, you are going to have to have a chat with your Minister of Agriculture. Dr. Julie Gerberding, the head of the Centers for Disease Control and Prevention, is now saying scientists expect Asian

bird flu virus will change into a flu that can be transmitted between humans. She considers this "a very high threat." Hans Wagner, of the United Nations Food and Agriculture Organization: "At the moment, we are not on top of it."

Acting Premier, you have to explain to your Minister of Agriculture that these experts are not fearmongering. Is there no plan, for example, for landfilling diseased birds in this province? Eighty per cent of BC's birds had to be landfilled; they had to be buried. I've asked this question before: What landfills are being targeted? What steps are being taken to prevent an outbreak of H5N1? Is your Minister of Agriculture or your Minister of the Environment listening to their staff? Is there a plan?

**Hon. Mr. Smitherman:** Not only will I have chats with the Minister of Agriculture; I will continue to do what our ministries have been doing together—and rather well, I'd say—which is working to make sure that Ontario is well prepared in the event that these circumstances unfold here.

The honourable member does seem a little prone to suggesting that there isn't being anything done; I'm not going to characterize that. But what I can tell the people of the province is that the government of Ontario seeks to make sure that Ontario is a jurisdiction that has learned all the lessons from infectious diseases. We've taken very seriously the responsibilities that fell to our government to make sure that Ontario's capacity was enhanced, as a result of what we learned from SARS and on matters including the one that the honourable member raises.

I can tell him that we are involved in daily conference calls, working with the World Health Organization and with the Public Health Agency of Canada to make sure all the lessons that can be learned in other places can be promptly applied here. We have a plan, and we work toward improving it every single day.

#### VIOLENCE AGAINST WOMEN

**Ms. Marilyn Churley (Toronto–Danforth):** I have a question to the Minister of Community Safety and Correctional Services. Last week, Szilvia Veres was murdered by her abusive ex-boyfriend, despite court orders that he not contact her. This is one of several recent tragic deaths that show how the bail system chronically fails to protect women from domestic violence.

Your government's strategy to combat domestic violence does not do what coroners' reports and women's advocates say is needed to protect women from bail violators. Requiring police, crown attorneys and JPs to use standardized risk assessments in determining bail conditions is one such long-overdue measure. These many experts agree on the need to use these risk assessments, but your government has chosen to introduce them only as a couple of pilot projects in a couple of municipalities. Will you listen to the experts and immediately require that risk assessments be conducted in all domestic violence cases across Ontario?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. She raises a very good question. You know that ODARA, the Ontario domestic assault risk assessment review, is aimed at preventing these things from happening. It has been tested clinically. There's no question that it works. It has been lauded by many psychological institutions and magazines. The problem we have—it's not a problem, but what we're going through is that we've made a pilot project both in North Bay and in Ottawa. The reason is that it isn't whether or not the assessment works; we're satisfied that it does. But what we have to do is make sure it is implemented properly. We have to make sure that the crowns, the defence and the judiciary understand how it works, and we have to learn how we can make sure it's effectively implemented. The program itself is not the issue. It's the implementation, and we can only do that through these pilot projects.

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**Ms. Churley:** Minister, the problem is that women are dying, and some of those lives can be saved if you act now. Unfortunately, what it looks like is that your government is more interested in saving money than in saving these women's lives. It's already in place. You can move now. Your own ministry's domestic violence death review committee cites cases about women being killed by abusive partners who have breached bail conditions. To stop such homicides, violent abusers should be detained in custody after they breach bail, not re-released with a new condition of bail. This is a measure that experts in the field have been calling for for years. You are responsible for administration of the bail system. You can make this change now.

I'm asking you again, for the sake of women's safety, will you immediately mandate that if an abuser breaches bail, they are detained in custody instead of being eligible for release after yet another bail hearing? Will you do that?

**Hon. Mr. Kwinter:** Unfortunately, the member is not correct. I do not have the ability to decide on bail hearings. That is done by the judiciary. I do have the ability, as we have done with the OPP psychological unit, to develop this plan. It has been tested extensively. We're satisfied it's the best plan available. We are running through the implementation process. It doesn't make any sense to have a plan if it doesn't get implemented, and we don't have the ability to implement it on our own. We have to have the co-operation of crowns, we have to have the co-operation of the judiciary, and we have to make sure we can do it effectively so that we can in fact prevent these things from happening.

#### DOMESTIC VIOLENCE

**Mrs. Carol Mitchell (Huron-Bruce):** My question is for the Minister of Community and Social Services. On December 13, 2004, along with the Premier, you announced the domestic violence action plan. I am

encouraged by your determination to help and protect those women and children fleeing domestic abuse. This is the first substantive plan put forward by a provincial government in the area of domestic violence for over eight years. Can you tell me how a woman in my riding will benefit from the initiatives brought forth in the domestic violence action plan?

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me take this opportunity to congratulate the member from Huron-Bruce, a loud advocate for women, a loud advocate for the women of Huron-Bruce. I had the opportunity to speak to a number—well, hundreds, actually—who piled into a town hall not too long ago in the dead of winter, as I recall, with wintry roads getting to Huron-Bruce. We had a very good conversation that night, and that was in advance of our announcement.

The focus is largely on four areas. One of those, of course, is prevention. The most significant shift, I believe, is in the area of prevention. Frankly, all sides agree that this is a necessary part of getting rid of the mentality that it's okay to have abuse against women. So that's an important part. The second is community supports. The third very important area that, again, all sides agree on, is in the area of training, not just of front-line workers but of all of us, friends and neighbours. The fourth is the area of justice.

**Mrs. Mitchell:** Thank you, Minister, and especially for braving our snow to come into Huron-Bruce to talk about the plan. It's very important to hear from the rural communities. I'm confident that this plan will not only aid those fleeing abuse, but will also help in the prevention of domestic violence in our communities.

Recently there have been some questions around your initiative to provide women's shelters with funding to help them in generating increased non-government revenues through fundraising. Can you tell us why you think this is an effective use of money?

**Hon. Ms. Pupatello:** I appreciate that opportunity. As you know, over the several months that we've been the government, we've had an opportunity to meet with many, many shelters across the province. What is striking about this group is that they spend much of their time not only on a 24/7 kind of job in running the facilities; in addition to that, they also spend much time actually working on various events to fundraise. We know that it's about time the government acknowledged that this group of people works very hard and we have to offer them some kind of help. We know they're doing it already; they need help to do it. Those dollars ought not to be taken from any of the funding that is going to the direct operating of their facilities. So we know that it's going to be a support to them and we appreciate working with them.

#### HIGHWAY 7

**Mr. Norman W. Sterling (Lanark-Carleton):** My question is to the Minister of Transportation. Mr. Min-

ister, when are you going to start construction of the four-laning of Highway 7 between Highway 417 and Carleton Place?

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. You were all doing so well, and then—

*Interjection.*

**The Speaker:** Order. Minister of Transportation.

**Hon. Harinder S. Takhar (Minister of Transportation):** Let me tell the member opposite that the design work for widening the first section of Highway 7, from Highway 417 to Jenkinson Road, was completed under our government. The design work for the second section, from Jenkinson Road to Ashton Station Road, commenced this past summer, and that also happened under our government. The previous government really didn't do much. The property acquisition for the expanded corridor is underway and is going to take maybe another 12 months for us to do.

**Mr. Sterling:** We have in the audience five members of county council who asked to meet with you at the Good Roads convention to talk about this particular item, but they weren't given an appointment.

Another tragedy occurred on this stretch of highway on January 24, when a 33-year-old man from Orléans died after being hit in a head-on accident. Only three days later, there was another serious accident and the highway had to be closed. An air ambulance came in to take one of the people away, who was critically injured.

Since coming into power, the McGuinty government has said that they are in fact going to build this highway, yet nothing happens. Would the minister assure these members of county council—the mayor from Carleton Place, the reeve from Beckwith township and the reeve from Montague township—that you will have the shovels in the ground this spring?

**Hon. Mr. Takhar:** I'm so glad the member asked me this question today, when they're all here. If this delay has occurred, it has occurred under their government. For eight and a half years they didn't do anything. Our government has been working diligently since then to actually address some of the issues that have been long outstanding, for eight and a half years. I want to ensure that we will continue to work with the local municipal officials to move this project forward.

**The Speaker:** Thank you. That brings us to the end of question period.

**Mr. John R. Baird (Nepean–Carleton):** On a point of order, Mr. Speaker: I would like to ask for unanimous consent for this House to consider an emergency resolution about the doctor crisis in Geraldton. It's an important priority that should have been brought up by the member opposite.

**The Speaker:** Do we have unanimous consent? I heard a no.

*Interjections.*

**The Speaker:** Can I get some order, please.

The member from Leeds–Grenville has a point of order.

1510

## VISITORS

**Mr. Norman W. Sterling (Lanark–Carleton):** It's Lanark–Carleton, Mr. Speaker, and it's kind of important to get that distinction through.

I'm sure all members of the Legislature would like to welcome Mayor Paul Dulmage of Carleton Place, along with Councillor Dennis Burn, Reeve Richard Kidd of the township of Beckwith, Reeve Aubrey Churchill and Deputy Reeve Gordon McConnell of Drummond/North Elmsley, and the reeve from Montague, Gary Doyle.

**The Speaker (Hon. Alvin Curling):** There are many Reeves and many mayors visiting us today, and I want to welcome them all.

To the member for Lanark–Carleton, I'm sorry if I had mixed you up with the member for Leeds–Grenville.

## NOTICE OF DISSATISFACTION

**The Speaker (Hon. Alvin Curling):** Pursuant to standing order 37(a), the member for Oak Ridges has given notice of his dissatisfaction with the answer to his question given by the Minister of Health concerning enzyme replacement therapy.

## PETITIONS

### FREDERICK BANTING HOMESTEAD

**Mr. Jim Wilson (Simcoe–Grey):** “To the Legislative Assembly of Ontario:

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and

“Whereas this great Canadian's original homestead, located in the town of New Tecumseth,” or Alliston, “is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

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

“That the Minister of Culture and the Liberal government step in to ensure that the Banting homestead is kept in good repair and preserved for generations to come.”

I want to thank St. John's United Church, the Men's Club, and Tom Shepherd for circulating this petition and for inviting me to speak on this very important topic of the Banting homestead this Friday.



## OPTOMETRISTS

**Ms. Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

“Whereas the Legislative Assembly of the province of Ontario will be considering a private member’s bill that aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and

“Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

“Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians who currently have the exclusive domain for prescribing TPAs to optometry patients; and

“Whereas the bill introduced by New Democrat Peter Kormos (MPP—Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

“Therefore, we support the bill proposing an amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases, and we urge the government of Ontario to ensure speedy passage of the bill.”

I agree with the petitioners. I have affixed my signature to this.

## ANTI-SMOKING LEGISLATION

**Mr. Phil McNeely (Ottawa—Orléans):** “To the Legislative Assembly of Ontario:

“Whereas smoking and exposure to second-hand smoke is the number one preventable killer in Ontario today, and there is overwhelming evidence that retail displays of tobacco products ... in plain view of children and adults increase the use of tobacco, we have collected 549 postcards signed by persons from our school and community supporting a smoke-free Ontario in 2005 and banning the use of power walls which promote tobacco use.

“We, the undersigned, petition the Legislative Assembly of Ontario to support the Smoke-Free Ontario Act to make all public places and workplaces smoke-free and to ban the use of power walls. The city of Ottawa has been smoke-free since August 2001. All of Ontario deserves clean air.”

That’s from Lester P. Pearson Catholic High School. There are signatures of seven students, and I will sign the petition as well.

## REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** This is from the folks up at the Huronia Regional Centre.

“To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and economies of the local communities;

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into centres of excellence to provide specialized services and support to Ontarians with developmental needs, no matter where they live” in Ontario.

I’m pleased to sign my name to this.

## WOMEN’S HEALTH SERVICES

**Mr. Jeff Leal (Peterborough):** “To the Legislative Assembly of Ontario:

“The Women’s Health Care Centre supports raped and physically assaulted women, nursing mothers and women going through menopause. It also provides physical exams for women and information on family planning. The closing of this facility would leave a void that is not filled by any other service in Peterborough;

“We, the undersigned, feel the Women’s Health Centre of Peterborough, Ontario, is vital to our community and should not have its funding cut by the government.”

I’ll give this to the page, Jason. This petition is from the citizens of the riding of Peterborough.

## STUDENT SAFETY

**Mr. Jim Flaherty (Whitby—Ajax):** “To the Legislature of Ontario:

“Whereas the Ministry of Education has failed to ensure that students are protected from individuals whose past behaviours have directly harmed children; and

“Whereas the Ministry of Education has chosen to ignore the children’s aid society’s recommendation that certain individuals not work with children; and

“Whereas the introduction of a ‘volunteer’ into the school system must not be solely at the discretion of the principal; and

“Whereas the Liberal government promised to ensure that school boards provide strong local accountability and decision-making;

“We, the undersigned, petition the Legislative Assembly to amend the Education Act to place restrictions on the eligibility of persons who act as volunteers in schools, and to include as a formal requirement that volunteers be subject to the approval of the school board and parent council.”

I’ve signed my name.

#### ANAPHYLACTIC SHOCK

**Mr. Kim Craitor (Niagara Falls):** I’m pleased to present this petition on behalf of the residents of Niagara Falls.

“To the Legislative Assembly of Ontario:

“Whereas there is no established province-wide standard to deal with anaphylactic shock in Ontario schools; and

“Whereas there is no specific comment regarding anaphylactic shock in the Education Act; and

“Whereas anaphylactic shock is a serious concern that can result in life-or-death situations; and

“Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

“Whereas all parents of anaphylactic students need to know that safety standards exist in all schools in Ontario;

“Therefore be it resolved that we, the undersigned” request “that the McGuinty government support the passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan.”

I’m pleased to sign this petition.

#### VOLUNTEER FIREFIGHTERS

**Mr. Ted Arnott (Waterloo–Wellington):** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

“Whereas the Ontario Professional Fire Fighters Association has declared their intent to ‘phase out’ these double-hatter firefighters; and

“Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

“Whereas Waterloo–Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

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

“That the provincial government express public support for MPP Ted Arnott’s Bill 52 and willingness to

pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time.”

This is signed by a significant number of my constituents, most of whom reside in the township of Wellington North. I want to thank the folks at the ROMA-Good Roads conference for also circulating my petition at their conference this week.

#### ANAPHYLACTIC SHOCK

**Mr. Dave Levac (Brant):** I appreciate this opportunity.

“To the Legislative Assembly of Ontario:

“Whereas there is no established province-wide standard to deal with anaphylaxis in Ontario schools; and

“Whereas there is no specific comment regarding anaphylaxis in the Education Act; and

“Whereas anaphylaxis is a serious concern that can result in life-or-death situations; and

“Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

“Whereas all parents of anaphylactic students need to know that safety standards exist in all schools in Ontario;

“Therefore be it resolved that we, the undersigned, demand that the McGuinty government support the passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan.”

I put my name to this petition and hand it over to Ian, our page.

1520

#### HEALTH CARE

**Mr. John O’Toole (Durham):** I’m pleased to present my first petition, actually, in some time to the Legislative Assembly of Ontario:

“Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services; and

“Whereas abandoning support for these services will place greater demand on other health care sectors such as physicians, emergency wards and after-hours clinics; and

“Whereas no Ontario citizen should be denied access to necessary medical care because of lack of funds;

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

“To reverse the mean-spirited decision to delist eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary health services.”

I’m pleased to sign this in support of my constituents in the riding of Durham and across Ontario.

## TTC RIGHT-OF-WAY

**Mr. Tony Ruprecht (Davenport):** I keep getting petitions against the TTC right-of-way on St. Clair Avenue West. The petition is addressed to the Parliament of Ontario, the Minister of the Environment, and it reads as follows:

“Whereas the city filed the ESR, the environmental assessment report, and issued the notice of completion on November 22, 2004, and initiated a 45-day public review period;

“Whereas environmental impacts of the dedicated right-of-way significantly affect the quality of life of nearby residents” and “dramatically and detrimentally” affects them;

“Whereas the availability of other alternatives to the project have not received careful consideration;

“Whereas the public consultation program and the opportunities for public participation have not been adequate;

“Whereas specific concerns remain unresolved, such as curb cutting, therefore reducing the sidewalks in such a way as to decimate community life;

“Whereas the city/TTC have not made their case within the parameters set out by the Environmental Assessment Act. The act defines ‘environment’ to include ‘the social, economic and cultural conditions that influence the life of humans or a community.’ The city has not established the need for the project, nor has it adequately assessed the potential socio-economic impacts that would result from constructing a dedicated streetcar lane on St. Clair Avenue West;

“Therefore we, the undersigned, demand that the Ministry of the Environment issue a part II order which would subject this St. Clair project to an individual environmental assessment.”

Since I agree with this petition wholeheartedly, I’m delighted to sign it.

## REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** “Save Huronia Regional Centre, home to people with developmental disabilities.

“To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and economies of the local communities;

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into centres of excellence to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

I’m more than pleased to sign my name to that.

## SENIORS’ TRANSIT PASS

**Mr. Tony Ruprecht (Davenport):** Mr. Speaker, thank you for recognizing me twice in one day. That’s a real record.

I have a petition. It’s addressed to the Parliament of Ontario and the minister responsible for seniors, and it says that we should grant free TTC passes to seniors:

“Whereas most seniors live on fixed incomes which are eroding every year”—and every day—“due to inflation costs and other necessary expenses;

“Whereas most seniors have their freedom severely restricted when unable to go about their daily business, which includes public transit;

“Whereas most seniors should be encouraged to live active, healthy lives—visiting friends, relatives, going shopping etc.;

“Whereas other jurisdictions already provide free local transit passes to seniors, namely, many cities in the USA;

“Therefore we, the undersigned, strongly urge the Minister of Municipal Affairs and Housing, and responsible for seniors to ensure that seniors be granted a free TTC pass, and/or introduce legislation that will force the local Toronto Transit Commission to issue free TTC passes.”

Since I agree, I am really delighted to sign this petition as well.

## REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** “To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into centres of excellence to provide specialized services and support to Ontarians with developmental needs, no matter where they live” in Ontario.

I’m pleased to sign my name to that.

## ORDERS OF THE DAY

### EDUCATION AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR L’ÉDUCATION

Mr. Kennedy moved second reading of the following bill:

Bill 167, An Act to amend the Education Act / Projet de loi 167, Loi modifiant la Loi sur l’éducation.

**The Speaker (Hon. Alvin Curling):** Mr. Kennedy.

**Hon. Gerard Kennedy (Minister of Education):** I’ll be sharing my time with my very hard-working parliamentary assistant, the member from Sault Ste. Marie, Mr. Oraziatti.

I’m very pleased to rise today to bring this debate to second reading. This is a debate about a fairly straightforward bill, but it is about one of the most important outlooks, I think, in publicly funded education; that is, the shared aspiration on the part of students and parents and teachers, and all workers in the system, and probably the public as well, as they were touched by things in the past, to see peace and stability become a permanent part of how education takes place in this province.

I think if we were on the parliamentary feed being picked up by stations outside the province, they might be scratching their head and wondering why it would be necessary for a government of the day to make an effort for peace and stability in the school system. Unfortunately, in this effort as in so many others, we are following the legacy of a government that took away a lot of the very things that most people would agree we should be able to take for granted in our publicly funded and publicly delivered services.

The bill in question is one part of a plan. It’s in a context of delivering peace and stability, of being able to bring the right kind of balance back into our education system and its administration at the provincial level.

The amendments to the Education Act, very simply put, take on a prior government’s decision to make all the contracts in the province due on a single date, so that effectively the teaching agreements at least, 105 of them, came due August 31. It’s the first time the province was

put in that particular challenge, that particular predicament. In the unusual nature of it, just by itself, even without the history I’m going to relate a little bit of, it would require some proactivity on the part of our government.

In assessing the situation, we have conducted long deliberations and discussions with people in the sector, as has become our way, to gather up consensus, to find the best way forward. We arrived at the idea that a two-year or a four-year term to those collective agreements, which is essentially a variation on the three years the previous government had put in, would be useful and purposeful in terms of helping to change relations in education to a new era of peace and stability.

We are being proactive in that respect, but also providing the flexibility we think is necessary, so that we actually do get the kind of labour agreements and the kind of outlook on behalf of the public and the teachers that we need to be able to go forward. That outlook is really an essential part of what we’ve been able to accomplish so far. One aspect of it can be basically determined as respect for teachers. We fundamentally have found it necessary to put that proposition forward. The people who work in that profession need to get a very strong and consistent signal from this Legislature, from the government of the day, from the administration of the Ministry of Education, that we are conferring respect, that we do regard them as professionals and that we do see huge opportunities for them to help advance the system exactly the way they want to and have been frustrated in in the last number of years.

### 1530

The era we’re leaving behind was stricken with 25 million lost school days—25 million days taken away from students by mismanagement at the provincial level by the previous government. They were taken away by an era of conflict—a conflict that was really conjured up, I believe, in some of the political calculations that the last government made. It is sad to think that those calculations, which were never protested by any of the backbench members who serve that party here today as members of the opposition, never found public claim, in terms of saying, “Enough is enough. Our kids should not be subject to these political manipulations and mechanisms.” But instead, it was gone along with and supported. That has put all subsequent governments in a position of having to compensate, of having to bring back to the system the kind of non-partisan environment that it requires to go forward.

We are working through this bill. What it simply does is require that the terms of the agreements move from three years to two and four years. Those are the kinds of agreements that are most likely. I can tell you what our bias is, as we encourage the local collective bargaining to find agreements: It certainly is toward the longer term. We certainly believe that there needs to be a respite and that it is in everyone’s interest to not have to worry about how arrangements will be. It is obviously important that if those longer arrangements are to be arrived at, they

contain, as well, respect for the system and respect for teachers that we think is the hallmark of our efforts so far in terms of bringing positive change within publicly funded education.

We have put forward, in addition to the legislation that we have in the House today, a general framework to assist boards and teacher federations in arriving at the kind of agreements we know they want, goodwill agreements that are good for teachers, good for the school system and good, ultimately, for students. We know that aspiration is captured in this bill, but it is also captured in some of the related actions of the government.

We have provided, for the first time, a dialogue at the provincial level to acknowledge that some of the things that influence the success of those local negotiating tables need to be resolved, or at least a significant effort needs to be made to resolve them, at the provincial level. Why? Because, like the bill we're debating today, there are things that have been put into the Education Act that are outside the reach of local bargaining and which need to be solved in order for local bargaining to be successful. An example of that would be some of the provisions around secondary workload, around some of the aspects of how preparation time is defined in elementary and a range of other things having to do with workload.

I'm very pleased to report to the House that all of the federations representing teachers in this province and making sure that their interests are looked after have agreed to take part in a form of dialogue, as have the representatives of the public school boards, the Catholic school boards and the French school boards. In effect, all of the people in education who are participant to those local negotiations are participating in a provincial dialogue about other things. But these other things often can get in the way of what happens locally. We want to assure everyone that what we're doing is simply to try and create the conditions under which local bargaining will be successful and under which both parties will choose the best, most stable situation for their boards and for their students. It is a bit of a change of channel for everyone involved in education, and it takes some time to effect that. That's why it is so important that this bill be supported by this House.

I think, for every member in this House, this is an opportunity to send a signal in support of the efforts within education to normalize things so that they can get on with the business of learning. Too much of education has been about conflict inspired from this room, that has come from measures, unnecessary interference, on the part of the provincial government in the past, setting terms and stipulations that don't necessarily add up to the right kind of education in the schools, in the different situations we find across the province. We have approached our role in this very carefully, listening very hard, talking to all the participants and making sure that what we have on offer is generally going to improve the situation. I think the participation that we're getting in the provincial dialogues is proof in itself that there is an acceptance, that there is an important role to play.

I think that with the gift, if you like, of the last government to put all the contracts due on a certain date, it means that we haven't arrived at all of the positive changes that we want in education, and this gives us a chance to be able to dialogue with some of our partners in education about how those are going to look and how they may indeed influence the conditions that they seek under collective agreements.

There is a long-term view on the part of this government. We have an outlook encompassing the four years that are going ahead to see how students are going to improve. As much as we need to invest, as we did last week, in the buildings, as much as we have invested in the months before in the extra staffing, in the reductions in class size, in the learning materials, in the more focused goals, in the bringing out of the potential of the instructors and the educators and the support workers so that we can bring out the potential of the students—as much as we've done that, we also need to take responsibility here in this House for the environment in our schools. We need to take responsibility for the environment in the classrooms and the staff rooms. That is not to say that we in this room—there are many qualified educators in this body, but none of us can influence that classroom except by making sure that we don't put up additional barriers, except to make sure that we provide the sense of respect, the sense of support, and the sense of taking responsibility for those things that we can, which they have every reason to expect from us but which I think most objective observers would say was not present for too many of the last number of years.

We're putting forward here an ability to provide support. For the first time, we are standing behind resources for school boards, to make sure that they are in a position, going forward, to enter into long-term agreements should they so choose and should they have that choice made, also, on the part of the education workers.

We're also making sure, for the first time since the funding formula came into place in 1998, that we're actually paying the real cost of the increases that are available. So we've provided a real amount of money in the funding formula to make sure that we don't have what has been so much a hallmark of funding decisions in the past, which is that things are announced at Queen's Park and there is a requirement by boards and by others to come up with some form of adaptation. That adaptation often gets in the way of providing quality education. We're working our way toward a very transparent and very accountable funding formula, which we can't say has existed in the recent past and which will take some time yet to bring about.

The transparency, though, will also give boards some ability to show to us that they are able to accomplish their multiple responsibilities. It is not just the environment that comes from the collective agreement; it's also the environment that comes from some of the changes that people in education have been asking for for so many years. Educators and others have recognized, I think far ahead of the people in this room, that we can do things.

There are insights we have about education that will positively influence the future of so many children in this province.

One of those is lower class size. There has been, I think, a consensus for a very long time that we're short-changing students by not giving them the attention at the earliest age possible. Lower class size from JK to grade 3 is one of the things that's going to add to stability in this province, because it means that we added, last year alone, almost 1,200 new teachers, that we're improving the status of the teaching environment in 1,400 schools just in the first year, just in the first instalment. To be able to do that, we've established the guidelines to make sure that those dollars are happening, and yet at the very same time there are adequate resources to make sure there are good, fair and respectful collective agreements happening around the province.

The same can be said for secondary. Our secondary teachers and administrators have known for some time that we need to make a renewed effort in terms of keeping students in school. Too often, 16- and 17-year-olds in this province have been casualties—most recently, of a revised curriculum that didn't take a heck of a lot of our students into account, and more importantly, that denied those children some of their potential. I say "children," but they're really young adults, young adults who found out that they were still struggling to pass reading and writing tests in grade 10, and then turned around and found they could have no support, that there was no remedial available. Somehow, they were being defined on the outside of what was seen to be the mainstream. There's only one mainstream, and that's one that includes a successful outcome for every single student. To do that, we need to make sure that those resources are available.

We're still deciding the exact shape of some of that. I'm pleased to report that there were approximately \$18 million in additional pilot projects approved by our government this year and that we are sizing up a real, substantial change in how our high schools will operate in the future. Part of that is about the peace and stability that we need to have, part of it is about the predictable funding arrangements and part of it is just the ability to plan.

**1540**

As I travel the province and as the Premier does—he visits schools on a frequent basis—we're finding that there is a new energy, that there is a new spirit of possibility. We are fortunate in this province to have very skilled educators, to have a system that has delivered excellence despite very difficult conditions.

The one thing I would say to people out there who question whether or not we should be aspiring for so much on the part of our students is that the only thing we want for them is something that's already available in some parts of the province. In some parts of the province, we have the answer to the dropout rate. In some parts of the province, we have the answer for kids who are aspiring for higher levels of literacy and numeracy and

good foundations in all the other things we want to bring them in their education. It's simply our job in this House to allow that system to work together, to actually, maybe for the first time since it's been redesigned, have publicly funded education operate as a system so that the good ideas that take place in Thunder Bay or in London or in any part of the province are actually available right across the province.

The kinds of things that educators can do, provided with the right environment, and the kinds of things systems can do, provided with the right kind of support from here, are exactly the things that we want to have happen. But they won't happen unless we make a decision here in this House that we're going to be able to take responsibility for supporting that environment; that is, the intangibles of making teachers and education workers and support workers feel respected. That respect has to translate into the arrangements around working conditions. For example, a reduction in class size for elementary teachers will reduce the number of students they have to deal with by 15% to 20%. Unfortunately, too many students were getting lost in the crowd under the previous approaches. That cost may seem to be small, to crowd more kids into the classroom, that may be seem to be something that's easily done, but it's an accumulated cost that we pay for over and over and over again.

Conversely, as we provide this environment, and as we provide the mix of resources that is contemplated in the supporting ideas around this bill, we're able to provide a high-quality education—I won't say with the least effort, because I know that our educators provide a focused amount of effort to every student in their class. But, by doing it at an early age, we're helping the students and we're helping our educators. The frustration can be enormous when you have someone arrive in your class in grade 10 or 11 who has not had very much success. It's very tough on their self-image and, frankly, it's difficult for anyone to compensate for what has gone on before when they get to that stage. But by doing it at the earliest of ages, we're providing for tremendous possibilities for the future. Similarly, we have sent a strong signal throughout the school system that we're not giving up on any students. They may not have gotten that attention in the past, but whether they're in grade 8 or grade 9, or this year in grade 12, they deserve to do better.

We have an attitudinal outlook in this province that says that everyone should go to university. Eighty per cent of parents believe that. We want parents and grandparents to be strong in their ambitions for their children and grandchildren. But each of us has to take some responsibility here. Only 28% of our students are getting into university, and we're the leading jurisdiction in the country. We can do better, but ultimately we can't make any of the students who don't end up in university feel as if they haven't reached their potential. There are so many goods outcomes, whether it's a work experience with learning, an apprenticeship, college or university.

Part of what we have today is a piece of an outlook for peace and stability that will allow that to happen. There is

not a single good reason that we should allow the record number of students who in the last year of the previous government ended up not succeeding in getting a diploma. Eight thousand or nine thousand additional students didn't get a diploma. None of that should have happened and it doesn't need to happen in the future. When we have a record dropout rate, that is a consequence of how that was handled. Under conditions of peace and stability, which I recommend to every member of this House to take some responsibility for, not just in this bill but in how they treat education, how we discharge our responsibilities as elected officials—like it or not, we'll soon put to each member of this House another chance to go back to school and see for themselves that we really are part of the education system now in the ways we exercise our decision-making, the kind of influence we have on how it's perceived, the way we give encouragement to some of those discouraged students.

There is a positive role for us to play. But that role is not one of interference. We are not reaching in and we're not touching either what's happening in classrooms or, frankly, what's happening with collective agreements. We on this side of the House, at least, and in this government have shown a tremendous amount of respect. We're not the party of Bill 160. We're not the party of the social contract. We have not interfered. We have, instead, provided to find out the useful role that the provincial government can play. If there's a hallmark to anything we've done so far—from cutting class sizes to repairing problems to working with my colleague the Minister of Tourism to putting community use of schools back—it has been about finding the right role for the provincial government and respecting the roles of others: the role of the school boards, the role of the teachers, the role of the principals.

We think that ultimately our success—and we do feel that we're on the track for success—is going to come from getting everybody to optimize in their role, but that again brings us back to the intent of the bill. It is about us, in this room, taking responsibility for peace and stability.

If there's any compliment that has been paid to this government that I think both I and the Premier would wish to acknowledge—we can't take responsibility for it, in the sense that it has been based on everyone's efforts—it is that sense that people are telling us in school after school and parents are telling us that there's a new sense of possibility, that there are better things happening, that there's a new sense of what can be done. We're starting to get, as we spend time in schools, a flow-forward of ideas, of problems being solved, of ways to solve problems. That is how—and we're not there yet—a provincial government should run a school system, which is allowing it to be the best it possibly can.

There are things that we can do from this House. One of these is to help set the right kinds of terms, in terms of how the contracts can take place. Another is to take responsibility for where the provincial government in the

past has had its thumb on the scale but wouldn't acknowledge that it was involved in the conditions and wouldn't take responsibility. This bill is about taking responsibility as part of a whole package of helping to ensure that “peace and stability” is not just a watchword, not just a slogan, but a reality.

So far, it has been a reality in our schools, and I put to each member of this House that we each will have a corresponding responsibility over the next number of weeks and months and years to help make sure that, whatever else happens, whatever party has whatever point of view about education, we never again put us back to a point where it is taken out on lost days to students. We believe these measures will help ensure that that doesn't take place. In fact, they will unlock their potential, and I ask for every member of this House to support that concept and the plan to move it forward.

**The Speaker:** Further debate?

**Mr. Frank Klees (Oak Ridges):** Could I get clarification from you, Speaker? I assumed that we were doing one-hour leadoffs.

**Interjection:** He's sharing his time.

**The Speaker:** Minister, you're sharing your time?

**Hon. Mr. Kennedy:** Yes, Mr. Speaker; with the member from Sault Ste. Marie. I announced it at the beginning.

**The Speaker:** Oh, I'm sorry. The member from Sault Ste. Marie.

**Mr. David Oraziotti (Sault Ste. Marie):** I'm pleased to have the opportunity to also add comments to the second reading of Bill 167, An Act to amend the Education Act, 2004.

Some of the comments that I'll make this evening may be reacted to by both of the opposition parties here, because the cold reality of this legislation is that we are taking a new approach to education, one that has been long overdue in this province.

Let's be clear about our government's legislation with respect to the education system. It's designed with several key purposes in mind: to ensure that we put in place policies that give our students the best chance at success; to ensure that our partners in education openly participate in the development of strategies; to improve Ontario's education system; and to ensure that we restore respect for education workers and develop long-term stability in education—something that has been sorely lacking.

I want to commend the minister for his leadership in the education sector and for playing a tremendous role in helping to rebuild trust among the thousands of education workers in the province of Ontario, and also for the Premier's commitment to reinvest in education. I am proud to be part of a government that is reinvesting in education, that is taking a completely new approach to the education system here in the province of Ontario.

Having spent 10 years working in the education system, I know how difficult labour negotiations can be. We all know how contract talks can blur the focus on what our schools are there to do: educate Ontario's stu-

dents. Teachers and school boards should be, and they want to be, concentrating on the goal of improved student achievement and giving our children the tools that they need to succeed.

Disruptions caused by negotiating processes can disturb everyone: students, parents, teachers and administrators. Our government has been working hard to build an atmosphere of peace and stability in our education system. I heard my colleague from Peterborough talking about the disruption and the chaos caused by the past government. It couldn't be more accurate in terms of characterizing the past relationship of the provincial government with our education sector. Our government has been working hard to build this atmosphere of peace and stability in our education system and working hard to enshrine and ensure that our children's education is not disrupted. And that's a big job, because we're repairing years of distrust created by the past government.

**1550**

Think about it: We all remember former Minister of Education John Snobelen, who set out to create a crisis in education, to undermine public education, to drive resources into private schools. This is the type of vision the past government had for education, so it's no wonder there's distrust in the education sector. Creating stability in our schools is one way that we can help support an environment for teachers and students.

Since our government came to power, we have worked to build a genuine partnership with the education community. We have seen a renewed atmosphere of respect and co-operation emerge, following years of turmoil and tensions. We have moved quickly to address the old politics of division. Where the previous government cut millions from the education system to pay for tax cuts for the wealthy, we're investing billions in the most valuable resource that we have in Ontario: our young people.

Our achievement and our targets and our strategies are taking hold and are making a difference in the province.

One of the first decisions our government made was to cancel the private school tax credit. The previous government tried to take hundreds of millions of dollars away from public education. I believe it was estimated that, when fully implemented, it would have had the effect of taking about \$500 million out of public education. We're making sure that public money is used for public education.

The previous government also imposed supervisors on boards, forcing local trustees to step aside. Boards in Ottawa and Hamilton and Toronto were simply taken over. Our government demonstrated greater respect for trustees through restoring control of supervised boards of education back to their trustees and to their elected representatives.

We've shown a much greater respect for teachers through the cancellation of the divisive professional learning program. As teachers in this province know, our government fully realizes that this was a punitive piece of legislation that failed to achieve the objective of true professional development for educators.

In addition, we have new proposals to revitalize the College of Teachers and improve development programs for all teachers in the province of Ontario. Our government wants a college run by teachers that is self-regulating, not politically interfered with by the government or unions but one that teachers can be proud of and that is truly self-regulating.

When we passed the Professional Learning Program Cancellation Act, 2004, last December, Minister Kennedy said that Ontario's 193,000 teachers are professionals and that we're going to treat them with the professional respect they deserve. I couldn't agree more.

The legislation we're debating today continues to build the atmosphere of peace and stability that our schools need. The previous government's legislation calls for three-year-term contracts. Our legislation would allow for either two- or four-year-term contracts, with a stronger encouragement for the latter. This allows negotiations to take place in an environment that is conducive to fair, honest collective bargaining, with the goal of building a strong, publicly funded education system. It's an approach that allows school boards and the government to do better long-term planning. It's an approach that means all parties will be better able to focus on improving student achievement, rather than struggle through the negotiation process. Ultimately, longer-term contracts and longer-term agreements mean more stability for students, parents, teachers and education workers. Our plan includes guaranteeing multi-year funding for boards that enter into either two- or four-year agreements.

The change in the length of teachers' contracts is just one of the ways that our government is restoring peace and stability to Ontario's publicly funded education system. We've consulted widely with teachers, parents and administrators and we have listened to their concerns and their ideas. Healthy working relationships among all parts of the sector are vital to the progress that students need and deserve; vital to the very future of Ontario's publicly funded education system.

We all know that good relationships are not enough. That's why our government is making major investments in our schools, investments such as the \$1.1-billion increase in education funding since coming to office. This investment was made despite an inherited annual deficit of over \$5 billion left to the people of this province by the past government. We've made this difficult choice so that school boards could address long-standing basic program needs and improve student achievement. Our struggling students have waited too long, our under-maintained school buildings now need the attention that they long deserved, and our program enhancements for students are way, way overdue.

So what have we done? Our government has continued to show leadership on education by continuing to increase support for our publicly funded schools.

Last week, Premier McGuinty and Minister Kennedy announced that school boards across Ontario will get \$280 million in annual funding to secure financing for \$4



billion worth of repairs, expansion and construction of new schools. As the Premier said, students have a much better chance at success when they learn in schools that are clean and safe and in good repair.

About half of the \$4 billion will be spent building new schools or expanding existing ones. Repairs and improvements that have been identified as urgent will begin within 18 months. I know in the Soo and Algoma region, having met with our local school board officials in my riding, the funding for school renewal has been received very positively. I know they have a long list of repairs that need to be done that have been neglected, that have forced them over the years to make very difficult choices in terms of addressing program issues or fixing desperately needed schools.

It's our firm belief that the people of Ontario support our investments and those that need to be made in the years to come. The people of Ontario also expect to see these investments produce results at schools and in their local communities.

With last week's announcement, we are improving the physical condition of our schools, and with this legislation we aim to improve the overall atmosphere of our schools. We know that, next to parents, teachers are the single most important influence on the lives of children. That's why we're reducing class sizes in the primary grades to give our teachers the time they need to give our children the attention they need in those all-important early years.

Teachers have applauded our investments to date that have allowed boards to hire 1,100 more teachers, resulting in smaller class sizes in 1,300 elementary schools. We're also supporting teachers better with targeted resources and specialized training for teachers to help improve young students' reading, writing and math skills. Student success leaders are now in every school board to help struggling high school students share best practices with other boards to help lower the unacceptably high dropout rates.

We are building new foundations through our school system. This allows us to set a new course for education in the province of Ontario. The determined efforts of all involved have already produced fruitful results on behalf of students and educators.

That is why I urge all members to support Bill 167. Pass this legislation and give the students in this province of Ontario the stability and peace they need in the education classrooms across the province.

**The Speaker:** Questions and comments?

**Mr. Jim Wilson (Simcoe–Grey):** It's interesting to hear the Liberals go on about all the great things they're doing in education. It must be my imagination that every school board in the province is poised to go on a massive strike. Am I just imagining that, as I read it in the local papers?

By the way, if you think you had the teachers' unions in your pockets, you've got a big hole ripped in your pockets recently, I think, with the comments of teachers

from Simcoe county, for example. They're exactly the same rhetoric they used to use when we were in office.

So, welcome to the club, ladies and gentlemen. They hated David Peterson. They hated Bob Rae. They hated Mike Harris. And now they're going to hate Dalton McGuinty. That's the way it goes in the education field, and it's sad.

My mother taught for 34 years. In the last eight years of her teaching special education in St. Paul's school in Alliston, she hated it. She just hated it because it became so political and so politicized.

*Interjections.*

**Mr. Wilson:** And rude.

*Interjections.*

**Mr. Wilson:** Yeah, yeah, yeah. The point being, whatever stripe government is, the teachers fight with them. That is the history of my time.

By the way, I'm the last age group to go through that didn't experience any work-to-rule or strikes. They never heard of it when my mother taught. It's only this latest crop of unionization. You didn't have work-to-rule. I never saw a teacher miss a day. Many of them retired with hundreds of sick days and vacation days because the unions weren't as strong.

We put our foot down and said the teachers' unions aren't going to run the province. You should put your foot down too and stop pandering to them, because at the end of the day, believe me, they're just going to run right over you like they do everyone else, and that's been the history.

The fact of the matter is, all the rhetoric we've just heard from Liberal members is just that—it's just rhetoric. They're poised to strike. You're likely going to have strikes. You're interfering in collective bargaining, which they hate. You'll get your just deserts, I can guarantee you.

**1600**

**Mr. Rosario Marchese (Trinity–Spadina):** I'm a bit surprised. The Liberals had a whole hour to do their leadoff. So many of you are looking for the experience to speak and practise in this place, and because this is such a great bill, as the minister and the member for Sault Ste. Marie said, I'm a bit puzzled as to why many of you haven't jumped at the opportunity to praise your minister and praise his skills in bringing about peace and stability—

**Mr. Richard Patten (Ottawa Centre):** We're not into that.

**Mr. Marchese:** You're not into that? OK. Some of us on this side are quite happy to speak. I hope to start my leadoff today, and it might happen at 5:15; I don't know. So those of you watching, please tune in. Grab a beer or a glass of wine and enjoy the fact that Marchese will not be a cheerleader for the Liberal government; you can be assured of that.

I will express at least a modicum of disappointment with this government and their policies around education. I will express that this bill does not confer, as the minister says, respect for teachers, students and/or the

system. It's got nothing to do with any of that, other than the politics of making sure that arranging for two-year or four-year agreements doesn't land on election day 2004. Rather than the minister talking about transparency as it relates to that political act, he blah, blah, blahs that, "This confers respect on teachers and students and the system." It does nothing of the sort. So tune in, please, and check out what Marchese has to say on behalf of the NDP about this bill.

**Mr. Ernie Parsons (Prince Edward–Hastings):** I was first elected as a school board trustee in 1982. At that time, I ran because I admired the school system—our children were in it; they continue to be in it—and I wanted to be part of what I thought was a very good thing.

One of the most impressive things for me at that time was the relationship between the board of trustees, the administration, the principals and the teachers. There was a common goal; nobody was the enemy. The teachers weren't the enemy; the students weren't the enemy. We worked together. I was impressed by that. I've got three brothers and four sisters, and I'm overwhelmed at what we can accomplish when we work together—not by yelling at each other.

During that time, the negotiations went very well with the board. Perhaps people on the other side are thinking, "If you give them all the money they want, then of course they go well." The reality for the teachers in my board was that their salaries were in the bottom third of salaries in the province, but they respected us, recognizing the fiscal limitations we had, and we respected them for the great job they were doing.

Interestingly, the previous government brought in legislation that would prevent strikes—terribly ironic, because in my time, and in fact up till 1995, there were virtually no strikes. There was virtually no work-to-rule. The atmosphere within the system was good. There was debate, there was open discussion, there was negotiation, but before 1995 strikes were almost unheard of within the education sector. The interesting date is 1995; I believe that was the time you people across the aisle became—

**Mr. Wilson:** In 1985 there were 4,000 of them on the front lawn.

**Mr. Parsons:** There were no strikes of any significance or lost student days. This is a bill that brings us back to the fact that we respect our teachers, we respect what they do and we recognize the value of education in this province, and we will work with them.

**The Acting Speaker (Mr. Ted Arnott):** There's time for one last question or comment.

**Mr. Cameron Jackson (Burlington):** I want to comment on the short intercession by my colleague from Prince Edward–Hastings and indicate as well that, first of all, I find elements of this bill a little disturbing. Any time we start dealing with collective bargaining issues—and over the 20 years I've been in this Legislature, predated by 10 years on the Halton school board; I got elected in 1975. For the record, while I've been in this Legislature, I've seen a Liberal government, an NDP

government and a PC government legislate teachers back to work. So before everybody goes a little overboard here, the truth of the matter is that the relationship we have with the teachers' unions in this province varies rather significantly from the time we spend in opposition, when we make the little trek cross this carpet here and become the government.

I remember quite vividly when the Liberals, under David Peterson, Bob Nixon and Sean Conway, began the process of attacking the teachers' pension fund. I know; I was the education critic at the time. I worked with all the teachers' federations. What happened? The Liberal government was brought down because it dared to tamper with their pension fund. The member opposite was a trustee at the time of that wonderful social contract, and again the teachers' unions said, "You know what? We're going to bring down Bob Rae and his government for the audacity of interfering with our collective bargaining process." Then, lo and behold, we had Mike Harris. Mike Harris set about to do a significant number of reforms, there's no question about that, but those were done through a whole series of public consultations. The government was not defeated by the teachers' federations, because the public said to them, "We want change in our education system." That's the record in this province.

**The Acting Speaker:** That concludes the time for questions and comments. One of the government members has two minutes to reply. I recognize the member for Sault Ste. Marie.

**Mr. Oraziotti:** I've got to laugh at some of these comments, being someone who started teaching in 1993 and having had our collective agreements ripped up by the past NDP government and later going through a number of years of crises in public education with a government that had absolutely no regard for educators in this province. The difference is this: A past Minister of Education for the Conservative government was on record saying, "We are going to create a crisis in education." You are certainly not going to see any Minister of Education from the Liberal Party say that they're going to create a crisis in education or rip up the collective agreements of thousands of education workers in the province of Ontario. That's an incredible difference that is somehow missed over here by the opposition parties, who are completely oblivious to this fact.

The other thing that needs to be reinforced is that we are committing to reinvest billions of dollars in public education. We have eliminated the private school tax credit that was going to drain \$500 million out of public education. We have eliminated the punitive professional learning program for educators, which did not achieve the desired objective, and we're going to reinforce that with other professional learning programs that teachers want, through a process of collaboration and working with them to achieve those results. School renewal funding: massive reinvestments to improve our school infrastructure. The cap on class sizes for our youngest pupils in this province: They're going to benefit from our tremendous reinvestment at the elementary level. And there will be new resources for teachers.

I'm completely amazed at the recollection of the past two governments, one that had teachers out on strike continually and the other that ripped up the collective agreements of education workers in this province, and an education minister who said they were going to create a crisis in education. It's certainly not going to be our approach

**The Acting Speaker:** Further debate?

**Mr. Klees:** Speaker, I'm going to be sharing my time with the member from Renfrew–Nipissing–Pembroke.

I look forward to the opportunity to set the record straight for members of the Legislature as well as members of the public, who at this point in time have only heard the representations from the Minister of Education and his parliamentary assistant about what is happening in education in the province of Ontario.

I'd like to start with a reference that both the minister and the parliamentary assistant made to peace and stability in the school system. What I expect soon is legislation that will redefine the meaning of the words "stability" and "peace," because the recollection I have of what it means to have peace and stability is far from what we're experiencing in the province of Ontario today. Some 29 of 31 teacher unions have voted to go on strike, with Essex and Carleton being the exceptions.

**1610**

Now, I'd like to just take a minute, because I know that perhaps members of the Liberal caucus have been kept in the dark by their Minister of Education on this issue. I have in front of me the elementary school strike votes, and I'd like to share these with you for the record: Superior-Greenstone, 89% in favour of striking; Hamilton-Wentworth, 92%; North East, 89%; Thames Valley, 96%; Bluewater, 97%; Hastings and Prince Edward, 94%; Waterloo, 93%; Simcoe, 96.4%; Renfrew, 92.1%; Rainy River, 100%; Halton, 95%; Upper Grand, 97%; Kawartha Pine Ridge, 99%; Keewatin-Patricia, 95%; James Bay, 95%; Peel, 95%; Lakehead, 95%; Toronto, 94%; and York, 96%.

These are teachers speaking to the issue of peace and stability. They're putting the Minister of Education on notice that they don't like what's going on in the province of Ontario. They don't like his leadership. They don't like the rhetoric that he is putting out into the province of Ontario about how this government is going to treat teachers. Peace and stability: That is the rhetoric we hear from the minister, but the record will show that teachers are anything but pleased and there is anything but peace and stability on the horizon for education in this province.

What kind of message does that send to the students in our province? What is the message to parents who have been seeing the daily announcements about these strike votes? What is the message to the teachers who themselves are arming for either work-to-rule or for strike action? What is the message to support workers within our school system? What is the message to principals, who have a responsibility to manage the affairs of our schools? How secure do we think students are in their classrooms when they see these reports?

I'd like to point out, in case there are those who say, as quite frankly the Minister of Education did when he was asked about the strike votes—you know, neither teachers nor unions were very impressed with the minister's response when he said, "Well, that's just a negotiating ploy." Really? Is it really? Is that all that is? These teachers have just gone through the hoops, and it means nothing?

I'd suggest that these are very strong messages being sent to the Minister of Education, to this Premier, who's taken upon himself the mantle of being an education Premier. The message that teachers and stakeholders throughout the entire education field are sending to this Premier, the so-called education Premier, is that his promise was one thing and his delivery is far from what he promised. But that shouldn't surprise stakeholders in education because, you see, stakeholders in every other public policy area have found that this Premier's words cannot be counted on. He has broken promises to every other stakeholder group in this province as well.

People will recognize this Premier as the man who looked at them through the television screen throughout an entire election campaign, saying, "I will not raise your taxes one cent." And what happened when they got elected? The first budget, we had new taxes. We had a tax that every working person in this province knows about today. It's a health care tax. The promise was that this new health care tax was going to create a new day in health care and waiting lists would be reduced. Well, that too was a false representation of what was going to happen. We now have the tax, we have a projected multi-million dollars of additional taxes coming out of people's pockets, waiting lists are longer than ever, and there are entire communities that have been abandoned by their medical doctors. The credibility gap just continues to grow for this Premier between what he says he is going to do and what he actually delivers.

But back to Bill 167: This bill does the exact opposite of what this Minister of Education said it would do, just a few minutes ago as he stood in this House. He spoke about how this bill restores respect for teachers. Find one teacher who will say that taking away their union's right to negotiate freely at the local level shows them respect. Find one representative of a teacher's union in this province who will say that this bill, which prescribes a two-year or four-year contract, shows respect for the negotiating process and for the bargaining process in this province, that that shows respect for teachers and unions, or school boards. It doesn't. What it does is it erodes the very premise of negotiations, of free bargaining. It negotiates from the top down. That's effectively what this bill does. I ask teachers, unions and stakeholders to think about this very clearly.

It's a very short bill; a mere two pages, Speaker. You have it in front of you there. It's probably one of the shortest bills this House has ever seen, but I would suggest to you that it's one with overarching implications to not only the teaching profession but to the entire process of contract negotiations. Effectively, what this

bill does is that it sets up central bargaining, bargaining out of the minister's office, for every school board in the province of Ontario. It states very clearly that whether or not the local school board decides it is in their best interests to negotiate a three-year contract, this bill does not allow them to do that.

Those of you who have copies of the bill, I ask you to look at the deeming section of this bill, which effectively says, "Well, if the school board doesn't do what we ask them to do, and that is to negotiate a two-year or four-year contract, by legislation it is deemed that you have done so."

Speaker, I ask you—rhetorically, because I know you can't respond to me—if you were a teacher, if you were a teacher representative, if you were a stakeholder in education and you saw this legislation coming down, would you be concerned? Would you have any concern about the flexibility and the freedom that you might have to negotiate a contract?

**1620**

I'm going to, for the record, share with you what someone who is in that business of negotiating contracts had to say about this. I have a letter here from the Ontario English Catholic Teachers' Association. Donna Marie Kennedy wrote this to the Minister of Education. It's dated December 2. I want you to listen to this.

She speaks about a meeting that they had and thanks the minister for the meeting of Tuesday, November 30. She says, "I came away from our meeting of Tuesday, November 30, believing that we had a full and frank discussion of OECTA's position on the fundamental need for unfettered local bargaining for teachers."

This minister is very good at having people believe that he understands them. This minister is very good at letting people and entire stakeholder groups believe that he is on their side and that this government is supportive of them, as Ms. Kennedy, when she left, had that understanding. But it's interesting. This letter goes on, "That's why your letter to local federation presidents dated December 1 puzzles and disappoints me. I do not understand what you hope to achieve by communicating directly with our local representatives when, as the bargaining agent, provincial OECTA had spoken to you only the day before about our unequivocal support for local bargaining. Your statement that 'The goal would be only to determine a clear ministry position that could further support successful local bargaining' strikes me as disingenuous. Your concern that"—she's quoting the minister—"Local bargaining efforts may be adversely impacted by issues that can't be adequately resolved at the local level" sounds suspiciously like a veiled threat."

This is coming from the Ontario English Catholic Teachers' Association in correspondence to the Minister of Education, who tells us today about peace and stability and about respect and about how he and his government are bridging the gap and building bridges to teachers in this province. We have this kind of chastisement coming from the Catholic teachers' association to this Minister of Education.

The letter goes on to say, "OECTA has already concluded one successful local agreement for its members. We expect to negotiate others." In other words, "Leave us alone. Give us the opportunity to do our work." From the perspective of this association, Ms. Donna Marie Kennedy says, "The greatest threat to public education moving in a harmonious fashion would be the failure to respect"—here's that word, Speaker, "respect"—"the role of school boards, local units and provincial OECTA."

The legislation that we have before us does everything but show respect for OECTA, for any other bargaining unit, for teachers in this province and for school boards who heretofore have had the responsibility of negotiating contracts. This legislation before us today, I say to members in this House, is an insult to every teacher in this province and it's an affront to anyone who is familiar with the negotiating process that has historically been operative in this province, so much so that the OSSTF filed a labour board complaint against the education minister.

You know, I suppose the education minister might, in response to this as well, say that that's just a negotiating ploy, that they really didn't mean it, that they understand what the minister really means. I don't believe that's the case at all. I believe that the Minister of Education has crossed the line. Education stakeholders are seeing his actions, and his actions speak much louder than his words. They are an affront to people who understand what is really going on here.

The news release that was put out by the OSSTF on December 15 reads as follows:

"In an unprecedented move, Minister of Education Gerard Kennedy wrote directly to local Ontario Secondary School Teachers' Federation (OSSTF) district presidents on December 1st with a clear intent to pressure OSSTF members and local leaders to engage in 'provincial dialogue' on matters impacting negotiations. In an earlier letter dated November 29, Kennedy had written to OSSTF provincial president Rhonda Kimberley-Young inviting the federation to enter into a provincial dialogue on finding long-term solutions surrounding workload issues. Before the federation could respond officially to Kennedy's invitation, however, he sent a second letter to OSSTF local leaders outlining his plan and inviting them to communicate directly with him. Bargaining rights are held by the provincial organization and not local OSSTF districts."

The minister knows that. And he knew full well when he wrote those letters that he was interfering with a process that has been time-honoured. It's heavy-handed on the part of the minister. It was inappropriate, and the minister had no right to interfere as he did in that process. This release goes on to say:

"Minister Kennedy's letter to our local presidents is a serious breach of protocol and is seen as direct interference in local bargaining and federation affairs," said Kimberley-Young. "Clearly, the minister was trying to circumvent the provincial executive of OSSTF. Ken-

nedey's actions came as a complete surprise to both provincial and local leaders in OSSTF,' added Kimberley-Young.

"Given the seriousness of Minister Kennedy's interference in federation activities, OSSTF has filed an unfair labour practice complaint with the Ontario Labour Relations Board. 'We cannot allow the minister to disregard and bypass the current legal structure for collective bargaining. We want him to cease and desist immediately from interfering in the internal affairs of the federation. It is unfortunate that OSSTF was forced to take this route but Kennedy left no choice but to file this complaint at the Ontario labour board.'"

The bill before us today simply adds to the actions of this minister. Essentially, what this legislation does is that it actually gives legislative authority to the minister to do what he didn't have authority for when he wrote that initial letter to the school boards as well as to the unions. We on this side of the House object to that.

**1630**

I raised the issue as a point of privilege in the Legislature, as you know, because I was fundamentally convinced that the actions of the minister in writing those letters, in which he presumed this House would pass the legislation we're actually debating today, which would provide for the two- and four-year contracts—I was offended, as a member of this Legislature, that a minister of the crown would presume to write those letters and to send direction to unions as well as to school boards to negotiate contracts for which there was no legislative authority at the time, that he would simply presume that members of this House would pass this legislation. He went beyond that. He actually said in his letters that this government would guarantee, and he used the term "guarantee," funding for those four-year contracts.

We've done the calculations, and based on the increases he suggested be incorporated into those four-year contracts, the additional funding would be some \$1.2 billion over and above the base we have now for the education budget. What right does a minister of the crown have to make a guarantee of that funding to school boards across this province when there is, first, no legislative authority do it, and second, no budgetary authority to make that commitment? However, he did, and unfortunately the Speaker ruled that was not contempt. Well, if it wasn't contempt, what I say is that it is an insult and highly presumptuous on the part of the minister. It does not auger well for this place, where I believe we should retain the right and the responsibility to have that open debate, first of all, for enabling legislation, and second, for budgetary approval.

That's why today I tabled in the House, for first reading, a private member's bill. I tabled this private member's bill, which received first reading today, because I believe the legislation we're debating today and will be debating tomorrow is fundamentally wrong. I wanted to at least get on record in this Legislature a piece of legislation that I believe sets right what this legislation is doing wrong.

The title of my bill is An Act to amend the Education Act to remove political interference in collective bargaining and ensure flexibility at the local level. What this bill does is provide for two-, three- and four-year contracts, should the local bargaining units and the school boards decide that is in the best interests of that local school board. It's simply allowing that local autonomy that I believe is fundamental to ensuring we have that free bargaining and that we have the flexibility I believe every bargaining unit should have.

There is a reason for this title, which speaks to the removal of political interference in collective bargaining, and I'll tell you why; I'll explain that. Is it just a coincidence that the legislation we have before us today does not allow a three-year contract? I'm going to ask every teacher in this province, every school board trustee, every person involved in bargaining to ask themselves why this government, why this Minister of Education, would not want a three-year option available for a contract.

I would suggest that there is another piece of legislation that was passed in this House by this government not too long ago which calls for set election dates, and that set election date—ironically, incidentally—just happens to be in the year 2007. Isn't it interesting that if the government allowed a three-year contract to be negotiated by teachers' unions and school boards across the province, that contract would incidentally come up for renegotiation in the year 2007?

Isn't it interesting that the election date is set for the first week in October 2007? I would ask the Minister of Consumer and Business Services, who knows about these things, when these contracts come up? It happens to be just around the first week in October. Is there a possibility that this government is actually using their legislative authority coming out of this amendment to serve their own political ends? Isn't that an interesting question?

I've spoken with many stakeholders, I have spoken with union representatives, I have spoken with teachers and I have spoken with trustees. To a person, there isn't one who is giving the benefit of the doubt to this government. Everyone resents the fact that this government is using them for its political ends. It's fundamentally wrong. It's an insult to this profession, and it shouldn't happen.

I would appeal to the backbenchers; I know the cabinet is whipped, but at least the backbenchers can use their own discretion here. They can rely on some of those principles that they have—and I know they have some—and make a decision and say, "I'm going to vote this legislation down, because it's simply not right." It is not right.

I believe the Minister of Education has made a huge mistake by bringing forward this legislation, because he is demonstrating to the very people who got him elected that he too, along with his Premier, was prepared to say one thing while on the election trail and is still repeating these empty and hollow words of peace and stability in

education. He's saying it on one hand, and on the other he's undermining the very basis on which this profession relies to negotiate its contracts. It's fundamentally wrong.

I urge members of this Legislature to vote this legislation down, and I urge them to support my private member's bill when it comes forward for debate, which provides for flexibility at the local level for bargaining units to be able to negotiate their contracts together with local school boards so that we can arrive at solid contracts that are reliable, that are not dictated by the Minister of Education.

**1640**

I will wind up my remarks very soon because I know my colleague wants to speak to this, but there are some things I also want to speak to before I close. One is the credibility gap that we find coming from this so-called education Premier. I'm going to refer to a news report that appeared during the election campaign, and I want to read this into the record. This is when Dalton McGuinty, then leader of the Liberal Party, running to be Premier and willing to say anything at all to become the Premier, was in Brighton, Ontario. Here's what the Premier said: "We will put our money where our mouth is," McGuinty said, as he pledged \$177 million to protect rural schools, saying the moratorium on closures would last several months until a Liberal government could change what he calls the Tories' one-size-fits-all funding formula."

Interesting. There he was, in a nice rural setting in this great province of ours, speaking to people who were believing him at the time. He committed \$177 million to rural schools to keep them open, he said. They wouldn't close. Then he went on to say, "It's time for a government that will keep rural schools open because it understands that diverse communities—urban, suburban, rural and northern—have different needs."

When asked, "Well, Mr. McGuinty, how are you going to pay for this?" here was his response, quoting again from this newspaper article: "He said the Liberals would pay for the rural school strategy by cancelling the private school tax credit and stopping an exemption for seniors on the education portion of their property taxes." Well, isn't this interesting? He promised \$177 million to keep rural schools open, and when asked where the money was coming from, he said we're going to get it by cancelling the independent school tax credit and the tax credit for property tax for seniors. He did both of those. In fact, he did the tax credit cancellation retroactively.

My question to the education Premier is simply this: You did all of that, took the money away from seniors, took the money away from ordinary, hard-working families who send their children to an independent school and are paying twice, and you did so retroactively to really rub it in. Where is the money for rural schools? It's not here, and people right across rural Ontario are asking the question, where's the money?

That's one more example of a Premier who cannot be believed. There are two issues—one is trust and one is competence—that people expect from their government. This Premier has failed on both counts. He has

demonstrated his incompetence to lead and he has broken trust with the people of this province. Every announcement that this Premier or any of his ministers makes is met with the same cynicism on the part of the taxpayers and of the citizens of this province. They are saying to this Premier, "We hear you, but we don't believe you. We hear you when you say you're going to improve health care, but the facts belie that promise. We hear you when you say you're going to fund capital projects for schools, but when we read through and look at the small print, we see that what you're really doing is encouraging school boards across the province to go into debt to the tune of \$4 billion. We hear you, Premier, when you say you want to help us, but what is really happening is that you're reaching deeper into our pockets. We cannot afford it, and we don't like what you're doing to us."

That's the kind of incompetence, the kind of mismanagement, the kind of untrustworthiness that people in this province are experiencing, this coming from a Premier who promised on the campaign trail that he would do government differently. Well, he has—very differently. He's done it so differently that never before in the history of this province has any Premier had the distrust this Premier has earned, and he has earned it, because he's worked overtime to convince people that politicians can't be trusted.

I see the pages here today. What a great opportunity for them to be here and to experience how laws are made. What is extremely disappointing is that not only these pages, but students and young people right across this province, every day—as they study civics, as they learn about what government is doing—have as an example, in this very province, a Premier who breaks promises.

Young people, don't take that as an example of what to do, because it's wrong. Just because a Premier does it, doesn't make it right. That's the message. And just because the Minister of Education has introduced a piece of legislation into this chamber that removes the rights and responsibilities of the collective bargaining process, and it happens to come in the form of legislation moved forward by the Minister of Education, doesn't make it right either. It's fundamentally wrong. This Minister of Education is letting down teachers, he is letting down teacher's unions, he is letting down school boards, he is letting down principals, he is letting down parents, and he is letting down students.

In closing, let me refer to one other issue, and that is the issue of special education funding. I'm appalled, as I know teachers, principals and school board trustees are, at the doubletalk that's been going on around the issue of special education funding. Last year, in one month, this Premier announced there would be an additional \$100 million in funding for special education. Two months later, we found that this same Premier, this same Minister of Education, announced he was going to claw back \$100 million that was already in the bank accounts of schools right across this province, earmarked for special education. This Minister of Education, this education

Premier, reached right into those bank accounts and yanked it back up. All the time, we have literally hundreds—thousands—of special-needs students across this province waiting for support services, waiting to be diagnosed, waiting for assessments.

**1650**

Promises made, promises broken. There is a shell game that this government is very good at. It's very good at making promises. It's very good at having press conferences. They've got some good media advisers. It sounds good, and they are getting the clips on the evening news. Whether it's CFRB or 640, we find ourselves listening, rapt by these announcements, and whether it's the Minister of Education or the Minister of Health, they are great announcements, but no substance. But no substance. People across this province are being let down every day. Promises made, promises broken.

I'm going to close my remarks simply by saying this: This Minister of Education has brought into the Legislature today a piece of legislation that takes away the right of local school boards and the right of local bargaining units to negotiate freely. It takes away their flexibility. And what it is doing essentially is putting the Minister of Education into a position of negotiating contracts centrally. That has never happened before in this province. Under the guise of respect, this minister had the audacity to stand in his place, just a few minutes ago in the Legislature here, and talk about how, by bringing this legislation in, he and his government are demonstrating respect for teachers and for the teaching profession. Nothing could be farther from the truth.

I encourage members of this Legislature to vote this legislation down, because it is wrong. It will not serve us well. I would ask that members of the backbench of the Liberal Party—because I know that the third party is going to vote with us on this—let's ensure that we do retain that respect for teachers across this province.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I'm pleased to join my colleague from Oak Ridges in this debate on this piece of legislation brought before the House, Bill 167. I don't believe that I can be anywhere near as eloquent in my address today, but I'm going to attempt to bring into focus, and refocus, some of the terrible, terrible injustices and elements of this bill that my colleague was able to bring forth earlier.

One thing that I want to talk about first, because of the time we have allocated, is what my good friend Mr. Klees talked about with regards to the Premier and his promises. My goodness, he is probably the king of promises. In the history of mankind, has there been anybody to make more promises and break them faster?

I was looking at my counterparts on the opposite side, on the government side, and, quite frankly, they looked embarrassed. They looked ashamed when what their Premier said about rural schools in the province of Ontario, what he was going to do and how he was going to accomplish it, was being focused on. He was going to keep those rural schools open, and he was going to get that money by cancelling the private school tax credit,

which he did. Further, he was going to use the money that he would garner from cancelling the education tax credit for seniors that the previous government had brought in. Now he's got that money.

Mr. Speaker, I have to tell you that in my board, the Renfrew county board of education, they have not closed a school since 1993. They have not been put in the position of closing a school since 1993. Right now, they are in a consolidation process, in consultation with the public, which will culminate in Pembroke on March 7. They're dealing with a situation now where they are proposing the closure of seven schools.

How effective have this Premier and his education minister been at keeping those rural schools open? He did manage to confuse the picture quite well last week with this gigantic announcement of all this money for schools and infrastructure and keeping schools open with that money. All he has done is further confuse parents and children and grandparents and extended families and business people in communities about where this government is going, if anywhere, because that announcement last week of the \$280 million, which basically just says, "We want your school boards to go into debt to try to fix this or that," is not going to assist a single school in my riding, in our county of Renfrew, to keep one single rural school open that is slated as part of a closure plan. But the minister is very good at making those announcements and trying to give the impression he is a friend of rural schools and rural education.

I'm going to tell you a little about the schools in my riding slated for closure.

The hamlet of Calabogie, which is one of the most beautiful areas on this beautiful earth, in my beautiful county of Renfrew—

*Interjection.*

**Mr. Yakabuski:** Great area. Beautiful water, the mighty Madawaska—you're all familiar with that. Calabogie is slated to close. If Calabogie closes, those students, those children, will have to be taken in to Renfrew to go to school.

**Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs):** Your party closed the schools.

**Mr. Yakabuski:** I'm sorry, Madam Minister, but not a single school in the Renfrew county public board in my riding has closed since 1993. Calabogie is slated for closure. I have talked to parents of students from Calabogie. They are very upset. "Where is the help from the provincial government?" is what they are asking.

Alexander Reid Public School in the town of Arnprior is also slated for closure, and the students from Alexander Reid would be accommodated equally at A.J. Charbonneau Public School and Walter Zadow Public School in September 2005. The Alexander Reid parents are very concerned. The municipal government in the township of Greater Madawaska, which supports the Calabogie school, and also the mayor and the council of the town of Arnprior are very upset and very concerned because they see Arnprior as a growth community and

are concerned that the closure of this school is premature. Is the minister helping out? No, not at all—not at all.

**1700**

In Deep River, T.W. Morison Public School and Keys Public School are slated for closure September 2006. What would happen there is that the students in Keys and Morison would have to be accommodated at what is currently MacKenzie High School, which would obviously become more than a high school. It would be a combination high school and elementary school. There were passionate submissions to the committee on that proposed closure.

Ross Mineview Public School near Haley Station is slated for closure in September 2005, and the students would have to be bused into Cobden District Public School, caught in a district public school. I can tell you, I've met with parents' groups from this school and they're very disappointed at what this government said about keeping rural schools open and what this government has actually done to keep those rural schools open.

Also, Horton Public School, the only school in the municipality of Horton, is slated to close, in which case those children would also have to be bused into Renfrew to Queen Elizabeth Public School in September 2005.

Laurentian Public School in Pembroke is slated for closure in September 2005, and those students would have to be accommodated at Highview Public School and Champlain Discovery Public School this September.

Each one of these is slated for closure under this minister's watch, under this Premier's watch, ironically, the education Premier and his able, sort of, assistant. That's what their plan for rural schools is, regardless of what they profess and talk about throughout this province when they go around saying, "We support rural schools." From 1993 to the present, not one rural school closed in my county of Renfrew. However, under this government, which was going to save rural schools, seven of them are slated for closure.

I want to talk about the general principles of this bill as well. The education minister said today, "We're bringing back peace and stability into the education system and the relationship between teachers and school boards and the Ministry of Education in this province." Well, I've met with local representatives of two different union locals, and I don't sense that same air of stability that the minister is bragging about. In fact, I sense an air, an aura, of abject disappointment and deep mistrust of this minister and this Premier on the part of those educators in my riding.

Of course we know that they seem to believe that there was never a teachers' strike in this province before Mike Harris was Premier, but we know that both the Peterson government and the Rae government were forced to legislate teachers back to work, and they pillory the Harris government for everything it did with education.

I have visited a number of schools since being elected to this Legislature back in October 2003. I generally visit grade 5 classrooms in the elementary schools, because they take civics. That is all part of the new curriculum

that was brought in by the Progressive Conservative government.

We used to talk to our older children about civics and affairs of politics and parliaments and stuff like that, and they didn't know anything about it, because they didn't take Canadian history in school and they didn't take civics. The grade 5s of today, I tell you, understand what's going on here. They understand because of the changes made by the previous government. Our children understand what happens in the different levels of government, the separation between the levels of government, the responsibilities of different levels of government. I've been very impressed with the questions I receive from them when I visit them on my tours of schools. The changes in the curriculum are a great benefit to those children.

I wonder, now that those children are examining things closer as part of their courses and part of their curriculum, how they feel about government when a government can simply say anything it wants or, more to the point, when a political party can say anything it wants in order to garner the favour of the electorate—

**Mr. Marchese:** That's OK. It will be part of the course.

**Mr. Yakabuski:** It may have to become part of the curriculum. It may be called the McGuinty clause or something, an addition to the curriculum. You may have to bring something in that educates children about how not to govern, how not to get into power.

**Mr. Marchese:** Guidelines.

**Mr. Yakabuski:** Maybe something on guidelines about keeping promises, so that we could serve as an example to the children in school today.

The premise that this minister has respect for the collective bargaining process is a load of bunk—absolutely. He has gone around the province and talked to the locals and individual boards and said, "This is what you're going to do," not allowing them to sit down and negotiate with their teachers, to sit down and negotiate with the educators in their jurisdictions. The local people, who understand the local needs better than any education minister, are just being removed from the process: "We'll make the decisions at Kennedy central. That's where we'll make the decisions. We'll ensure that the children get the education we think they should get."

That's the Liberal mantra; that's the Kennedy mantra. That's how we're going to treat our children. We're going to just remove the premise of fair, collective bargaining in the process. Why bargain when we can impose the new Liberal way? Why bargain when you can impose?

**The Acting Speaker:** Questions and comments.

**Mr. Marchese:** I just want to say that in about 10 minutes, I will begin my leadoff. That will be approximately at 5:20, and I will have a lot to say. In the meantime, I just want to concur in a few things the member from Oak Ridges said and to agree with a few things the member from Renfrew–Nipissing–Pembroke said around issues of micromanaging and issues of school closures.



But I will have time to speak to that when I get to my debate.

1710

I want to comment on something that the member from Oak Ridges made reference to. I'm not sure it was that direct, but I want to speak to it as a way of lending support to what I think he was getting at: In 2001 the Conservative Party dictated—or to use a more pleasant word, said—that all collective agreements in Ontario would expire on August 31, 2004, and all subsequent contracts would be three years in length. You folks who are watching this program understand that according to the way the Conservatives had done it, the collective agreements would expire on August 31. Our provincial election will be in October. So you understand, if collective agreements are negotiated around August and the election is going to be in October, that would cause some political problems for the Liberal Party. If I can suggest, the reason for changing three-year contracts to two or four has nothing to do with education but has a lot to do with the fact that an election will be coming in October.

But I will have an opportunity to speak to that in about 10 minutes. Please stay tuned. Come back.

**Mr. Jeff Leal (Peterborough):** I'm pleased to have the opportunity to share a few thoughts on this bill dealing with collective negotiations in the teaching sector in Ontario. I've listened very carefully to my good friends the member from Oak Ridges and the member from Renfrew–Nipissing–Pembroke.

But I know a little bit about education. I happen to be married to a teacher. My wife, Karan, has taught grade 8 at St. Teresa's school in Peterborough for 14 years. My father-in-law, Bob McGarrity, is a retired principal in the Catholic system in Peterborough. My sister-in-law, Jane Leal, teaches with the Catholic board in Halton region. When I talk to these people about what we are doing in education today, they tell me that after eight lost years in the education system in Ontario, finally there is some light. We have light from the Minister of Education, Mr. Kennedy, who's brought a new, positive atmosphere to education in Ontario. We've matched that positive framework by providing the dollars that are needed to education in Ontario.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Hope is on the way.

**Mr. Leal:** As my friend Mr. McMeekin has just said, when Mr. Kennedy became minister, hope was indeed on the way for a new era of education in Ontario.

Don't listen to the members from Oak Ridges and Renfrew; get out into the classroom. In the last two weeks I was at two schools in Peterborough, and one of the questions they asked me was, why did the previous government hate the teaching profession in Ontario? I provided an explanation that they had no confidence in the teaching profession; they just wanted to hit them over the head constantly. Now, when you go into the classroom, there's a new sense that we're true partners in education in Ontario: students, parents, the teachers and the board of trustees. A new era is on its way.

**Mr. Wilson:** In the two minutes I have, I want to read a letter that appeared in the *Barrie Examiner* on January 19, 2005, from Jim Duffield of Barrie. I don't know him but this letter seems to make a lot of sense:

"I am sure a cold chill went down the spines of students (especially those in grade 12), parents and responsible teachers when they read your editorial about Ontario teachers unions and their ongoing labour contracts with Premier Dalton McGuinty.

"The Premier is going to try to succeed in satisfying the unions. Premiers Peterson, Rae, Harris and Eves all tried but were not successful.

"Let's hope McGuinty can do the job, although the odds are certainly against him. In the past, the unions have been quite clear: 'Give us what we want or else.'"

"Will this time be any different?"

"In the past, the unions have successfully placed blame for the failures on the 'underfunding' of public education in Ontario. Let's take a closer look at this portion with audited figures from the Ontario Ministry of Finance.

"For the past seven school years (1997-98 to 2004-05) under the new Ontario funding formula, Ontario school boards' operating budgets have increased by an average of 37%.

"Let us take the Simcoe County District School Board as one example: The 2004-05 operating budget is up 31.7% over 1998-99. This amounts to an \$89.3-million increase.

"Is this due mainly to student enrolment increase? No. Student enrolment was only up 5.9% over this total seven-year period, showing a cost-per-pupil increase of 25% over this same period.

"Some other interesting facts include: teachers' salaries and benefits (not including pension plan contributions that are funded by the Ontario government) account for 59.6%"—that's the provincial average, he says—"of the school board's annual operating budget."

He concludes: "These facts tell us at least a couple of things: (a) Dalton McGuinty has a very interesting year ahead of him; and (b) Is it not time we, the citizens of Ontario, get our heads out of the sand on this issue before it is too late?"

An excellent letter from a fellow named Jim Duffield.

The largest increases ever in Simcoe county occurred under the Mike Harris government.

**The Acting Speaker:** There is time for one last question or comment.

**Ms. Kathleen O. Wynne (Don Valley West):** When I listen to the members opposite, I have to ask myself which reality we're living in. I think about how I got to this place, as an education activist, as someone who was a parent on the front line with my children watching what was going on in the education system. I was not an elected politician; I was not a teacher in the classroom. But I watched the relationships disintegrate during the years when the previous government was in office.

My colleague from Sault Ste. Marie talked about the statement by Mr. Snobelen that he wanted to create a crisis. The previous government intentionally set about to

destroy those relationships. I've said in this House before that I don't understand that. I don't understand why on earth a society would want to fray the relationships between students and teachers, between teachers and school boards and between school boards and government, but that's in fact what happened. Anything we can do in this House to build a genuine partnership, to rebuild the relationships that have been destroyed in this province, is going to be in the best interests of the children. Certainly we all believe that it is the children who are at the centre of this. It's the children who are going to benefit.

This legislation that Minister Kennedy has brought to this House is designed to forge that peace and stability that we must have—the peace and stability that was in place the whole time I was a student and the whole time my children were young, and that started to fall apart when the previous government, who are now the friends of labour, who are now the friends of education, who are now the friends of the system and the children in the system, spent eight long years destroying the system in this province. We have to rebuild it.

**The Acting Speaker:** That concludes the time for questions and comments. One of the Conservative members has two minutes to reply. I recognize the member for Oak Ridges.

**Mr. Klees:** I want to thank members who responded and added their comments.

The member from Don Valley West asked which reality we're in. I say to her, here's the reality: a letter from the Catholic teachers, who say that this minister is undermining the collective bargaining process. I say to her that the reality we're in is an OSSTF complaint against the education minister, Gerard Kennedy. I say to her that the reality we're in is Annie Kidder's reality, where she claims, representing People for Education, that small schools are in a crisis in this province. That's the reality we're speaking about here.

The self-righteousness on the part of Liberal members and their comments—I think of the comments by the member from Peterborough, so unlike him in terms of suggesting there was hatred toward teachers. Nothing could be further from the truth. What we were trying to do was to be fiscally responsible, to ensure we had standards in education, to ensure we had standards for curriculum, to ensure we had report cards that teachers and parents and students could rely on, to ensure there was responsible management of our education system. Never, in the eight years we were in office, did we do what this legislation proposes to do; that is, undermine the collective bargaining process in this province. Never has there been a Minister of Education who has been reported to and had a complaint lodged against them with the labour board by a collective bargaining unit. That's the reality we're in. Crisis is defined by this Minister of Education.

1720

**The Acting Speaker:** Further debate?

**Mr. Marchese:** It is good to have an opportunity to speak to this bill, Bill 167, the Education Amendment

Act. I want to welcome the good citizens of Ontario who watch this program regularly. It's 5:20 and it's Tuesday afternoon. What a wonderful opportunity to be able to speak to the comments made by the Minister of Education and the member for Sault Ste. Marie.

I will divide this—all by myself, a whole hour, but I only have 40 minutes today. I will come back to it whenever there is an opportunity to speak to it again. I don't like sharing my time, I must admit, because I have so much to say. Members understand this, and they give me all the time. I'm really pleased. So I will divide my comments into two parts: one to address the minister and the other to address the member from Sault Ste. Marie, who spoke for 10 or 15 minutes.

I will use the arguments made by the Minister of Education in 2001 as a way of reinforcing my opposition to his bill, because he might have forgotten that in 2001 he opposed the Tory bill that speaks to this very issue, on three-year agreements, and I will use his arguments to oppose his bill, which I think some of you will find enlightening, if not amusing, or vice versa, whichever of the two you like.

I will begin by addressing some of the comments made by the member from Sault Ste. Marie, who started his comments by saying, "We have a new approach to education." I want to speak to this new approach, because he made reference to one or two of the items I want to speak to, and I will add a couple more, because he must have forgotten or didn't have the time to get into them. I'm sure he would have tackled all these issues had he had the time, but he didn't, and I want to introduce them in the debate on his behalf.

**Mr. Yakabuski:** Yes, there was only 40 minutes left when he quit speaking, so he didn't have the time.

**Mr. Marchese:** He may not have had the time because he thought someone else was speaking.

**Mr. David Zimmer (Willowdale):** Will you go on for an hour?

**Mr. Marchese:** A whole 40 minutes, David; you can go and do whatever you need to do.

**Mr. Zimmer:** Are you going to say anything interesting? Because I'll stay.

**Mr. Marchese:** I've got 40 minutes of interesting things, David. Please, sit back, recline in the chair and just enjoy it as best you can.

To begin with, the member from Sault Ste. Marie said, "We've got a new approach to education." I want to begin by tackling the whole issue of special education, and how the government has tackled the issue of special education on the basis of a new approach to education.

Here's what they did: The Minister of Education, in July of this year, announced \$100 million for special education. Now remember, this 100 million bucks was to be given as the final phase of cycle 5 of boards and teachers doing their review of special education—the final cycle—and it cost the provincial Liberal government \$100 million. Remember this. They delayed making the announcement for six long months. No, actually, it

wasn't six; somebody reminded me that it was anywhere from eight to 10 months.

They delayed making the announcement of the \$100 million because they were shocked to hear that the special education bill was \$100 million. You understand, they allotted \$30 million or \$35 million. When the final bill came in, they were upset and, I suspect, angry. Then they began to contrive a message as to how to deal with it. It took 10 long months to manipulate, contrive, put together a message that would allow the Minister of Education an opportunity to explain why he delayed for 10 long months to give the money for special education to which they were entitled, because teachers did their review. Psychologists signed off as a result of that study and that review, and the signing-off of psychologists—all boards had to do was simply wait for the money.

It took the minister 10 months, and he made an announcement in July—not April, not May, not June, not March, before April, and so on. He waited until July, when the end of the school year was over, to announce that he was, lo and behold, giving 100 new million dollars.

Then, this is what he did, cleverly. This is why I say “cleverly contrived,” because in August, he said that he would take \$100 million away from the boards, the very \$100 million he said to the boards they could spend. By the way, they had the whole of August to spend the money. God bless Gerard Kennedy. He gave them one whole month to spend that 100 million bucks.

You understand, Mr. Speaker. Your wife is a teacher. She would know and might have told you, because you probably talk about these things on a regular basis. She probably would have told you, “Ted”—Speaker, in this case—“what and how would we do in the month of August? How could we spend the money in August when the school year ended in June and the school year begins in September?” allowing in August not to be able to spend any money, one cent, on anything, because it's impossible to spend it on programs in August.

At the end of August, he announces he's taking back the money. There are harsher words that I use, and from time to time, depending on the Speaker, they say, “You can't say that. It's unpleasant. It's not nice.” Blah, blah, blah. He took \$100 million away from the boards, and this is what, again, the minister cleverly does. He says boards were hoarding the money, because, you understand, if you're going to take it away from them, you can't say they were going to spend it in September for special ed. You've got to say to the people, so they believe you in some credible way, “The boards were hoarding the money. So we're going to take it away from them so they can never hoard money again, so they just keep it there and not spend it for special education purposes.”

You understand, some of us are too clever to fall for that, and some of us have been around as educators, as trustees—as critics, in this case—as parents who are active. They know the game, and they understood and understand that many of those boards had made plans to spend the money in September. It wasn't being hoarded,

not to spend; it was being put aside to be spent in September.

Now, why were they putting this money in this fund? They put it away because, with the previous Conservative government, you could never rely on them to release the money in a timely fashion or to release it at all, to be frank, John, member from Renfrew–Nipissing and so on. So boards were afraid that if they don't hold back the money and the government then decides not to give it, they're spending on programs for which they have little money or no money at all. Then they've got to steal from some other sector to be able to provide that program.

So boards cleverly said, “We don't trust this government either, based on past experience. So let's put some money aside in this little bank.” Poor boards that did that, because in this case, Gerard Kennedy, the Minister of Education, said, “We're going to take that money away from you.” So he gives \$100 million in July and takes \$100 million in August.

This is what he also said. He said, “We're going to create an equity fund, and boards will have to reapply for that money.” Ted, are you with me? Boards are going to have to reapply for that money, but the minister doesn't make \$100 million available that was rightfully theirs. He only makes \$50 million available. So, boards, you have to reapply to get the 50 million bucks.

**1730**

What else does he do? He says, “Wait until October”—I'm talking about last August—“We're going to have a new application process.” So people will be able to apply for a \$50-million efficiency and equity fund to get that money. September, October, November, December, January, February—six months. That application process is not yet in place. Soon March will come, April, May and June, and the school year is over. So the \$100 million that Minister Kennedy took away from the boards, which should have gone to the boards for the previous assessments they did on special ed, is not going to be made available. I'm sure your wife is talking to you about this on a regular basis, Speaker, because they are keenly aware of the problem.

At the end of this school year, the Minister of Education is going to come back and announce \$100 million for special education again. He's going to say, “I gave them \$100 million,” and he's going to announce another \$100 million in July—hopefully he'll do it sooner—and it will be the same money he took away.

You understand the game, Speaker. I'm talking to you, you understand, because we have this connection in education and because we understand each other. It's so nice to talk to people who immediately relate and absorb and are able to connect on the issues.

I'm puzzled as to why the government would do this and why Mr. Kennedy, the Minister of Education, who has such a heart for education—his heart is big for education, bigger than you can imagine. McGuinty, the Premier, has a heart bigger than Gerard's on education. Their hearts combined could explode in this room. So heartfelt is their connection and attachment to education that they would just take \$100 million from the boards

and chuck it away for a rainy day. I remember Mr. Kennedy, the Minister of Education, talking about the waiting lists for special education. I don't know whether some of the education activists behind me would be familiar with this, or some of the other education activists in front of me or others who are not here—

*Interjections.*

**Mr. Marchese:** Here they are, the education activists, right here, right behind me. Like me, they used to attack the Conservative government. We talked about the 43,000 students who were waiting to be assessed in the identification placement review committee. Have you heard any of our education activists or Gerard Kennedy, the Minister of Education, or McGuinty, the one who has a bigger heart than all of them combined, talk about what happened to the list of 43,000 students desperately waiting to get the special education attention they need? Not one of them has spoken about that waiting list. Do you think for a moment that that waiting list has gone down any? I say to you no. That waiting list is long and getting longer. I don't hear Kennedy or McGuinty, minister or Premier, talking about how we're going to tackle that special education waiting list.

How could you be dealing with that 43,000 waiting list if you've taken away from the boards \$100 million designed clearly to deal with special education? How do the Minister of Education, who loves education and feels it right here, and the Premier, whose number one priority is education and feels it right here, sleep at night knowing that 43,000 or more students are on a waiting list, some of them waiting for years to be identified, let alone have a program that deals with their shortcomings? How could they sleep at night?

I remember that the Minister of Education and I would often debate in many circles. Now, the various sectors don't invite us as much. They don't want to rankle or rile the Minister of Education. They're all trying to please and work with Gerard because we've got this peace and stability thing going. So many federations and others are so afraid to invite me, in case they slight the minister or in case he feels slighted that they invite the NDP critic to debate some issue. They are so afraid, I'm telling you. I say this, Speaker, in case you're discussing it with your wife. Let her know that at times I have not been invited and not even announced at some meetings. Why, I was at a federation meeting one day when they were announcing who was there, and this federation—I feel really badly for it; I don't even want to name it because I feel so badly—knew I was there. We hugged with the president of the federation. She announced everybody in the room, and then instead of announcing me as the MPP from Trinity-Spadina, the education critic, she said elliptically and in a general way, “political friends.” It was just unbelievable. I said, “Is that me?” I didn't know whether I was a political friend or whether there were other political friends or whether she was referring to the MPP as a political friend. So I was waiting to be announced. Minister of Culture, you understand. You think they're going to announce you, because that's what they've done in the

past. Then some Liberal MPP comes later—an hour later or so—and the president announces this Liberal MPP who came in, introduces this fellow as representing the Minister of Education. It just cracked me up; I couldn't believe it.

You understand, federations are afraid. I used to think federations were afraid of the Tories, for good reasons, but then when the Liberals came to power, I never dreamed that federations would be afraid of the Liberal government; not of Gerard Kennedy, surely, the guy who's got a heart for education. They wouldn't be afraid of McGuinty, the Premier, the guy who's got a bigger heart than Gerard Kennedy. Why would they be afraid? These people with the heart—why would they be afraid? But they are. It's like they're muzzled more under Liberals than they were with the Tories.

I'm telling you that when it comes to this issue of special education, this new approach advocated by the member from Sault Ste. Marie, I'm about to suggest that I have a slight disagreement with that approach. I think it's a wrong approach and I wanted to communicate to the citizens watching my disagreement with it.

I then want to talk about transportation. I want to let the citizens of Ontario know the Liberal approach to transportation. Some of you will know that when the Liberals came to power, they promised to reinvest in transportation. It was not going to be a shifting of money from one board to the other; it was going to be an investment in education. Now, if people tell me there's going to be an investment in education, I think new money. Wouldn't you think that?

*Interjection.*

**Mr. Marchese:** I would. Yes, I know you would too. I would be thinking new money. But there was no new money announced, none at all. The Minister of Education, rather than dealing with a funding formula change that would address the low benchmarks given for transportation that were set in 1996 by the Tories, rather than changing that funding formula, he does nothing of the kind. He introduces what he called a new funding model: Equitable Allocation Through a New Funding Model for Student Transportation in Ontario.

I want to speak to the cleverness of the way the minister titled that bill, because he called it equitable. Now, if I say to you, “equitable,” it suggests to me or to you, if I say it to you, that people are going to get a fair share of transportation dollars. It just didn't happen that way: 31 boards got less money and will get less money this coming year, and the other boards are going to get an increase. Except it's not new money and extra money; it's taking away from 31 boards to give to the other 38 or so boards. But that's not equitable. That's taking from other boards to give to other boards.

How could the Minister of Education think this new approach to transportation is a good thing? How could they defend it? On what basis? So the member from Sault Ste. Marie has to reason this through and say, “This is a problem here.” He advocated the fact that this is a new approach to education. How do you defend taking from

30 boards and giving it to the other 50 boards? So the minister says, "Ah, no, we're not doing that." He played with it. He offered so many different ways of dealing with that issue.

1740

But I said to the minister in one of the committees, "You have changed the way boards are going to get money, and you have made a decision already, because 38 boards already received a down payment for the additional money they will be getting this September in the year 2005." So while the minister said, "This is not a permanent change" or "We haven't made a decision" or "This is a draft model," how could it be a draft if you have already announced that the 39 boards or so are going to be getting more money and you've already given them a down payment this year?

It has been a real tough challenge for me to have to convince the education activists and others out there that this is not a friendly government. Oh yes, they're friendly in words, but when it comes to the action of giving money, it's not a very friendly government. They're hoping that the words "This is a new approach" or "We're trying to have peace and stability" are going to make people feel good. But unless you bring the money, unless you bring the pecunia forward, it's hardly a friendly government. People, boards, teachers and trustees are looking for the pecunia to come forward; it's not coming. This government is broke. I know it, and they know it. They have to play this game of moving money around, announcing it one day, reannouncing it another day and making it appear—whether it is health or education, whatever—that it's new money every time they announce it.

**Mr. Oraziotti:** We have to keep announcing it because you don't get it through your head.

**Mr. Marchese:** Oh, the member from Sault Ste. Marie is acting tough with the member for Trinity-Spadina. Well, I'm waiting for him to do his two minutes and see how we can duel this out.

*Interjection.*

**Mr. Marchese:** I'm waiting for this duel here any moment in his two-minute rebuttal, of course.

*Interjection.*

**Mr. Marchese:** I'm going to duel with him any time in this place. He's got two minutes.

I want to tell you more about the new Liberal approach to education, because the next announcement is about small schools. Now, you remember, Kennedy, the Minister of Education, announced a moratorium on small schools, but he never delivered the pecunia to keep small schools open. So the boards were in a bind—member from Sault Ste. Marie, I'm waiting for your two-minute rebuttal. The boards are in a bind. A moratorium means you can't close schools. That's what the law was, and is, although I think they lifted it just last week. Boards are saying, "How do we deal with this?"

I have to explain—and I'm going to deal with this so it's as clear as possible so that people understand this. Small schools do not have the money to be able to

function in the way that they would like to. Once it falls below 200, they have a problem in terms of providing all the programs they need. If you've got a school of 120, 130, 150, it begins to be complicated in terms of how you have the teacher numbers so that you don't have three classes combined, grades 1, 2 and 3 or grades 4, 5 and 6 and so on. You don't have enough money to generate a librarian, a special-ed teacher and the like or you don't have enough money to generate a principal.

What small schools need is a new funding formula that creates a different threshold for when they qualify to get a principal. If you don't have the numbers, you don't qualify. But if you do put the principal in that school, you've got to steal from other boards or from that board to be able to pay for that principal. If you want to keep classes small and not combine grades 2, 3 or 4 in one class, you've got to put in extra teachers, and if you do that, it costs money. If you want to put in a librarian because you think it's important and you don't qualify because you don't have the numbers, but you do put one in, it costs money. So you're stealing from other schools. That's what small schools are all about.

But lo and behold, Speaker, between you and me and the wife, who teaches, last week I went to this press conference with the Premier, the guy with a heart, and with Mr. Kennedy, the minister, the other one with a heart, at Vaughan Road. They announced 280 million bucks of money that would be leveraged by school boards and could produce—get this—\$4 billion worth of new schools and repairs for plumbing, air conditioning, whatever. Four billion bucks, it would generate.

Last year, last May, they announced \$200 million. With that \$200 million, they were going to generate \$1.2 billion worth of new buildings, repairs etc. They didn't spend a cent. So of the \$100 million they announced last year, not one cent was spent. When the minister was asked, he said, "It was never intended to be spent. We just wanted boards to get ready." Get ready for what? Why would you announce \$100 million of money so that school boards could have access to the money to be able to build schools, and then say to schools, "But you're not going to get it this year; we're just announcing it so you can get ready for next year when we announce more money." It's nuts. It makes no sense. It is politically stupid; it is pedagogically unsound; it makes no sense whatsoever.

They announced \$100 million last May, and not one cent was spent, and that was going to generate billions of dollars. Now they announce \$280 million, and that will generate \$4 billion. You know what, member from Sault Ste. Marie? Next year your minister is going to come here and announce another \$100 million on top of the other, and it will generate, good God, \$600 billion worth of capital projects. And very little money will flow. That's the problem. You just make announcements and no money flows.

That's the problem with the new Liberal political approach to anything you do. Not only that—to make fun of that announcement on capital projects—I have no faith

that any of that money will flow. The minister says that the first \$75 million or so—he might have said \$150 million—you could access in the next 18 months. It's not the next two months, not the next three, but the next 18 months. He's going to drag it out until next year, close to the election. That's why I say that next year he's going to announce another 100 million bucks, because he won't spend it this year. He will use the same money, add another \$100 million—you understand the picture, folks. If it's not clear, then we'll have to do another speech another time, but I think you've got the picture.

You know what else they announced at last week's announcement? That with this money, small schools would not close. That's what he said. Kennedy, the Minister of Education, said, "By the way, this announcement will prevent small schools from closing."

Interestingly, I read in an article in the Thunder Bay Chronicle-Journal that said, "The provincial government's new funding formula is being heralded by rural school supporter Leila Kajorinne as a potential saviour for 14 schools marked for closure." I thought, "How does it do that?" She says, "I really want to commend the government on what they've done."

Then the minister says, "Obviously, we tried to hold a bit of a collaboration together with them and they decided to make a decision, as everybody knows"—it means nothing—and he goes on to say, "At the end of the day, there will be significantly less (money) for Lakehead if they close the schools, because we're paying for repairs at every school including the 14 they are closing."

It makes no sense. What small schools need is money for principals, money for secretaries, money for vice-principals, that the current funding formula does not provide. They need extra teachers to keep class sizes down. The fact that you provide capital dollars will not contribute one cent, one iota, to keeping small schools open.

But the Minister of Education, and presumably his followers, the member from the Sault and others, just buy into this blah, blah, blah so blindly. I just don't understand it. How could the Minister of Education and others defend it when it's blatantly not true? What they need is money. What small schools need is a changing of the funding formula, and this government refuses to change the funding formula. They are doing bits and pieces of funding formula change, but there is no wholesale change of the funding formula. We are still operating under the Conservative rules established in 1996-97, which set the funding formula benchmarks at those low levels, and nothing has changed.

1750

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** Nothing?

**Mr. Marchese:** Nothing has changed. The funding formula is still the same. The Liberals are operating under a Conservative funding formula structure that is flawed, that I argued against and that the now Minister of Education argued against when he was in opposition. But

they're still keeping the same structure, and that structure means that schools—and teachers, students and parents who care—are underfunded.

They praise this capping of class size, and I do too—if only they delivered on that promise. They claim they put in \$119 million. I don't know how much money they put in, but that is the claim. Listening to the Minister of Education today, not once did he use the words "capping class sizes"—not once. You will observe that when the Minister of Education speaks, he makes no reference to capping class sizes, because he knows it's a promise he cannot keep.

The member from Sault Ste. Marie talked about lowering class sizes, which are the words the Minister of Education uses, but he used the word "capping," which is interesting, because they try to use "lowering of class sizes" and "capping" as synonymous. They are not synonymous. Those who are teachers and education activists know that the two are not synonymous. But they use them synonymously, and that is wrong.

**Interjection:** Why is that?

**Mr. Marchese:** I'll explain. Capping means you establish a number and keep class sizes to the number you establish. Reducing class size means that if the cap is 23 or 25, there might be 24, there might be 23, there might be 22, or there may not be any class size change, as indeed is the case at the moment. But capping is an expensive promise to keep, one that, although in principle we think is a good thing to do, if you're not committed to raising the money, don't make the promise. Capping class sizes costs anywhere from \$500 million to, some analysts claim, \$1 billion.

How could you make a promise of capping class sizes when you never really had the commitment to raise the money to make that capping a reality? You never had the commitment to raise that money. Why promise capping when you should have said, "We promise to reduce class sizes as best we can." That's what you should have said. But you said "capping" when you were in opposition and during your campaign; you didn't say, "reducing class size." Now that you're in government, the words coming out of the Premier and the Minister of Education are "reducing class size," and others use it synonymously, as if to suggest the two mean the same thing. Teachers who are in this place know that is not true.

What we know is that class sizes at the moment, under a Liberal regime, from grade 4 to grade 12, have increased almost exponentially. Some class sizes at the elementary level and the high school level are unbearably high. You won't find Liberals talking about reducing class size in grades 4, 5, 6, 7, 8, 9, 10, 11 and 12. You won't find any Liberal member talking about reducing class size in those grades, but you will find them talking about "the great success of reducing class size"—not capping, but reducing—in the primary grades, 1, 2 and 3.

**Mr. Khalil Ramal (London-Fanshawe):** That's what we promised to do.

**Mr. Marchese:** Member from London-Fanshawe, you promised that you would cap class sizes. That's what you promised.

*Interjection.*

**Mr. Marchese:** No, member from London—Fanshawe, capping class sizes means you're going to have all those classes—grades 1, 2 and 3—capped. All you've committed, that we're aware of, is \$100 million, and we don't know how much of that you've spent. We don't know. So speak to your promise of capping and tell me how much you're going to inject in this coming budget for capping class sizes. I'll be looking forward to that with relish.

Now to get back to the second part of my debate having to do with this particular bill: The Liberals have no plan, absolutely no plan, to fix the problems in education, so they're trying to hide the problem by delaying negotiations until after or way before the election, so they don't have the headache of making sure that negotiations happen on or during that next election campaign. In 2001, the Tories dictated that all collective agreements in Ontario would expire on August 31, 2004, and all subsequent contracts would be three years in length.

I repeat what I said in my reaction in my two-minute statement. The agreements that the Tories had negotiated would come into play August 31, 2004. There is absolutely no way that a Liberal minister who understands this would allow negotiations to fall smack in the middle of an election campaign. Rather than the Minister of Education having the intestinal fortitude or testicular fortitude to say, "We are afraid of an election call that would have teacher negotiations falling in August," rather than saying, transparently, "We're afraid of that," he says, "Oh, no, this bill is about negotiating two-year agreements and four-year agreements, because it's really about," as he says, "conferring respect for the teaching profession." You understand how easy it is for people like me and others to be jaded about the political process.

Speaker, are you with me? I need your help. You've got to nod every now and again, because you and I are alone in this place.

To lend support to my opposition to what the Minister of Education, Mr. Kennedy, is doing here today, I want to quote him on things that he used to say when he was in opposition. I expect the education activists to be listening to this, and the House leader and others to listen to this, because this is what the Minister of Education said.

*Interjection.*

**Mr. Marchese:** Please, your hearing: I'll wait for a second. In the meantime, I will be able to take a swig of water. The House leader is all ears for Marchese.

Before the election, the Liberals slammed the Tories for trying to put off any potential teacher strikes until after the election, because that's what they tried to do in 2001. Gerard Kennedy chided them during the debate in 2001, saying, and I quote him—

*Interjection.*

**Mr. Marchese:** But you can hear me; I'm loud. Come on: Don't pretend you need the speaker. I'm very loud.

Here is what Gerard Kennedy, the Minister of Education, said: "Today, they'll say"—of the Tories—"We demand there be a three-year contract. We demand that

that happen so there are no untoward activities around the time of the next election." That's what Gerard said about their bill that would come in 2004, at the time that you would be calling the election. He also said—lending support to my argument to oppose it, as he would have were he here—that dictating the lengths of contracts was heavy-handed.

**Mr. Yakabuski:** Is he somewhat inconsistent?

**Mr. Marchese:** I'll leave it to the intelligent voter and citizen.

Before the election, Liberals said dictating the length of contracts was heavy-handed. He goes on to say, and I quote him—

*Interjection.*

**Mr. Marchese:** I know. But you'll have two minutes too. You, House leader, will have two minutes to be able to deal with me as well.

Gerard Kennedy, the Minister of Education, said, "You think you're going to fix problems in education, many of them of your own making, by ordering people around. You're going to boss them, you're going to make them do things and, in this case, you're going to get three-year contracts just because you say so."

You understand, House leader, how jaded we can be, when I quote Mr. Kennedy using the very language that he used when they introduced three-year agreements, and now he says, "Oh, it's got nothing to—

*Interjection.*

**Mr. Marchese:** The House leader is upset at me pointing out—Ted, are you about to stand up and say I've got to do this another day?

**The Acting Speaker:** Yes.

**Mr. Marchese:** Thank you very much, citizens of Ontario. Tune in again.

**The Acting Speaker:** Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made.

1800

## ADJOURNMENT DEBATE

### ACCESS TO HEALTH CARE

**The Acting Speaker (Mr. Ted Arnott):** The member for Oak Ridges has given notice of dissatisfaction with the answer to a question given by the Minister of Health. The member has up to five minutes to debate the matter, and the minister or his parliamentary assistant may reply for up to five minutes.

**Mr. Frank Klees (Oak Ridges):** I'm taking this opportunity to raise this issue in this special debate in the Legislature because of the conduct of the Premier when I put a question to him on this important issue during question period.

I appealed to the Premier during question period and asked him to personally respond to my question, which deals with a matter of life and death. I put the question with regard to my constituent, Mr. Rick Sgroi of

Richmond Hill, who will die without enzyme replacement therapy. His wife, Mara, wrote a letter to the Premier, and in that letter she appealed to the Premier to step in to do what has to be done to ensure that her husband and other patients in this province receive this important life-saving treatment.

I was disappointed when the Premier refused to answer my question. In fact, he turned his back on me and referred the matter to the Minister of Health. The reason I didn't put the question to the Minister of Health initially is because he himself has refused to deal with this issue on many occasions.

I am appealing today to the Premier, who said when he was on the campaign trail, and I quote what he said at that point in time to every person in this province: "Our job is to make health care work better so you get the care you need, when you need it." Well, Mr. Sgroi and many patients across this province today need health care, and they need it now. It is within the authority of the Premier and the Minister of Health to ensure that enzyme treatment is available. This enzyme replacement therapy, which is helping many patients, is available. It's simply up to this government to ensure that that is done.

The Minister of Health continues to use technicalities, continues to lay the blame on the drug company for the fact that Mr. Sgroi and other patients in this province are not receiving this life-saving treatment. That is irresponsible; it is unconscionable. On behalf of all those patients in this province today, I'm calling on this Minister of Health and this Premier to assume their responsibility.

In a letter to the Honourable George Smitherman, Mr. Sgroi wrote the following: "I am not quite sure what else I can do, what else you want me to do." Here is what we want the Minister of Health to do: assume his responsibility as the Minister of Health to order that these treatments be made available to every patient who needs them in this province.

I look forward to hearing from the Minister of Health or his representative today with a positive answer that people in this province can count on. Don't give us a bureaucratic response; this is a matter of life and death.

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** I'm pleased to rise today to address the House on the important issue of the Fabrazyme and Fabry disease, and the funding for its treatment. On behalf of the McGuinty government, I want to express our deepest sympathy for the victims of Fabry disease and their families. I want to reaffirm that we are committed to providing the highest standard of health care for those patients who suffer from this disease. It is estimated that there are currently about 300 people in Canada with Fabry disease. According to media reports, about 12 patients are currently receiving enzyme replacement therapy for Fabry disease in Ontario, and clinical experts have indicated there may be up to 50 to 60 Ontarians who may need treatment. The cost of treatment for each patient could be up to \$300,000 a year. But cost is not the issue here. It's a question about the effectiveness of the treatment that concerns us.

While Fabrazyme and Replagal are approved for marketing in a number of countries around the world, there is limited information regarding their funding by public health authorities in international jurisdictions. In Canada, contrary to what the member for Kitchener-Waterloo said in the House on February 16, 2005—and I'd like to quote from Hansard where it says, "If you go to Alberta or you go to Quebec, they're still receiving treatment with provincial approval." But no jurisdiction, including Alberta, has made a commitment to fund enzyme replacement therapies for Fabry disease to date.

In September 2001, federal, provincial and territorial health ministers agreed to establish a single common process for reviewing drugs for potential coverage by public drug benefit plans in Canada. Former Health Minister Elizabeth Witmer played a role in establishing the Common Drug Review. Yet she's asked our government to ignore the CDR process and simply fund the treatment without the necessary scientific evidence to back the treatment.

On November 24, the expert advisory committee for the national Common Drug Review recommended that both Fabrazyme and Replagal, two enzyme replacement therapies for Fabry disease, not be listed by participating jurisdictions. All of the provinces included in funding the Common Drug Review process are committed to awaiting the final recommendation on this.

Meanwhile, participating jurisdictions have requested that the Common Drug Review review some additional data regarding Fabrazyme, subsequent to the first review. According to the Canadian Coordinating Office for Health Technology Assessment's Web site, this information is scheduled to be discussed by the Canadian Expert Drug Advisory Committee this spring. At present, both the minister and the Premier have indicated that the final decision regarding whether or not the ministry will fund Fabrazyme will not be made until the government has considered the recommendations that will come from CEDAC and the ministry's Drug Quality and Therapeutics Committee regarding this new data.

The national Common Drug Review process helps us to evaluate the science and evidence for complex therapies, and it is important that the ministry's decision of whether or not to fund enzyme replacement therapies for Fabry disease consider a thorough assessment of this scientific evidence. The government is respecting the CDR process. The ministry will use the recommendations from CEDAC to inform the ministry's consideration regarding whether or not to fund enzyme replacement therapies for Fabry disease.

If the company feels its products will pass the Common Drug Review process, it should continue to provide the drug on compassionate grounds to patients who are currently receiving it, just as it is doing in other provinces. It is important that all provinces be treated equally. It is important that the process be respected.

Ontario is committed to continuing to provide a wide range of effective health care services already available for the management of Fabry disease. This includes cardiovascular care, pain management, dialysis and



transplantation. I hope this provides a clear message from our government.

**The Acting Speaker:** When the member for Oak Ridges had the floor, unfortunately there was a problem with the clock. The member felt that his time was up, but in actual fact he had an extra one and a half minutes. I would like to propose to the House that I recognize again the member for Oak Ridges so that he can conclude his remarks.

**Mr. Klees:** What we just heard from the parliamentary assistant was precisely what I was hoping we wouldn't hear: more bureaucratic justification for not doing the right thing.

Apart from all the technical requirements and issues at stake, is in fact the integrity of the Minister of Health, who wrote a letter to Donna Strauss on July 3, in his own handwriting:

"Thanks so much for your lovely note.

"I do want you to know that I'm proud to have had an opportunity to meet John and to witness your love for

one another." John is Donna's husband, who died this past year.

The Minister of Health goes on to say, "As you struggle to deal with such a huge loss, I wish to assure you that I will make certain of coverage for Fabry. Don't let any stories about the drug's slow approval add to concern about coverage."

It is signed, "Warmly, George."

This is our Minister of Health, who has personally made a commitment to ensure that this coverage is available to patients in this province. I ask the Minister of Health and the Premier of this province to honour their commitment. This is a matter of life and death.

**The Acting Speaker:** It being past 6 of the clock, this House stands adjourned until later on this evening at a quarter to 7.

*The House adjourned at 1809.*

*Evening meeting reported in volume B.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
96	4681	2	1-6	<b>Mr. O'Toole:</b> We want to get the legislation right. We intend to support every issue that involves public safety. With respect to the greenbelt legislation that I mentioned, Bill 135, I am quite supportive of it. I know Mr Tory is quite passionate about having preserves of green space, as we were under the Oak Ridges moraine.

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Stoney Creek	Mossop, Jennifer F. (L)		

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

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

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