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Thursday 21 April 2005

Jeudi 21 avril 2005

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 21 April 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 21 avril 2005

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

KHALSA DAY ACT, 2005

LOI DE 2005

SUR LE JOUR DU KHALSA

Mr. Dhillon moved second reading of the following bill:

Bill 189, An Act to proclaim Khalsa Day / Projet de loi 189, Loi proclamant le Jour du Khalsa.

Mr. Vic Dhillon (Brampton West-Mississauga): Wahe Guru Ji Ka Khalsa. Wahe Guru Ji Ki Fateh.

I want to tell you how proud I am, as a Sikh Ontarian, to bring this bill forward in the House: Bill 189, An Act to proclaim Khalsa Day. This bill, if passed, will proclaim that April 13 of every year will be officially recognized in Ontario as Khalsa Day. Khalsa Day is the establishment of Khalsa.

On April 13, 1699, Guru Gobind Singh Ji, the 10th guru of the Sikhs, founded Khalsa, which signified the Order of Pure Beings. The Order of Pure Beings is encapsulated by the five Ks: the kirpan, a sword representing indomitable spirit; the kesh, which is unshorn hair; the kara, a steel bangle worn as a sign of the eternity of God; the kanga, a wooden comb worn to represent a clean mind and body; and the kaccha, which are short breeches representing hygienic living.

In the international community, many states and cities are honouring this auspicious and important date. It is a great honour that the Legislative Assembly of Ontario will soon recognize the importance of this historic Sikh nations day with this bill.

From that day on April 13, 1699, the Sikh nations proclamation has become a turning point in its history as it leads to the democratic process of social equality, freedom of beliefs and worship, civil rights and cultural integration.

Since the open immigration policy of Prime Ministers Pearson and Trudeau from non-English-speaking and developing countries, Ontario and Canada have become a society woven by multicultural fabric. Ontario citizens of Sikh faith have made and continue to make tremendous contributions to the growth and development of the province of Ontario and our great country. It is important to recognize and celebrate those contributions.

Although the Sikhs first arrived in British Columbia at the beginning of this century, their presence in Ontario came to be felt only in the 1950s, when the immigration laws were somewhat liberalized with the introduction of a quota system. In 1965, there were only 400 Sikh families in Ontario. Compare that to over 300,000 Sikhs living in Ontario today.

I can speak from my heart as a Sikh Canadian that Khalsa is a day that holds tremendous significance for the Sikh community in Canada, Ontario and the world. On April 13 every year, Sikhs in Ontario celebrate Vaisakhi, a day to recognize the birth of Khalsa in a grand way. Thousands of Sikhs turn out for a parade which starts at the CNE grounds and ends at Nathan Phillips Square. As a matter of fact, this year's parade is this coming Sunday, April 24, and I invite all member of the House to come out and enjoy the festivities that will celebrate Khalsa.

This topic has never been brought forward on the floor of this House. However, in the House of Commons seven private members' motions concerning Sikhs have been brought forward since 1996. The federal government has also provided recognition of the 300th anniversary of Khalsa through Canada Post, which released a stamp recognizing the importance of Khalsa in 1999. The heritage department in Ottawa recognized BC's Abbotsford gurdwara. This was the first Sikh temple, built in 1911. On July 31, 2002, the federal government officially recognized this gurdwara as an official historic site. This made me really proud to be a Canadian. The Sikh community was very pleased to get this recognition.

The wearing of a turban is one of the most important and sacred manners to devote oneself as a Sikh. It is a vital symbol identifying that a person is Sikh. The RCMP and many other police forces have allowed the turban to be their formal headdress, instead of caps that are normally worn by police officers. In 1999, the government of British Columbia changed its legislation to make accommodations for turban-wearing Sikhs to be exempt from wearing a helmet. The government of British Columbia took many facts into consideration, including health care costs, exposure to civil and criminal liability and other societal costs. They concluded it was the right thing to do in allowing a small number of turban-wearing Sikhs to ride their motorcycles without compromising their religious convictions.

I had the pleasure of representing a large group of turban-wearing truck drivers who were being forced to wear hard hats on top of their turbans when they entered construction sites. Wearing hard hats on construction sites is a law in Ontario, as safety is most important.

When I brought up this issue with Mr. Bill Galloway, of Dufferin Aggregates, who is a major employer, he quickly agreed to make adjustments so that turban-wearing truck drivers would not have to remove their turbans on the construction sites. A compromise was reached so that safety and religious observance could co-exist. I was very thankful to Mr. Galloway and the company that he represents.

However, this is not enough. I firmly believe that we in Ontario need to look at this law. I say this because a large majority of the Sikh population have chosen to be truck drivers, and by forcing them to remove their turbans, we are infringing on their right to practise their religious beliefs. If British Columbia can do this, why can't we?

I would like to conclude by thanking those who will be speaking on this bill, and members of the Sikh community who have worked hard to find recognition for the contributions they have made to our great province of Ontario and the nation.

I would now like to pass the floor over to my colleagues here in the House.

1010

Mr. Michael Prue (Beaches-East York): It is indeed an honour to rise today to speak to this particular bill. Some members of the House may be aware, and some may not, that prior to my time of becoming a full-time politician, I worked for 20 years in the immigration department and in that period of time met a great many people from all around the world, including a great many Sikhs who had chosen Canada as a place to immigrate to.

The immigration to Canada of Sikhs, as the previous speaker has said, happened over a period of many, many years, but it behooves me to tell this assembly that it was not always as easy for Sikhs to immigrate to Canada as it is today. There is a very sad history in this country of Canadians, particularly in British Columbia, trying to keep Sikh people out of this country. There is the famous history of the ship Kamagata Maru—I'll get the spelling for Hansard in a few minutes—which arrived at Victoria with hundreds of Sikh men and a few women on board seeking to immigrate to Canada. Of course they were allowed to immigrate to Canada because the laws of this country at that time said that it was open to immigration for anyone who was a resident and a citizen in the British Empire. India was at that time, and continues to be, a member of the Commonwealth, a member of the British Empire. Therefore, those individuals were perfectly within their right to seek to settle in Canada. They were denied entry to this country. They were there for many days and weeks, and finally were forced to sail back to India.

That was not the first and it was not the last, but it is probably the strongest evidence that we have of the difficulties of the Sikh community coming to Canada. That, of course, has changed, and since the early 1960s, people have been allowed to immigrate to Canada on the basis where they cannot be denied for any reasons that we acknowledge here in Ontario under our charter or that

are found in the Canadian Charter of Rights and Freedoms; that is, they are chosen on the basis of merit like citizens of every other country on earth, and the Sikh community has come and has made a remarkable community here in Ontario and in Canada. One can go into the gurdwara and find that one is treated just as a Sikh. You go in, you can sit down with them and you can have a meal with them at the end of the service. They treat all people in terms of a brotherhood.

Sikhs have a religion that's a fairly new one. It goes back now some five centuries. The establishment of the Khalsa, or the house of the pure, was instituted by its 10th and final guru. Sikhs are known to people. Not all Sikhs today wear a turban but many still do. It is not one of the requirements, and people are surprised at that. They think that is a requirement of being a Sikh, but it is not. There are five requirements if one is to be part of the Khalsa, or the pure, and they are all Ks. We called them the five Ks in immigration and we could always determine very simply which person was a Sikh, whether they wore a turban or not.

The first is the kirpan, the small ceremonial dagger that Sikhs carry to fight for the oppressed. It is a small sword. It did cause some consternation, I will tell you, from some of the airlines that brought Sikhs to Canada when they discovered this little knife that they had with them. Oftentimes the knife was taken away and then given back to them once they arrived in Canada, and I think people around the world can understand today why airlines felt that they needed to do that. But I have to tell you, I don't remember, at any point in all the time I worked in immigration, anyone actually using the kirpan to violent effect. I cannot tell you of a single incident that I ever read about in the paper or knew of where that actually happened. It is a religious symbol that they carry with them.

There is also the kanga, or the comb in the hair, to show a clean and simple life.

They have the kara, or the steel bangle. You can see almost every Sikh male wear one of those. They wear them quite proudly. It is a steel bangle around their wrist that symbolizes the eternity of God.

They have the kesh, or unshorn hair, which is for the simple life.

Finally, they have the kaccha, or the breeches, to show cleanliness and hygienic living.

Sikhs in Canada have made remarkable contributions. Most Sikhs have come within the last 30 or 40 years or so, although certainly there was a community there, particularly in British Columbia, for a much longer period. As I said, it was very difficult for them to come to this country.

I have a story here, taken from Sikh history, just to show how difficult and lonely it was for some of those first individuals who came here. I'd like to quote this just in closing, because I want to leave some time for my friend from Hamilton East, who also wishes to comment on this bill. This is the story of a man by the name of Dharam Singh Parmar. He tells his story of the difficult

life he had here because of the problems with immigration at the time. He says:

"I came to Canada as a student" in 1929. "I was alone and couldn't call her over"—he's talking about his wife—"because I stayed here illegally. At that time, there were scores of men who were my age who had also left their wives behind. We were lonely but we were helpless. My daughter was only seven days old when I left India; my son was two years old. We could only exchange five or six letters in a year because it took a long time for them to arrive. My wife sent me pictures of my children. After I became a legal resident, I couldn't go back because of the pressure of business. My son came to Canada in 1949 when he was 20, and we went to India in 1951. So much had changed. When I saw my wife, all the members of the family were delighted. We had been separated for 22 years. When I left, we were youngsters. When I came back, we were all grown up. My daughter was married and had one child. I brought my son and wife back with me, but my daughter stayed in India because she had her own family."

That's the end of the quote. That's the sad story of what happened to this man and his family. In spite of that, he came back to Canada with his wife, came back with his family, and I'm sure he was successful. Although I know nothing more about him, I am sure he was successful in his life and in his adopted country.

I know that all members of the Sikh community are proud of their heritage. I know they are proud of their contribution to this country and continue to do everything they can to build a wonderful Canada and a wonderful Ontario.

It is time to recognize this tradition. It is time to right some of the wrongs of the past century. It is time to say to the people of Sikh heritage that Canada welcomes them, that we admire them, that we know they are proud and great Canadians and that, as part of the Canadian family, we should recognize Khalsa and all it stands for.

Mrs. Linda Jeffrey (Brampton Centre): I'm happy today to have the opportunity to speak in support of Bill 189, An Act to proclaim Khalsa Day, which, if passed, would make April 13 Khalsa Day in Ontario.

Before I carry on, I'd like to recognize the vision of my colleague from Brampton West-Mississauga in bringing forward this important legislation. As a fellow Bramptonian, it's easy for me to identify the significant and meaningful contributions that the Sikh community has made to our province and to our country as a whole. This bill would provide Ontario with the opportunity to recognize these important contributions in a very significant way.

1020

The Sikh religion has a worldwide following of over 20 million people, and it's ranked in the world as the fifth-largest religion. Sikhism preaches the message of love, understanding, devotion, remembrance of God, truthful living and the equality of mankind.

The first Sikh pioneers settled in Canada over 100 years ago, and since then, the Sikh community has be-

come an integral part of Canadian society. Today, more members of the Sikh community call Brampton home than any other municipality in Canada. They have chosen Brampton as the place where they want to build community institutions, set up their businesses and raise their children. The results have been the establishment of a very vibrant community that I'm proud to represent.

Many organizations across the province already celebrate Khalsa Day, and today I would like to share with you the efforts of two groups. The Guru Gobind Singh Children's Foundation and the Sikh Centennial Foundation showcase the pride and richness of the Sikh culture on Khalsa Day annually. The ideals of Sikhism and the fundamentals of good humanitarian service are key to these celebrations.

In 1999, the Canadian Sikh youth from my riding, as well as neighbouring ridings, including the riding represented by the creator of this bill, the member from Brampton West-Mississauga, celebrated the 300th Vaisakhi by running a 582-kilometre run from Toronto to Ottawa. Inspired by the teachings of the Sikh gurus and motivated by Guru Gobind Singh's fundamental teachings of seva—community service—the 300 Sikh youth participated in the relay run over a seven-day period in which 51 runners ran all seven days. A total of \$118,000 was raised, with the focus on children helping children, and the Guru Gobind Singh Children's Foundation was formed.

Today, the Guru Gobind Singh Children's Foundation provides long-term financial aid worldwide to support 104 children in poverty through existing charities such as World Vision, the Foster Parents Plan, and the SOS Children's Villages, which is a foster home village and provides hostel services for children, as well as the vocation rehab centre.

As they have done since 1999, the youth from the Guru Gobind Singh Children's Foundation have taken an active part in Vaisakhi celebrations, such as the Nangar Kirtan, which is the peace parade on April 24; a Vaisakhi food drive at the Nangar Kirtan in which the Premier took part in 2003; as well as other events outside of the Sikh community, such as the Enbridge CN Tower climb for the United Way, in which 173 youth from the Guru Gobind Singh Children's Foundation will take part this Saturday.

Another group is the Sikh Centennial Foundation, founded in 1997. The organization has been privileged to be at the forefront of promoting Sikh heritage and culture by celebrating the participation and excellence achieved by Sikhs in all aspects of civil, social and cultural life, and honouring non-Sikhs as well who have lived their lives in accordance with Sikh ideals.

Sikh heritage and history is promoted and made accessible to Sikh youth through the events put on by the foundation, and this year at the ninth annual Vaisakhi gala, Stephen Lewis, the UN representative on AIDS, spoke about global activism. Mr. Lewis was recognized for his seva, community service, to people around the world, and for raising his voice in support of various

humanitarian causes around the world; in particular, his work in Africa on HIV and AIDS.

The most recent thing that I would recognize my Sikh community for is that in April, the William Osler Health Centre proposed an idea for a naming opportunity that was a first for our hospital. The William Osler Health Centre announced that its board of directors wanted to recognize the Canadian Sikh community and the service they provide to our community by approving the name of the Guru Nanak Emergency Services Department at our new Brampton hospital campus. This modern 608-bed facility is scheduled to open in 2007.

The idea was to recognize Guru Nanak, who was the founder and first guru of the Sikhs. He was born and raised a Hindu in the Punjab district of India. Reflection, meditation and spiritual study are the elements that Nanak preached. He taught that the most profound spiritual experience does not come from self-denial but from connecting with the family, living for the good of the community and following a strict code of ethical behaviour.

The idea to recognize Guru Nanak was brought to the attention of our then William Osler president Bob Bell by a physician at William Osler Health Centre, Dr. Bajinder Reen. A similar naming recognition opportunity has occurred at Soldiers' Memorial Hospital, St. Joseph's Health Centre and Villa Colombo, among others. This was in recognition of the 50,000 Sikhs who live in the immediate community surrounding the new hospital.

I wanted to offer my congratulations to the William Osler Health Centre board of directors on this fitting and lasting tribute to the Canadian Sikh and South Asian community. It was a very well-thought-out idea and clearly ahead of its time.

It's a privilege today to speak in support of Bill 189, an act to proclaim April 13 as Khalsa Day, and to congratulate the member from Brampton West-Mississauga.

Ms. Andrea Horwath (Hamilton East): It's certainly my pleasure and privilege to be in the House today to speak to the private member's bill that seeks to recognize Khalsa Day here in the Legislature of Ontario. I think the speeches by some of the other members have very well explained exactly what Khalsa Day is all about and why it's an important effort by the member opposite to bring this forward.

I can tell you that I've had the opportunity, the honour, of visiting several times the gurdwaras in my own riding—one on Lake Avenue, one on Covington Street; there are several others I haven't had a chance to get to yet. What I have always found is every time I've had the opportunity to attend services, I have been welcomed wholeheartedly by the Sikh community. I have been welcomed with warmth and treated with great dignity. I have always had the opportunity after services to do what is traditional in the Sikh community, which is to share some food, and I have often had the opportunity to spend some social time afterwards with the community. It's been my pleasure to be able to become more informed and intimate with the Sikh community. They are a wonderful

group of people and they have treated me very, very well. So I thought it would be important to rise today and acknowledge the respect I have for them and to thank them for taking me into their community in such a wholehearted way.

It's unfortunate, though, in my discussions with members of the Sikh community in Hamilton, that they still face many struggles and barriers in terms of their ability to achieve the things they want to achieve for themselves and their families. One of the biggest ones in Hamilton East that I hear about from the community is still a frustration around an inability to find decent-paying jobs that support their families. Added to that, there is still a constant struggle and a constant fight to be able to have their various degrees and skills that they attain from their home countries recognized here in Toronto and Hamilton and Canada.

So while we celebrate Khalsa Day, I think we really need to recommit ourselves to working with the Sikh community, and other communities, quite frankly, to make sure that we are not only talking about the fact that we need to address some of the ongoing struggles that they're having but actually doing something about it. It's easy for announcements to come and for governments to say, "We are doing something," but when you go to the community and talk to the people and find out that after, frankly, decades of frustration their issues are still not being adequately addressed, that's really not appropriate.

1030

There are a number of engineers, doctors and other professionals I've met in my community who are simply not able to practise in their fields because of an inability to have their degrees or their credentials recognized. It's not only a loss for them but a loss for us as a community, as a society, that we do not have their contributions in our economy and into our way of life that we should have. That's totally disappointing at this point in time.

I thought I would take the opportunity to thank some specific people who have been working with me in the last little while since I was elected, and maybe even just a little bit before, and say hello to some of the people in Hamilton who I hope are watching today on this auspicious day. That would be Tom Varmaa, Tajinder Singh and Nick Bhalsar. Nick actually runs a restaurant on Queenston Road and Highway 20, and I've had the opportunity to dine there many times. It's wonderful food. These are just some of the people. There's the Punjabi seniors which operates out of a community centre in my riding. I have to say that they have, in all cases—there are many others that I can name. I could be here all morning, but these people particularly have taken it upon themselves to show me the ropes, if you will, welcoming me into the community, and continue to do so.

To all of those people—Tom, Tajinder, Nick, and the Punjabi seniors—I just want to say how proud I am to be able to stand up in the Legislature today and support not only in my debate—oh, thank you, Michael. Two of the most important people—how could I forget?—are Gurpreet and Sodhi.

Mr. Prue: Gurpreet is right over there.

Ms. Horwath: Gurpreet is right over here. She's on staff with our communications and cultural outreach department for the NDP caucus. Gurpreet and her family have been very supportive as well.

I really look forward to standing up and being recognized as someone who fully and wholeheartedly supports this bill. Again, I congratulate the member for bringing it forward.

Mr. Cameron Jackson (Burlington): As the Progressive Conservative advocate for citizenship in our caucus, I'm very pleased to rise in the House today and offer my support for private member's Bill 189, An Act to proclaim Khalsa Day in Ontario, and to congratulate my colleague the member for Brampton West-Mississauga for taking this important initiative to pay tribute to Ontario's Sikh community and its many historic and ongoing contributions to our province and to our great nation.

It's been my privilege to stand in this House on many occasions in support of the multicultural fabric of Ontario, as it continues to grow and strengthen, to remind us that we are in fact a complete province and nation of immigrants, and as such we're fortunate to be able to pay tribute to yet another group that has made Ontario what it is today.

This bill would establish an annual provincial recognition on April 13, Khalsa Day, that commemorates the founding of the Sikh religion by Guru Gobind Singh. This bill is deserving of all-party support in Ontario and is an additional way of celebrating the multicultural fabric of our society, of which the Sikh community is an integral part, and has been for many, many years.

The Ontario government has a very solid record of being in support of the traditions of multicultural celebrations here in the chamber at Queen's Park through various events, marking important religious and cultural days that punctuate the lives of Ontarians. As a proud Canadian of Ukrainian background—my own Ukrainian ancestors first came to Canada in 1893—I had the privilege of joining with my long-time parliamentary colleague John Yaremko in 1993 to help mark the 100th anniversary of the coming of the first Ukrainian pioneers to Canada. The plaque that was made and subsequently unveiled at that auspicious event now hangs near the main doors of the Ontario Legislature. For those members who are unaware, it's a very difficult thing to get a new plaque put on the walls in the Legislature. In fact, we had to take down an old one in order to put up a new one. But it's been my privilege over the years to participate in having three plaques placed inside this building, which is a rare privilege for a member, and I very much appreciate that.

My life as a cabinet minister, a legislator and a member of the House has been tremendously enriched by the privilege of attending many multicultural events throughout our province. These have all served to help us to better understand, through tolerance and understanding, the various aspects of Ontario's religious fabric, its political events and so on.

It has been my privilege to stand in the House, as many members have, to comment on global events and how they affect people who live in Ontario who still have many family members in their native country. For me, that was a very difficult and challenging period, which culminated finally in the fall of the Russian Empire and its control over the nation of Ukraine. So it's been my privilege to stand in the House to comment on those important events in the life of my particular heritage background.

The Ontario PC government began the traditions at Queen's Park of celebrating such important days as Eid-Ul-Fitr and Eid-Ul-Adha with our Muslim community, for example, including the reservation of a separate room here in the Ontario Legislature for anyone who wishes to observe the traditional daily Muslim prayers.

Canada's first African-Canadian television station celebrated its inauguration here at Queen's Park on Martin Luther King Jr. Day, an event organized by a former member for Scarborough West, Jim Brown, who himself marched in support of Martin Luther King when he was young.

Flag-raising ceremonies to honour the national days of Portugal, the Philippines, Poland and many others at Queen's Park also form a part of the multicultural legacy that we have experienced here on the floor of the Ontario Legislature.

I'm also very proud that the Ontario PC government enacted into law a large number of bills that likewise help celebrate our province's history and multicultural heritage—more so than any other government, I might say, in Ontario's history. Here's just a short list:

Among them is Holocaust Memorial Day or Yom Ha-Shoah, which remembers the six million Jews and other victims of the Holocaust of 1933 to 1945. That was initiated by my colleague the member for Halton, Ted Chudleigh. It received, I am very pleased to say, great all-party support in the Legislature. That bill made Ontario the very first jurisdiction outside of the state of Israel to honour the memory of the six million who perished in the Holocaust, and that is according to the lunar Hebrew calendar; in other words, the date for this annual provincial commemoration changes each year.

Thanks to the efforts of my former colleague in this House the member for Hastings-Peterborough, Harry Danford, Ontario now observes June 19 as United Empire Loyalist Day in honour of Canada's first multicultural immigration from the United States.

Following the American Revolution, as we know, American loyalists of 10 cultural groups, including Dutch, Highland Scots and others, came to Upper Canada where they were assisted in their settlement efforts by Ontario's first Lieutenant Governor, John Graves Simcoe. I might just say that the other half of my family are United Empire Loyalists, which speaks to my great love of the monarchy that comes from my cultural heritage, as my family on my father's side came from Pennsylvania during the American Revolution and settled in Gananoque. We still have a very large graveyard with

all of our ancestors there. We're very proud of that aspect of our contribution, both our loyalty to the crown and being able to count among our family some of the earliest pioneers in our province.

1040

Thanks to Wayne Wettlaufer, the former member for Kitchener, Ontario now observes the first day of Oktoberfest as German Pioneers Day. This day has been especially gratefully received by the many German companies that invest in Ontario's economy, and is still widely covered on European television as a prominent example of Canada's commitment to multiculturalism and of the fact that Ontario is perhaps one of the best tourist attractions in Canada. I always like to get that plug in.

I'd like to thank my colleague the member for Durham, John O'Toole, because now Ontario observes Irish Heritage Day on March 17, in honour of the tremendous Irish cultural impact on the very foundations of our province and our nation. On the day of second reading debate of that bill in the House, I remember with great fondness how all of the members present broke out into a rendition of When Irish Eyes are Smiling.

My colleague the member for Grey-Bruce-Owen Sound, Bill Murdoch, is responsible for the provincial observance of Tartan Day in Ontario on April 6. As in Nova Scotia and in Scotland, this day commemorates King Robert the Bruce's signing of the declaration of Arbroath following the defeat of the English at the Battle of Bannockburn. It pays tribute to our enduring Scottish heritage, which is likewise an integral part of the fabric of Canadian life. Again, I want to say on behalf of my wife's family, who are Scottish, that my father-in-law, who just passed away five weeks ago, was a direct descendant of Robert the Bruce. He was extremely proud of that, and there wasn't a Sunday dinner went by that we didn't get a revisiting of the history of the Bruce family and of the great contribution that Scotland has made here and abroad.

My former colleague from Bramalea, Raminder Gill, put forward his bill to declare South Asia day on May 5, and the entire month of May as South Asian Heritage Month, to pay tribute to those vibrant cultural traditions shared by this great group of Canadians.

It was my former colleague from Lanark-Renfrew, Leo Jordan, whose resolution for the completion of the Ontario coat of arms with appropriate augmentations included symbolism that celebrated Ontario's First Nations, French and multicultural people in the ongoing development of our province.

The current bill before us highlights yet another aspect of the great multicultural fabric of Ontario, the Sikh community. More than half of Canada's 150,000 Sikhs live in Ontario today. Even though the first Sikhs arrived in British Columbia at the beginning of this century, mainly as soldiers who supported the crown, their presence in Ontario came to be felt by the mid-1950s. The birthday of Guru Nanak was first celebrated in Toronto in 1954 at the residence here in Toronto of Kuldeep

Singh Chatwal. By 1965, there were more than 400 Sikhs in Toronto, and in 1969 the first gurdwara, or Sikh temple, was established on Pape Avenue. At present, there are 25 gurdwaras that serve as multi-use community institutions for about 60,000 Sikhs in Ontario. These institutions offer a wide variety of religious, educational and cultural programs that maintain and foster the Sikh identity. The exposition of the scriptures, known as katha, are delivered by the readers of the gurdwaras; the rituals are observed by the religious leaders or by visiting Sikh scholars from India, known as the gyani. The scriptures themselves are the Guru Granth Sahib, followed by the distribution of sanctified food, and for those of us who have had the privilege of attending Sikh temples on their holy days, it is a wonderful experience to participate in that ceremony. Afterwards, Sikhs and non-Sikhs sit together in an egalitarian spirit to share a common meal of Indian vegetarian food, such as flat breads, stew and curry. I recommend it to anyone to try; it's very good.

The rite of initiation into the Khalsa, or the "pure," must observe the code of conduct known as the Rahit. The most significant part of the Rahit is the obligation to wear the five items of eternal identity known as the five Ks. These are: unshorn hair, symbolizing spirituality and saintliness; a wooden comb, symbolizing order and discipline in life; a miniature sword, or kirpan, signifying divine grace, dignity and courage; a steel bangle, symbolizing responsibility and allegiance to the guru; and a pair of short breeches, symbolizing moral restraint. Putting on the five Ks, along with the turban, in the case of male Sikhs, symbolizes that the Khalsa Sikhs are dressed, in their words, "In the word of God."

The significance for full commitment to the Khalsa discipline has received new recognition by Sikhs in Ontario, especially young adults, after the Indian army's attack on the Golden Temple of Amritsar in 1984. Although the wearing of the five Ks has been supported in principle under the Canadian Charter of Rights, the Khalsa Sikhs have sometimes encountered problems wearing the kirpan, which is wrongly thought to be a weapon.

Ontario's Sikhs celebrate the annual Vaisakhi festival in the middle of April with a colourful march through the streets of Toronto and to the Ontario Legislature right here at Queen's Park. The procession is always led by the five beloved ones, followed by a float carrying the Sikh scripture. This procession is participated in by thousands of Sikh Canadians, who also mark this festive occasion with charitable donations to food banks, the United Way, blood donor clinics, the Red Cross and the Canadian Cancer Society.

The Sikhs of Ontario also take a keen interest in Canadian economic or religious matters by participating in inter-religious dialogues, and they have organized multi-religious services at their functions.

Sikhism emphasizes tolerance and the acceptance of diversity of faith and religious practice on the basis of universal brotherhood and humanitarian service ideals. The Sikh ideals are therefore most congenial to the

Canadian way of life. It has been my privilege to stand in support of Bill 189, An Act to proclaim Khalsa Day in Ontario, and I commend it to all members of the House.

Mr. Bob Delaney (Mississauga West): It is a pleasure and a privilege to rise in the House today to speak in support of Bill 189, a proposal by my colleague and long-time friend Vic Dhillon that Ontario annually celebrate Khalsa Day in tribute to the contributions, sacrifices and achievements of our province's vibrant and dynamic 300,000-strong Sikh community.

I also draw members' attention to the east members' gallery to recognize some friends of Vic's also here to help him support the bill. Please welcome Mr. Kewal Singh, Mr. Nachhear Singh-Chohan, Mr. Fauja Singh-Bains, Mr. Joginder Singh-Bains, Mr. Tara Singh-Bains and Mr. Ranjit Dulai.

The word Khalsa means "pure." Khalsas are Sikhs who have undergone the sacred Amrit ceremony initiated by the 10th Sikh guru, Guru Gobind Singh. The Khalsa order was initially created on Vaisakhi Day, March 30, 1699. That day, Guru Gobind Singh baptized five Sikhs and then asked the five Khalsas to baptize him. The guru then baptized thousands of men and women into the Khalsa order.

The Khalsa baptism ceremony is undertaken as part of one's personal spiritual evolution when the initiate is ready to live up to the high expectations of Guru Gobind Singh. All Sikhs are expected to be Khalsa or to work toward attaining it. The Khalsa baptism ceremony involves the drinking of Amrit, or sugar water stirred with a dagger, in the presence of five Khalsa Sikhs as well as the Guru Granth Sahib. The initiate is instructed in the following: never to remove hair from any part of the body, not to use tobacco, alcohol or other intoxicants, not to eat the meat of an animal slaughtered incorrectly, and not to commit adultery. Baptized Sikhs may choose to wear the physical symbols of a Khalsa at all times and to follow the Khalsa code of conduct. Let's review one more time these symbols of Sikhism.

1050

"Kesh" means long, unshorn hair and is a symbol of spirituality. Kesh reminds a Khalsa to behave like gurus and shows the acceptance of God's will. Jesus, Moses and Buddha also wore their hair long, to put it into perspective.

The Sikh turban is probably the most visible symbol of the Sikh people. It denotes royalty and dignity. Few types of headdress make a man look more distinguished. Though the turban is a common feature in Eastern and Middle Eastern cultures, Guru Gobind Singh used this cultural symbol as a religious hallmark to enhance the self-esteem of Sikhs. It differentiates Sikhs from other religions whose followers have long hair and cover their heads in different ways. The turban cannot be covered by any other headgear and should not be replaced by a cap or a hat. Today the turban is widely worn by Sikh men. In Canada, our institutions have adapted to the turban for Sikh men. Our armed forces and police forces now allow Sikh men to substitute a uniform turban for the uniform

headgear worn by non-Sikhs and, quite frankly, it looks terrific.

The kanga is a comb that is a symbol of hygiene and discipline. The kara is a steel bracelet, to remind the wearer of restraint in their actions and remembrance of God at all times. The kaccha is an undergarment signifying self-control and chastity.

The kirpan is a ceremonial sword. It is worn as a religious symbol and not as a weapon. The kirpan is a symbol of dignity and of the Sikh struggle against injustice. When a Khalsa meets another Khalsa, he will greet him by saying, "Wahe Guru Ji Ka Khalsa. Wahe Guru Ji Ki Fateh," which means, "The Khalsa belongs to God, victory belongs to God."

Sikhs first came to Canada to build the transcontinental railway in the 1880s and stayed to keep building Canada. Canada's oldest gurdwara is in Abbotsford, BC, just east of Vancouver, in the Fraser Valley. In 2002, the government of Canada recognized it as a national historic site.

Today, Canada in general and Ontario in particular are blessed by the contributions of hundreds of thousands of Sikhs, not merely those who came here from the northwest Indian province of Punjab, but those who have built their lives, their careers, their families, and our communities, here in Ontario and in every Canadian province. All our institutions, our charities, our hospitals and our schools know about the generosity of our Sikh community. My colleague the member from Brampton Centre has mentioned how generous the Sikhs have been in the building of the new William Osler Health Centre, and their generosity just begins there. Not a single charitable institution, especially in our vibrant multicultural region of Peel, has been untouched by the generosity of our Sikh community.

It's the generation born here, or raised and educated here, like Vic and his children, who are putting a distinct Sikh taste in what it means to be Canadian, just as my own forebears did five generations ago, when they showed Canadians how Irish Catholics could embrace this cold land with their humour and warm it with their legends and their culture, and how they, like our Sikh community, could make Canada their home too.

We all celebrate St. Patrick's Day, and my colleague the member from Durham has moved a bill to make that day Irish Heritage Day. On that day, Canadians make everybody Irish for one day, and I say let's celebrate Khalsa Day every April 13 and let's make all Canadians Sikhs for a day. I have been told that the Punjabi translation of my own Irish name is Balbir Singh.

Like St. Patrick's Day, Khalsa Day doesn't ask our Legislature for a statutory holiday, merely a day to commemorate a magnificent and proud people, a community whose symbols and prosperity are among the most visible in our multicultural Ontario.

The Acting Speaker (Mr. Ted Arnott): Further debate? OK.

I will return now to the mover of the motion, the member for Brampton West-Mississauga.

Mr. Dhillon: I'd like to thank the members who have spoken in favour of my bill: the member from Beaches-East York, the member from Brampton Centre, the member from Hamilton East, the member from Burlington and the member from Mississauga West.

I'm very proud to have had the opportunity to introduce this bill in the House. It means a lot to me and to my community. The member from Hamilton East mentioned that there are some shortcomings and difficulties that the community is facing. I am going to do whatever I can, along with the support of our Premier. The Premier has supported and I'm sure will support the initiatives that will be needed to address some of the shortcomings that we have. For example, our government has taken action with the upgrading of skills of new immigrants, and we've contributed significantly toward funding for ESL in our schools. So we are taking action to support the new communities that are arriving in Ontario.

The Premier has attended past Vaisakhi celebrations, and I understand he will be attending this coming Sunday. That goes to show our support for the Sikh community. I want to thank Mr. Kewal Singh, who is here from Winnipeg—he was of great support to me in doing some of the research—and Mr. Baldev Sandhu. They helped me quite a bit with the introduction of this bill. I thank all of the members of the House.

FIRE PROTECTION STATUTE LAW

AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L'INCENDIE

Mr. Prue moved second reading of the following bill: Bill 184, An Act to require the Building Code and the Fire Code to provide for fire detectors, interconnected fire alarms and non-combustible fire escapes / Projet de loi 184, Loi exigeant que le code du bâtiment et le code de prévention des incendies prévoient des détecteurs d'incendie, des systèmes d'alerte d'incendie interconnectés et des sorties de secours incombustibles.

The Acting Speaker (Mr. Ted Arnott): Pursuant to standing order 96, the member for Beaches-East York has 10 minutes for his presentation.

Mr. Michael Prue (Beaches-East York): This morning at 9:30, there was a news conference in this building. I would like to thank at the outset the people who attended that news conference. Present were Fire Chief William Stewart of the Toronto fire department and Scott Marks, the president of the Toronto Professional Fire Fighters' Association. He was also the captain on duty—I'm going to refer to it—during a very tragic and historical fire in the Beach in 1999. I had Gail Nyberg, executive member of the Metro Tenants' Association, and Mr. John Argue of the Ontario Coalition for Social Justice. Their insight was extremely valuable and was very much appreciated.

There was another speaker at the press conference this morning to whom a simple thank you does not properly

express my gratitude for the work he has done in improving fire safety in the province and bringing this bill forward today. His name is Tom Steers. Tom is here in the members' gallery today.

In 1999, Tom was engaged to Linda Elderkin, a resident at 2362 Queen Street East, in the Beach. At approximately 3 a.m. on January 14, 1999, a fire started in the living room of the apartment directly below Linda's. The fire spread quickly and the residents fled the building. No one, however, activated the manual pull stations that would have triggered a building-wide alarm. Meanwhile, Linda and her roommate, Paul Benson, remained unaware of the fire. Finally, the heat from the fire became so intense that it began to melt the system's wiring. The building's alarms were finally triggered. This occurred far too late in the lifetime of the fire. Linda and Paul's exit down the main hallway was blocked, and they eventually discovered that the rear wooden fire escape had become engulfed in flames and was therefore inaccessible. They died waiting for rescue.

1100

Following the terrible events of that night, Tom, along with the family of Mr. Benson, fought hard to have an inquest into Linda's and Paul's death. That inquest took place in 2000 and produced 28 recommendations for change in the Ontario fire code. Upon receiving the results of that inquest, Tom has devoted an enormous amount of his time and energy to battling to see them implemented so that others need never experience the personal tragedy that he did on that terrible night. I believe that a lesser man would have given up years ago. But thanks to him, we are today able to bring forward a bill that would implement two of the chief recommendations of the coroner's inquest: first, that interconnected fire detectors be made mandatory in rental buildings, and second, that the fire code be amended to ensure that fire escapes are made of non-combustible material. It is my belief that these two recommendations make good sense and would work to save lives in our province.

I would now like to talk about the provisions. The first was suggested by the inquest jury. They discovered that the manual pull stations in use at 2362 Queen Street were never activated during the fire. There are many reasons why this happens. It's not hard to imagine that tenants leaving a building are in a panic. Their building is on fire. They run out the door and forget to pull the alarm themselves, or, even if they remember, they think someone else is going to do it. The sad reality is that no one did. Had an interconnected alarm system been in place, the moment the fire got out of control the entire building could have been notified and Linda and Paul would have had a much greater chance of escape.

Bill 184 amends the fire code and the Fire Protection and Prevention Act to ensure that interconnected fire detectors are made mandatory in the common areas of a building with more than one rental unit.

I suspect that many people's initial response to this provision is somewhat skeptical. The first thought that goes through your head, if you've lived in an apartment,

is that if they're interconnected, what happens if someone burns the toast and then everybody's alarm goes off? But that is not the case here.

I want to make it clear that what is being called for in this bill is that the interconnected alarm system be installed in the common areas of the rental buildings, that is, in the hall and the foyer, so the burning of toast or a small kitchen mishap isn't going to set off every alarm in a building. If a fire is intense enough to send smoke into the hallways of a building, then I believe every resident of the building should know about that right away. This bill provides for that.

The second provision of the bill would outlaw wooden fire escapes for any building in the province. The need for this section of the bill is obvious. Had wooden fire escapes been deemed unacceptable in this province in January 1999, Linda and Paul might still be with us today.

Section 9.4.7.13(3) of the Ontario fire code currently reads, "Fire escapes shall be of metal or concrete, except that wooden fire escapes may be used on buildings of combustible construction if all posts and brackets are at least 89 millimetres in their least dimension and all other woodwork is 38 millimetres in its least dimension."

This regulation is weak. It opens up the door to inadequate fire protection, and it needs to be changed. This is especially true when you think of who is living in the buildings that are made of wood and still have wooden fire escapes. The reality of these types of buildings is that they often house low-income residents, students, families on social assistance and new Canadians.

Bill 184 is a small, simple, effective way of increasing safety for a vulnerable population.

The city of Vancouver has realized this. They have tremendously strong safety legislation. Their fire laws not only make provision of interconnected smoke alarms mandatory, but they also require the installation of home fire sprinkler systems in new buildings. It has been an enormous success there. Last year, the number of fire-related fatalities in Vancouver, the third-largest city in Canada, was zero. In 2003, fires in Ontario took the lives of 110 people and seriously injured scores more. Obviously there is a desire to implement some similar forms of legislation that would seek to mimic Vancouver's fire bylaws and, hopefully, its low fatality rate.

I commend the member for Brampton Centre for her Bill 141, the Home Fire Sprinkler Act, which she brought forward earlier this year that would require the installation of fire sprinklers in new detached, semi-detached and row houses in Ontario. It is an absolutely excellent idea and would complement Bill 184. I wish it speedy passage.

However, it brings me back to my point about the need for legislation that provides fire safety for our most vulnerable populations. The lowest-income residents of Ontario are not moving into new houses, semi-detached or otherwise. They are living in overcrowded wooden apartment buildings with wooden fire escapes and shoddy alarm systems. They need a better level of fire

protection than they are currently getting from our government. I would therefore respectfully call upon members from all three parties to join and pass Bill 184. Your support is greatly appreciated, not only by me but by all Ontarians who know the terrible consequences of inadequate fire safety standards.

The tragedy that took place on Queen Street in January 1999 need not be repeated. We have an opportunity here, with the passage of a very simple bill, to make sure that people's lives are protected. We know there may be some costs involved for landlords and people who rent out these apartments. We know it will cost some money to rewire an apartment building. We know it will cost some money to take down wooden fire escapes and put in metal or concrete ones. But I will tell you, how much money is going to be spent is infinitesimal in comparison to the lives of the people we hopefully will save by this bill.

Please ensure that the tragedy that happened to Mr. Steers, who is here today, to his loved ones, to the people in my riding, does not recur. I ask for all-party support to put an end to this hazardous situation.

Mrs. Linda Jeffrey (Brampton Centre): I'm pleased today to speak to Bill 184, the Fire Protection Statute Law Amendment Act, 2005. I would like to congratulate the member from Beaches-East York for his vision. I'm very happy to see any fire protection legislation come forward.

In 2003, fire claimed the lives of over 110 Ontarians, and over the past five years, 661 Ontarians have died due to fire. In 2003, the property damage caused by fire was estimated at \$457 million. Since 2001, residential fires alone have cost Ontario almost \$1 billion in property damage. This figure does not include the significant cost to our health care system and doesn't represent the human cost for the families and friends who lose their loved ones in fire. Further, the most vulnerable in our society, our seniors and our children, made up 40% of the fatalities due to fire in 2003. In 2003, more than 87% of fire deaths occurred in a residential building.

We must prepare for future growth now. Urban sprawl has made it difficult for our emergency services to keep up with the residential buildings that are springing up across Ontario, especially in the GTA.

There is no single answer to the fire problem; rather, for Ontarians to effectively protect themselves from fire, we need to use a number of strategies. It's clear that simply having a smoke alarm is not enough. Fire alarms cannot protect you from fire, and often a fire is out of control by the time people in the residence are warned by a fire alarm. By the time a parent realizes the house is on fire, it's too late to save her children. By the time a child realizes there is a fire, it may be too late to save an elderly parent. By the time an elderly couple realizes their home is on fire, they may already be trapped.

Installing both smoke alarms and a fire sprinkler system reduces the risk of a fire death in a home by 82% in comparison to having neither, which is why in November I introduced Bill 141, the Home Fire Sprinkler Act, 2004,

into the Legislature, where it received second reading on November 25 and was sent to the standing committee on the Legislative Assembly.

1110

Smoke alarms definitely help save lives, but the number of smoke alarms that have not been maintained properly is staggering. Sprinklers are an automatic device, a technology that requires no human intervention or reaction. Sprinklers are like having a firefighter in your home 24 hours a day, seven days a week. It is a proven technology, like air bags, that doesn't rely on changed human behaviour to prevent an accident or a loss of life.

In 1990, Vancouver, BC, became the first Canadian city to enact a residential sprinkler bylaw. In the 10 years since its enactment, while there have been a number of deaths in homes that were unsprinklered, there hasn't been a single fatality in a home that was sprinklered.

A national study commissioned by Duracell and the Canadian Association of Fire Chiefs revealed that 48% of Canadians feel that they have almost no chance of being in a house fire. The study also found that while 64% of Canadians claimed to have a fire escape plan in place, 63% of those Canadians actually failed to practise their escape plan even once.

According to CAFC, one of the most crucial precautions is having a working smoke alarm. Only 28% of Canadians surveyed had replaced the batteries in the alarm twice; 19% admitted to never having replaced their batteries. Reliance on smoke alarms is clearly misplaced. Frequently, they aren't functioning and receive little or no maintenance to ensure that they're working.

The age group of 65-plus constitutes 25% to 30% of fire fatalities in Ontario every year. This demographic is getting older and they're having more difficulty hearing working smoke alarms. As well, the reaction time is likely slower. The installation of home fire sprinklers would allow seniors to remain in their homes longer and enhance their quality of life.

One in 10 Canadians has experienced a home fire and, sadly, on average, over 100 people in Ontario die in a fire each and every year, with the vast majority of these deaths occurring in a home, the very place that people should feel safest and have the greatest amount of control or influence.

I guess my question on this particular bill to the member for Beaches-East York is the terminology. I'm a little confused on the difference between a fire detector and a smoke alarm, and I believe the wording is likely based on the coroner's report and recommendations.

Fire detectors are connected to fire alarm systems, which have bells and panels and a manual pull system at all the exits. I think the member is talking about a smoke alarm that's in your home or in a group or lodging house and small dormitories. Those only cost a couple of hundred dollars, whereas fire detectors and fire alarms are an \$8,000 to \$10,000 cost. I believe that isn't what the member recommends. So if there could be clarification in his bill, that would be appreciated.

Fire alarms would be connected to a panel, and they always have been interconnected. Smoke alarms aren't.

The recommendations, I believe, have come from laypeople. So that's a confusion that I would like some clarification on. Because it's the fire code that is being amended, is it the intention of the mover of this bill to make these provisions retroactive? That would be my question.

I agree with the member from Beaches-East York that this is important legislation. I'm happy to support it, and I believe the time is right to make Ontario a national leader in home fire safety. I'm happy to support this legislation.

The Acting Speaker: Further debate?

Ms. Laurie Scott (Haliburton–Victoria–Brock): I'm pleased to rise today to speak in support of the bill being brought forward by my colleague from Beaches-East York, the Fire Protection Statute Law Amendment Act, 2005, and I want to point out that he is wearing a tie with a fire engine. He is always very good at dressing with appropriate ties for the topic of conversation. So I just wanted to point that out.

Being serious and getting back to the bill, when a fire takes a life, it is a tragic thing, and it's especially upsetting when it's a death that could have been prevented.

Prior to coming here, I've spoken many times about the fact that I did nurse in various places around the world and I've certainly seen injuries that took place as a result of—fires were the most traumatic that we could see. I remember working on one of the cruise ships, where there was an explosion in an engine room, and the fire burns and the trauma experienced by all of us in trying to get adequate medical care when we were out at sea, and the good resources that were available to us in the short time and the airlift that took place there. So they are quite devastating, and I think the more awareness we can have to prevent such burns from occurring and such loss of life we need to bring forward.

That's a great part of this day on Thursdays, the private members' bills, where we're allowed to debate some issues that are of concern in our communities and to bring them forward. Bills like this address the health and safety of people in our communities and individuals and groups who don't get addressed in the normal legislation of the government. I know there are several members who have tried to bring forward their bills on different occasions, and some of the time those efforts are rewarded and their bills are passed, or, as is more often the case, the government recognizes that something does need to be done and they introduce their own legislation, which I think we're hoping for here today. That recently happened to the member for Toronto-Danforth when she introduced a bill, and I hope the member for Beaches-East York will get a faster result than her bill did.

The first step, however, is for this group of members to examine the proposed legislation to see if the bill raises issues that are worthy of closer study by a committee. In this case, I think the member from Beaches-East York has brought forward a bill that does deserve further study.

I recently had a fire on my own property, just over a year ago, and certainly there was a lack of appropriate detectors in that situation or we would have been alerted sooner to the situations that were there. The local fire department of Galway-Cavendish-Harvey did respond promptly and in a truly professional manner for a volunteer fire department, so I thank them for that.

I could not begin to imagine what it must have felt like for Linda Elderkin and Paul Benson to know that there was a fire in their building and that their only route to safety had been burned away. It must have been terrifying for them to lose their lives in this way, waiting for help that could never get to them. I'm quite frankly shocked to learn about the fire escapes that are made of wood, the things you find when these private members' bills are introduced and when you do some research. It's just a totally counterintuitive idea to have a wooden fire escape. Why wouldn't we ask builders to find better materials to use in the construction of fire escapes?

I worry a little bit about the bill's wording: "non-combustible." I worry because almost everything is combustible at some point if exposed to high enough heat for a long enough time, and that certainly happened in the 9/11 situation. This is something that I think could be ironed out when we take it to committee for further study. Clearly, wood is not the answer, but we need to define more clearly what is meant by "non-combustible material."

I noticed as well when reading through the bill that the coroner's inquest had recommended there be mandatory interconnected alarm systems in multi-residential buildings of six or more units. In this bill the number has been dropped to two, and there is good reason why the member from Beaches-East York has decided to take this route. But it's not information that we have here today, and I would certainly be interested in further study that would come out of that.

The member for Beaches-East York has worked hard to obtain the support of several groups for this bill, including the Toronto Professional Fire Fighters' Association, the Federation of Metro Tenants' Associations and the Ontario Coalition for Social Justice.

For something like this to move forward and eventually become a law, I think we need to hear what the building code commission thinks of this bill. We should also know how fire departments and fire chiefs will respond, not just here in Toronto, but across the province. We should also try to find out what the builders think. I was meeting with the Haliburton builders' association last night and did ask them, and they were quite supportive of this bill, just to get the feedback from a builders' association. All of these perspectives need to be heard, and I'll certainly be supporting the bill and moving it on to the next stage in the committee.

But I want to bring up an issue that I know is very close to the Speaker today and myself, and that is the issue of the double-hatters.

Interjection: Hear, hear.

Ms. Scott: Absolutely. I hear it from my other caucus members too.

It's a little confusing when it comes to fire safety issues in rural communities. We depend largely on fire departments staffed by volunteers. I mentioned my own personal case, but I see them all the time across our rural communities. The double-hatter firefighters need help to protect our communities. I think we've lost 15 double-hatters in the city of Kawartha Lakes. It really threatens our safety and security in our small communities. So I'm giving a plug to the member from Beaches-East York to please keep in mind our rural areas and that our need for double-hatter firefighters, for our own safety and protection, is there. I want to commend my colleague Ted Arnott for all the work he has done in drawing it to the attention of the Legislature.

1120

Applause.

Ms. Scott: There's support on the other side, Ted. I'm happy to see that.

I think 166 municipalities have passed resolutions supporting the double-hatter firefighters bill. They play a role in terms of public safety, in terms of providing expert support to the other volunteer firefighters in our communities.

One of the points raised in the letter from the Toronto Professional Fire Fighters' Association is that they support having trucks respond to fires with a minimum of four personnel. As someone who comes from the rural community, it's hard to maintain that staffing level in the full-time fire service. I cannot understand why we cannot recognize that in different communities one size does not fit all in respect to fire services.

When we set up rules in this place, we have to remember that settings apply not just in Toronto; they apply in Cannington, they apply in Lindsay, they apply in Woodville, as well as in London and Verner. So I would like the member for Beaches-East York to re-examine his stand on double-hatter firefighters right now, as we're supporting his bill for safety. I think he should look at some of the rural concerns that we have.

I would be willing to support this bill. He spoke very passionately, when he introduced this bill, about the need for changes in the fire code. I'm pleased to have the opportunity today to bring some more issues to the forefront and to support the member from Beaches-East York.

Ms. Andrea Horwath (Hamilton East): It is my pleasure to speak to Bill 184, presented by my colleague from the riding of Beaches-East York this morning. I think it's obvious that firefighters in communities across the province are, to most of us and our constituents, local heroes. They really do a lot of hard work in our communities; they do a lot of dangerous work in our communities. When a fire is happening, most people are running away from it. But it's the firefighters who are running into it to try to deal with the property and also the people who might be caught in that tragic situation.

I know that my opportunities locally working with the staff who work in our firefighting service in the city of Hamilton have been great. The people there are very dedicated. They do not only their professional work as

firefighters, but they so often participate in many other ways in the life of our community, through various fundraising and charity efforts. I can remember taking my son many, many times when he was young to a firefighters' variety show, the purpose of which was to raise funds for the burn unit in Hamilton. That's just one example of the great work that the firefighters do. I wanted to take the opportunity to thank some of the firefighters in my local community before I start speaking to the bill specifically.

Currently, the city of Hamilton has a city manager who was the previous fire chief. Mr. Glen Peace was our fire chief for several years, in fact was a firefighter for a while, went to Burlington and worked there for a while, came back to Hamilton as our fire chief and is now our city manager at the city of Hamilton. His shoes were filled in the fire department by a fellow named Jim Kay, and both of them have provided some excellent leadership to our fire department from the perspective of being chief.

We also have a very active professional firefighters association in Hamilton, very engaged in the Hamilton community, very much working with not only the people of Hamilton, but the Hamilton councillors. That was my experience when I was there, so I thought I should mention them, because they are a great group of guys. The president is currently Henry Watson, who, if I'm not mistaken, spent some time at the provincial organization, as the president provincially. He's back in Hamilton as the local president. His treasurer is a fellow named Brian Stark; the secretary is a good friend of mine, Ron Summer; the first vice-president is Stanley Double; the second vice-president is Tim Rankin; and the trustee is Ed McGrane. I just wanted to mention those guys, as well as another fellow named Larry Staples, who for a long time was active on the association.

These are the people who do their work on the line when they're called to a fire. They are there fighting fires, but they're also the people who provide the leadership within the association. They spend a great deal of their own personal time working on improving the framework we work under in communities in regard to firefighting. I know that sometimes there has been tension between what the associations want and what the cities are able to provide in terms of staffing, equipment and those kinds of things, but those people are there constantly making sure that not only the public, but also the councillors and city representatives are being educated as to what's happening in modern firefighting.

I can tell you that they also spend some time working with children and in schools, trying to make sure children are aware of the dangers of fire and of the kinds of trouble they can get into if they're not being safe around things like candles or other kinds of flames.

I'm very pleased to be able to speak to this bill and I look forward to supporting it in every way I can. As has been mentioned, it comes as the result of a coroner's inquest. It's the result of a fire that took place in the riding of the member for Beaches-East York. He has

taken the initiative, with the help of one of the people who lost a loved one in the fire, to bring this forward.

If I can just say what some of the recommendations were from the coroner's inquest, I think it is important.

A coroner's inquest was held into the 2362 Queen Street East fire in the year 2000 and it produced a full 28 recommendations for amendments to the Ontario fire code. The coroner's jury recommendation 1 made it clear that the need for mandatory interconnected alarm systems was imminent, stating that, "The Ontario fire code should provide that in multi-unit residential buildings of six or more units, the following requirements need to be met: (a) approved interconnected automatic fire and smoke detection equipment with audible alarms installed in the common areas of each and every floor, and (b) the smoke detection equipment in the common areas should be directly connected to the fire alarm system to eliminate the need for occupants to activate pull station alarms."

The coroner's jury recommendation 4 describes the need to outlaw wooden fire escapes, stating that, as the jury heard, fire spread to the wooden escape and rapidly made escape impossible. They recommended that, "The retrofit provisions in part 9.5 of the fire code be amended to require that fire escapes be made of non-combustible material."

As the member for Beaches-East York mentioned in his remarks, the city of Vancouver has already undertaken updates to their fire code to make sure these kinds of issues have been covered off. It's a long time coming. It's now five years since that fire occurred, and there's no doubt in my mind that these recommendations in Bill 184 should be implemented immediately.

To be specific, the bill almost completely reflects those recommendations. It seeks to implement recommendations 1 and 4 that I spoke of. The purpose is that the language in the act would be introduced so that there would be an assurance that, "Every residential building with two or more dwelling units is equipped with fire detectors in all public corridors and common areas of the building and interconnected fire alarms that are audible throughout the building," and, "Every fire escape is constructed of non-combustible material."

It's really interesting to see who has come out to support this bill. It's interesting because those of us who represent ridings that have an older stock of housing will know that, in many cases, these kinds of problems exist in older units that have, over time, for one reason or another not been updated or upgraded. Unfortunately, it is often people who are fairly vulnerable who live in those kinds of units.

1130

I say that because I know quite clearly that in Hamilton there are a number of units, a number of buildings—and you can't generalize that it's this kind of building or that kind of building. There are low-rise walk-ups, for example; there is old stock from the 1960s, what we would call medium- to high-rise; there are single-family homes that are large Victorian-type homes that have been converted into smaller residential units or flats. There are

a number of different types of housing that exist, and the unfortunate thing is that oftentimes it is the lower-cost housing that is this older stock. The lower-cost housing, then, sometimes becomes home to people who we can call very vulnerable. Who are those people? They are people like new immigrants, who might not have a good grasp, at their initial move in, as to the procedures for a fire emergency. They are people who are low-income, people who are senior citizens, oftentimes isolated people who are unable to have the contacts that give them the supports to make sure that their accommodation is appropriately fail-safe or safetied with appropriate fire alarms and smoke detectors and those kinds of things, as is required by law.

I wanted to take the opportunity to just read a couple of letters that were sent in support of this bill, because I think they really reflect some of the issues that I was just talking about. The first one is from the Ontario Coalition for Social Justice, and it is to Mr. Prue. It says:

“Dear Michael,

“Thanks for informing the Ontario Coalition for Social Justice ... of your initiative in tabling the Fire Protection Statute Law Amendment Act, 2005.

“Persons who have been active in the OCSJ and who live in various locations in Ontario support two aspects of your bill in particular. The requirement for interconnected fire alarms in residential buildings with two or more dwelling units and the requirement that fire escapes be constructed of non-combustible material seem elementary precautions to offer more protection to residents. Indeed, we are surprised that these requirements are not mandatory already.” I think that’s probably the sentiment of many people.

“The OCSJ is concerned especially with the lives of low-income persons in Ontario because they are more likely to live in buildings which are less safe than homes whose owners can afford to install up-to-date safety equipment. The passage of your bill would assist the very population in Ontario which needs help with elementary safety, because low-income persons are less likely to be able to afford such protections or to have the confidence to demand such protection from landlords on their own.

“As well, we want to note that statistics are clear about the increased danger which older residents face about residential fires, and we believe that your bill will ensure greater protection to seniors in Ontario as well.

“We do hope that MPPs from all political parties support your sensible measures.”

The other one is from the Federation of Metro Tenants’ Associations. It says:

“Dear Mr. Prue,

“The Federation of Metro Tenants’ Associations welcomes the opportunity to support your private member’s bill, the Fire Protection Statute Law Amendment Act, 2005. We also congratulate you for bringing the matter forward.

“It is our firm belief that these regulations:

“(1) every residential building with two or more dwelling units to be equipped with interconnected fire alarms, and

“(2) that every fire escape to be constructed of non-combustible material;

“are entirely appropriate and the fire code should be amended to include them.

“The Federation of Metro Tenants’ Associations will be sending a representative to the Legislature on April 21 for the debate in the Legislative Assembly.

“Thank you once again for bringing forward these valuable amendments.”

That’s signed by Vivienne Loponen, the chair of the FMTA.

As you can see, it’s the people who are intimately aware of what’s happening in the residential stock—particularly in Toronto, but certainly many other older communities as well face the exact same problems and the exact same dangers in older residential stock. Unfortunately, the code, as it sits, does not force these repairs to be made unless there are major renovations taking place to a unit.

Coming from the municipal sector, I can tell you that the other challenge we’re going to face is providing supports to municipalities to be able to carry out some of the inspections that are going to be required to make sure that this bill is realized, that it’s not just accepted here in Queen’s Park, but that once passed by the Legislature, which I’m sure it will be, it is actually implemented. The only way to ensure the implementation is to make sure that municipalities are provided with some supports and resources to be able to be proactive in ensuring that these measures are undertaken by landlords and owners of residential rental units in our communities.

I know that municipalities are very challenged these days. We hear about it quite often in regards to lack of funding from the provincial government, a concern about their lack of ability to meet even the basic needs of their communities, having to cut back on budgets or being in deficit positions with their budgets. I would only hope that as we move forward with this initiative Mr. Prue has so appropriately and wisely come forward with, we also recognize that in order to ensure that it is implemented to its fullest extent, thereby protecting all tenants in rental housing in Ontario, the resources and commitments to those resources need to be put in place so that municipalities can then enforce the new legislation that is before us, once it passes all the processes and receives third reading and royal assent.

Once again, I want to thank the member from Beaches–East York, Michael Prue, for bringing forward this bill. I look forward to assisting him in making sure it gets all the support that’s necessary in this Legislature.

Mr. Dave Levac (Brant): I appreciate the opportunity to make comment on Bill 184. Let me start by offering to the families of Linda and Paul my own, my caucus’s and the House’s condolences for the suffering that you’ve endured and continue to endure while looking for some solutions and answers. I want to commend the member from Beaches–East York for responding to that need, and also for responding to a provincial need.

The member from Hamilton East spoke on the social aspects. I fully agree with her that in this particular era—

I want to go out on a limb and simply say to you that it's time for us to end this slum landlord activity that's been going on in the province. It's not just with one area of the province; it's in many areas of the province. I would suggest very clearly that we need to tighten up and strengthen these bills wherever we have an opportunity to make sure that people understand that we're not going to tolerate these kinds of actions.

Enforcement is another part of that. The building code has been reviewed and improved upon, and I'm happy to say that all governments of all stripes have been continuing to add to the safety of the people of Ontario. Let's make sure we understand that this isn't just about one insular issue, that the families are going beyond their tragedy and asking for these reforms so that it doesn't happen again to somebody else in the province.

I want to commend the member for bringing that to our attention. I also want to suggest to the member—in my brief conversation with him, I made a commitment to him and I got that commitment, and that was that the Minister of Municipal Affairs and Housing's staff, along with the staff of the Minister of Community Safety and Correctional Services, will be reviewing and meeting to discuss your bill. I've asked them to include you in briefings to ensure that we get the best bill possible. I think that's what we should be working for in this House. That's what we're looking for: to achieve the best we can for the people of Ontario. I commend him.

This is private members' time. That's when we get the best legislation: when we get all parties talking in the same voice at the same time about the same issue. The people of Ontario need to see more of this than the little raucous stuff that goes on back and forth in question period, although that has a role; it's important.

I want to commend the member for bringing this very important bill forward that speaks to the people of Ontario, that says to the people of Ontario, "Not only will we be reviewing what's already presently done in the building code, the fire protection act and all of those things that are there for our public safety, but we will be wise enough to recognize there are flaws." We would do that, and we should be doing that, on a regular basis.

1140

I have one more quick comment, and I know my time is very limited. Another example: my colleague from Brampton Centre, Linda Jeffrey, has offered us Bill 141, the very companion to the member's bill about sprinkler systems. What we should be doing is making sure that we do a full analysis of these wonderful private members' bills, particularly—I want to stay focused—the member's bill. He has pointed out some flaws in the building code. He has asked us to consider those things. I've got assurances from both ministries that they will be participating in this, and I support the other members' comments about making sure that we get this to committee, so that we can analyze and improve the bill—not bury the bill; improve the bill—and come out with legislation that protects the citizens of Ontario. I commend the member highly for bringing this forward, for taking a

tragedy and turning it into something that I know the families want to do, and that is to make sure that it doesn't happen again in the province of Ontario, to the best of our abilities.

I want to make one last comment about this slum landlord activity. It is about their ability to take money out of people's pockets as cheaply as they can. I say, "Shame on you. Shame on those people out there who put people at risk, just so you can make a few bucks and live somewhere else, high on the hog." Let's get this thing done so that we can force the people to take care of those buildings once and for all.

Mr. Tim Hudak (Erie-Lincoln): I'm pleased to rise and contribute to the debate on Bill 184, An Act to require the Building Code and the Fire Code to provide for fire detectors, interconnected fire alarms and non-combustible fire escapes, standing in the name of the member for Beaches—East York.

I want to commend the member from Beaches—East York, who has brought this important and weighty matter for debate as part of private members'. I know in his career as a municipal leader as a former mayor, and here in the Legislature, it has been an issue very close to his heart, and it's very fitting that this is the topic that he's chosen for his private member's bill today. Like my colleagues, I will be supporting the member's bill and hope that we will see action on it.

I was pleased to hear the comments from the member from Brantford in his passionate speech from just a few moments ago, and to hear those commitments that the Minister of Municipal Affairs and Housing will be following up on this legislation. I see that the hard-working Chair for the general government committee is standing there. She runs a strict and on-time committee. Maybe they'll send it to the general government committee, and we'll look forward to participating in that.

A few of the observations I would have in my time today—and hopefully, from the Ministry of Municipal Affairs' commitment we heard about a few moments ago, the processes will mesh together. I understand that, typically, fire code and building code amendments are looked at by a multi-stakeholder committee. These seats would usually be designated to various experts in the various administrative groups, or code enforcement officials. For example, building inspectors would be part of that committee; architects, engineers, and industry representatives. That way you would have a comprehensive look at improvements to the fire code and to the building code. You want to be sure that any changes are written in a logical and sensible manner, and fulfill the objective of protecting the safety of building occupants. You want to take a holistic approach to make sure the parts all work together to protect the safety of the residents of these buildings.

I know that the bill as written would directly amend the Ontario building and fire codes with specific prescriptive requirements. I don't know if that is the usual course, if that's one the government is contemplating adopting. I'm seeing some positive signs from across the

floor, so congratulations to the member from Beaches–East York in moving this to this level of interest on the government side, and certainly the official opposition is supportive of that progress.

I would add a few other comments as well. We need to ensure that the costs of implementation are done in such a way that any investments in fire code improvements or building code improvements maximize the benefits to residents and minimize the impact on property or damage—hopefully not any damage to individuals—that whenever you make an investment in improving public safety, you do it to maximize the benefits among the series of options. That's why, if the ministry is looking at this and uses a multi-stakeholder approach from those who have a great deal of expertise in the field, that's probably the best way of doing so, to make sure that the cost of implementation is done to maximize the benefits to individuals and their property.

I think there's no doubt, if we have what sounds like all-party support and potentially all-member support for this bill, what a strong signal of encouragement to the ministry and to the committee this would send. It sounds very encouraging that that may be the case as we move to our vote in a few short minutes.

Whenever I look at you, Mr. Speaker, I can't help but think of Bill 52, on the topic of fire safety. I do want to compliment the Speaker on that initiative. I was just at the Lincoln firefighters' awards ceremony two weekends ago, where Chief Ken McMullen was awarding firefighters for their years of service: the volunteers who do an outstanding job protecting the people of Beamsville, Vineland, Jordan and Camden throughout the Lincoln area. In my thanks to those firefighters—and my congratulations to them and their families for their efforts to protect the community—I also thank them for their support of a petition calling for protection of double-hatter firefighters, and resounding applause, because of very strong support in the community of Lincoln for double-hatter firefighters. We're now getting applause from across the way, which is very encouraging.

Next weekend there will be a volunteer firefighters' award at the beautiful Leisureplex in Fort Erie, Ontario, the town in which I was born and raised. Similarly, Chief Douglas and his firefighters deserve provincial recognition for the outstanding work they have done under some very difficult circumstances in tragedies in Niagara recently. We're blessed to have our firefighters there to try to mend these difficult circumstances to the best of their ability to protect the citizens. I look forward to bringing greetings from the province to the Fort Erie firefighters.

A short while ago, Port Colborne had their awards banquet.

Mr. Jeff Leal (Peterborough): Everyday heroes.

Mr. Hudak: Everyday heroes, the member from Peterborough said quite accurately. I had the opportunity to be at Port Colborne to deliver that message to Chief Cartwright and his team. Incidentally, Chief Cartwright is also the chief for the Wainfleet firefighters, who stum-

bled upon the massive grow operation in Wainfleet that I've addressed in speaking to the bill to curtail grow-op operations. The firefighters, there to put out a fire, were the ones who stumbled upon a massive marijuana grow operation.

In conclusion, I appreciate the opportunity to commend the firefighters I recently visited in Niagara. I look forward also, hopefully, to attending the Dunnville and West Lincoln ceremonies in the near future.

To the issue at hand, I do commend the member from Beaches–East York for bringing this bill forward. He has made a very convincing case, obviously, by the tone of debate today, and I'm very encouraged to hear that the Minister of Municipal Affairs seems to be very interested in moving this bill forward to the next stage.

Mr. Khalil Ramal (London–Fanshawe): I have the pleasure today to stand up and speak about Bill 184, which has been proposed by the member from Beaches–East York, whom I always listen to when he stands up and speaks, and most of the time he makes sense.

Today, when I heard about this bill, I went to the legislative library and started gathering some information about the two acts the member from Beaches–East York is recommending to be amended: the Building Code Act, 1992, and the Fire Protection and Prevention Act, 1997.

I went to Hansard and gathered some information. I was astonished when I read some kind of speaking notes being said on December 9, 1996, by the member Gilles Morin. He said: "During a speech he was delivering to an audience in British Columbia recently, Ralph Nader said it was puzzling how often Canadians try to fix things that aren't broken, how many things we do well and then we want to change for the sake of changing. Firefighters have been able to provide exemplary service to the people of Ontario under the existing act."

1150

Having said that, I also went to the two bills from 1992 and 1997, from which I got the sections mentioned by the member of Beaches–East York: section 34 and section 12. In reading, I discovered that both the building code and fire code which protect the people of this province have some kind of flawed issue or provision that has to be adjusted, which means I applaud the member from Beaches–East York for bringing it to this House to be looked at. I'm looking forward to seeing this bill go to committee in order to study it more. We'll see what we can fix and what we can strengthen in both bills.

As I said, I went to the building code and found that smoke alarms have to be installed in all residential area buildings, even in single-family homes. Also, the smoke alarms must be interconnected where more than one is installed in the dwelling. It generally requires fire escapes to be constructed of metal or concrete, and it contains requirements to protect fire escapes from fire. I know that the member from Beaches–East York requires the bill to be amended to include that the fire escape has to be constructed from non-combustible materials.

I also went to the 1997 bill, and I read about this very important provision in part VI, which says that the fire

marshal and the chief are inspectors: "An inspector may, without warrant, enter lands and premises for the purpose of assessing fire safety. An inspector may order the owner or occupant to repair the premises and, with the approval of the fire marshal, close the premises until the repairs are made."

All these provisions in both acts have been imposed and established in 1992 and 1997. But as many people in this House have said, most of that stuff is not being enforced. I'm looking forward to seeing this bill go to committee, and hopefully we can strengthen whatever provisions are not being enforced.

I want to commend, before I finish, the member from Beaches—East York for bringing this before this House to be addressed. It's a very important issue, not just concerning one area but all parts of the province.

The Acting Speaker: The member for Beaches—East York has two minutes to respond.

Mr. Prue: I would like to thank everyone today who has spoken to this issue: the members from London—Fanshawe, Erie—Lincoln, Brant, Hamilton East, Brampton Centre and Haliburton—Victoria—Brock.

But I would also like to thank the people who did not speak today. I'd like to again thank Mr. Tom Steers, who is with us to witness what goes on in the Legislature and hopefully to see his hard work come to fruition. I'd like to thank Mr. Ben Rossiter, a legislative intern who has done most of the work around this bill. He's a tremendous asset to our office. I would like to thank Laurie Orrett, my executive assistant, who has worked hard on this bill as well. Her husband is a captain with the Toronto fire department, and she understands it very well.

The members have spoken to a great many issues, and I thank them for their many good thoughts. Yes, it is our intention that this go to committee. We know that this is going to require work, and we know that it's going to require a great many people coming together to talk about this. It's going to require landlords and bureaucrats, it's going to require lawyers, but the reality is that we think the bill is absolutely necessary.

The question was asked, "Is it going to be retroactive?" Yes, it would involve literally every rental unit in the province at some point. The bill itself makes provision for six months—it comes into force six months after it being proclaimed, should it be proclaimed—but we anticipate that it will take some time to remove combustible staircases. I leave that to the committee to decide the appropriate time.

There were some questions about fire detectors. We used those words, quite frankly—fire detectors are under the Ontario fire code as being both heat and smoke detectors. We used the recommendations from the committee, in line with the Ontario fire code and in line with the building code. So this is not a mistake; this is purposely how it is worded in the legislation.

Thank you very much, Mr. Speaker.

The Acting Speaker: The time provided for private members' public business has expired.

KHALSA DAY ACT, 2005

LOI DE 2005

SUR LE JOUR DU KHALSA

The Acting Speaker (Mr. Ted Arnott): We will first deal with ballot item number 61, standing in the name of Mr. Dhillon.

Mr. Dhillon has moved second reading of Bill 189, An Act to proclaim Khalsa Day.

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

Pursuant to standing order 96, the bill is referred to the committee of the whole House.

Mr. Vic Dhillon (Brampton West—Mississauga): On a point of order, Mr. Speaker: I would ask that the bill be referred to the social policy committee.

The Acting Speaker: Shall this bill be referred to the standing committee on social policy? Agreed.

FIRE PROTECTION STATUTE LAW

AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L'INCENDIE

The Acting Speaker (Mr. Ted Arnott): Now we'll deal with the second item, ballot item number 62.

Mr. Prue has moved second reading of Bill 184, An Act to require the Building Code and the Fire Code to provide for fire detectors, interconnected fire alarms and non-combustible fire escapes.

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

Pursuant to standing order 96—

Mr. Michael Prue (Beaches—East York): On a point of order, Mr. Speaker: I would like to move that Bill 184 be referred to the Legislative Assembly committee.

The Acting Speaker: Shall this bill be referred to the standing committee on the Legislative Assembly? Agreed.

All matters relating to private members' public business now having been completed, I do now leave the chair. The House will resume at 1:30 p.m.

The House recessed from 1156 to 1330.

MEMBERS' STATEMENTS

LABOUR DISPUTE

Ms. Laurie Scott (Haliburton—Victoria—Brock): I rise today to bring the attention of this House to an issue that may have a profound effect on the people of my riding who live in the city of Kawartha Lakes. Right now, the city is hours away from a possible municipal strike that could affect the local water supply. We all hope that everything will be resolved before it gets to the

stage of a strike, but the city needs to prepare for the possibility that an agreement will not be reached.

A strike would affect about 7,300 customers and the 12 water systems the city operates. It would affect local residents, businesses and the Ross Memorial Hospital, as well as our jail and our schools. Can you imagine running a hospital without clean water?

This is not a labour relations issue; this is a health and safety issue.

A strike would affect the water systems of Birch Point, Highview, Kinmount, Norland, Sonya, Southview Estates, Sturgeon Point, Oakwood, Springdale Gardens, Western Trent and Palmina.

Today, I'm alerting the government and the minister to the possible crisis that is developing, and I call upon the government and the Minister of the Environment to put an emergency action plan into place to make sure that the people of the city of Kawartha Lakes will not see their water quality compromised.

The current rules allow you to mandate the Ontario Clean Water Agency to operate the water systems. I call upon the minister to make preparations to put this solution into effect in the event of a strike. This solution would allow local residents the peace of mind that comes from knowing they will have access to clean and safe water.

Hopefully, there will not be a strike, but if there is, the people of the city of Kawartha Lakes are depending on your government to make sure they can rely on a clean water supply.

PASSOVER

Mr. Mike Colle (Eglinton–Lawrence): At sundown this Saturday evening, Jewish families in my riding of Eglinton–Lawrence and across Ontario will share together in a special dinner, known as a Seder, to celebrate the tradition of Passover.

Passover is the celebration of the Jewish people's freedom from Egyptian bondage 3,500 years ago, as recounted biblically in the book of Exodus. It takes place on many levels, first as a historical and religious festival, but also as an agricultural festival to celebrate the season of spring and new growth.

In homes and communities the world over, Passover ceremonies will reflect local customs and culinary traditions. Prayers will be recited, blessings will be given, and those of the Jewish faith will sing songs as they relive the ancient traditions of their forefathers.

I, along with members of my own family, will be joining the Waxberg family at their Passover Seder, where we will break matzo bread together and enjoy other traditional and specially prepared foods to celebrate this special time of year.

I also would take this opportunity to send special greetings to my many good friends and seniors celebrating and observing Passover at the Baycrest Centre for Geriatric Care, one of the most wonderful hospitals in the whole world.

Thank you, Mr. Speaker, for making people think of this important time of Passover.

BLOOD DONATION

Ms. Andrea Horwath (Hamilton East): On April 5, Hamilton held its first workers' memorial blood donor clinic. I was proud to work on establishing the clinic, together with author and CUPE activist Ed Thomas. Our goal was to stage a tribute leading up to the National Day of Mourning, April 28, that would be meaningful and befit the importance of this day.

Our friends in the labour movement and the great citizens of Hamilton came to give blood in honour of workers who have been killed or injured on the job.

Canadian Blood Services of Hamilton offered us tremendous support. I want to thank all the people there who helped us launch this important life-saving mission. I want to thank Ed Thomas for his inspirational idea. And thank you, Hamilton, OSSTF District 21, Elementary Teachers' Federation of Ontario, United Steelworkers of America Local 1005, COPE Local 343 and CUPE Local 5167 for leading the way. Organized labour is the bedrock of Hamilton.

I urge citizens to give blood generously throughout the month of April in support of the working people who confronted danger every day on the job and ultimately paid with their lives. I challenge all MPPs to hold their own worker memorial clinics every April as an annual province-wide expression of public gratitude for the men and women who build our communities. An Ontario-wide MPP blood donor challenge would do good work, make an important statement and collect vitally needed supplies of blood all at once. With the gift of life, we show respect to the workers who lost their lives and ensure their memory lives on.

To commemorate the National Day of Mourning on April 28, there are copies of a book in the lobby for every MPP, with my compliments, written by Ed Thomas. The book *Dead, But Not Forgotten* shows monuments to workers that exist around the world.

AFFORDABLE HOUSING

Mr. Peter Fonseca (Mississauga East): I'm thrilled to stand in the House today to speak about an important event that took place in Mississauga East, my riding.

Last Friday, I had the opportunity to attend the opening of the Summerville Pines, an important affordable housing initiative. Located at 1749 Dundas Street East, this development provides 136 units of affordable housing to seniors in Mississauga and the region of Peel. This \$14-million project was made possible in part through the Canada-Ontario affordable housing program, a partnership between the federal and provincial governments committed to creating affordable housing here in the province of Ontario.

The opening was attended by myself; the MP for the area, Albina Guarnieri; Councillor Prentice; Keith Ward,

commissioner of housing; the region of Peel; local trades; others; and the residents of Summerville Pines.

I want to acknowledge the contribution and hard work and dedication of all of those individuals without whom this project would not be possible. I also want to thank David Caplan, the Minister of Public Infrastructure Renewal, for his efforts and his work to make this vision of Summerville Pines a reality in Mississauga East.

Summerville Pines is a perfect example of what can be accomplished through partnership and community involvement. Summerville Pines demonstrates this government's commitment to addressing the shortage of affordable housing for Ontarians and looking after vulnerable and low-income seniors. This project will help those seniors to continue to lead active and independent lives in our community.

NORTHERN ONTARIO

Mr. Norm Miller (Parry Sound–Muskoka): This government is helping to create the perfect storm in northern Ontario with large increases in energy prices for industrial users and reductions in the wood supply for the forestry industry, and the recent announcement of new municipal funding, the Ontario municipal partnership fund, will only make matters worse.

The Minister of Finance, in his answers to opposition questions, talks about the funding formula and special considerations for northern Ontario. Well, I'd like to go through the numbers and show what it means for northwestern Ontario. Let's look at individual municipalities.

Atikokan received \$1.653 million in 2004; they will receive \$1.393 million in 2008, a 28% reduction. Fort Frances goes from \$3.1 million in 2004 to \$2.6 million in 2008, a 26% reduction. Rainy River, which can't even afford to upgrade its sewage treatment system to attract new business, is facing an 11% reduction under this government. The remote northwestern community of Pickle Lake is facing a 29.5% reduction in funding. Greenstone, which faces many challenges, including attracting doctors and upgrading municipal water systems, will see a 38.8% reduction in funding with the McGuinty government's raw deal. Red Lake will see a 15% reduction; Sioux Lookout, a 30% reduction; Kenora, a whopping \$2-million cut or 42% reduction in provincial funding. Thunder Bay will have to deal with a \$3.4-million cut.

I ask the minister, why is your government picking on northwestern Ontario? These funding cuts will mean an increase in taxes, a cut in services, or both for northwestern communities and will reinforce the perfect economic storm that is forming in the north.

1340

MUNICIPAL FINANCES

Mr. Jeff Leal (Peterborough): I'm happy to announce and to especially clarify that Peterborough and surrounding communities are to receive greater prov-

incial assistance under the new, fairer municipal spending model. The Ontario municipal partnership fund is a much fairer, simpler, clearer and more transparent program that provides similar municipalities with similar funding.

Under the new Ontario municipal partnership fund, Peterborough will be receiving \$8.7 million for 2005, an increase of \$2.6 million from what it received under the old community reinvestment fund. Peterborough municipalities will receive, at a minimum, as much funding in 2005 as they received through the old CRF in 2004. Especially in the Peterborough area, the township of Smith–Ennismore–Lakefield will receive \$729,000, an increase of \$683,000; the township of Asphodel–Norwood will receive \$755,000, an increase of \$100,000; the township of Havelock–Belmont–Methuen will receive \$352,000, an increase of \$352,000; the township of Douro–Dummer will receive \$495,000, an increase of \$280,000.

To help certain municipalities such as Otonabee–South Monaghan and Cavan–Millbrook–North Monaghan, they will receive the same under the new program as they received in 2004.

The funding is part of the McGuinty government's announcement that it is replacing the old community reinvestment fund with a more fair, equitable and transparent Ontario municipal partnership fund. The new program targets funding to social programs and policing costs for small, northern and rural municipalities.

Peterborough is better off today than it was a year and a half ago.

Mr. Ernie Hardeman (Oxford): In this House yesterday, Perth–Middlesex MPP John Wilkinson proved that he is much more interested in getting the keys to a cabinet limo than in defending his constituents. He went so far as to say that Perth county is receiving an overall increase of 16% in funding.

Let's look at the numbers. Southgate is going from \$1.8 million under the CRF to \$1.2 million under the new partnership program. That's a \$600,000 cut. Stratford is going from \$2.8 million under the CRF to zero, a whopping \$2.8-million cut. Perth county, which the member says received a 16% increase in funding, is going from \$2.7 million in 2004 under the CRF to zero under the new program.

The way this member says that a cut of \$6.1 million to Perth municipalities somehow equals a record increase suggests that the young Mr. Wilkinson is a graduate of Dalton McGuinty's new math program, which has managed to turn a \$2.2-billion deficit into a \$6-billion deficit. He must also be a graduate of the McGuinty government training school of saying one thing and doing another.

For the record, I've also done the math in my riding of Oxford county, and their situation is just as bleak. Obviously, McGuinty can't break all these promises himself. He needs help, and Mr. Wilkinson seems all too ready to rise to the occasion and break his promise to fight for Perth–Middlesex families. A word of advice to the member from the official opposition: You don't get

the keys to a cabinet limo if your constituents don't re-elect you.

HEALTH CARE

Mr. Ernie Parsons (Prince Edward-Hastings): When I spoke to the people of Prince Edward-Hastings during my first election, they made it clear that they believe any government should have a high priority in health care. I understand that. If you don't have your health, you have nothing.

I watched and listened with sadness as the previous government closed hospitals, described nurses as Hula Hoop workers and failed to utilize such skilled people as nurse practitioners.

I'm proud of the improvements our government has made in my riding: nearly \$16 million in additional funding for day-to-day operations, more full-time nurses, establishment of a stroke centre, approval of a family health team in Prince Edward county, preservation of services at the Picton hospital and a new CAT scan machine at Belleville General.

There's more to be done, and I'm confident that it will happen. The Ministry of Health and Long-Term Care is working with Belleville to get a family health team. I'm working with the Minister of Health, and despite the unexpected deficit, we'll fund a new addition to Belleville.

I'm distressed at statements made by John Tory. Mr. Tory says that if he forms the government, he'll eliminate the health care levy, thus taking \$2.4 billion out of the health care system. Let's put that in perspective: Quinte Health Care's budget is approximately \$125 million. Mr. Tory would have to close the equivalent of nearly 20 hospitals to find these savings, or is Mr. Tory planning on eliminating the seniors drug plan? What else?

I care about the health of my constituents. I'm saddened that John Tory would sacrifice the health care of Ontarians just to get elected. The people of Ontario deserve better.

FEDERAL-PROVINCIAL FISCAL POLICIES

Mr. Kim Craitor (Niagara Falls): I rise today to speak about the \$23-billion gap. That amount is the difference between what Ontario puts in the federal coffers and what we get back. Our government has been trying to get the federal government to acknowledge and address the \$23-billion gap so that Ontario can continue to be the engine that drives this country's economy.

Last Friday, CIBC World Markets released a report that asked whether Ottawa is killing the golden goose, Ontario. The report concluded that the \$23-billion gap "weighs on an already burdened economy, taxing the Ontario government's ability to invest in a strong, vibrant provincial (and hence national) economy." Warren Lovely, the senior economist who wrote the report, calls

the \$23 billion "a tidal wave of money" heading toward Ottawa.

The CIBC report comes on top of support we have from other banks, the Toronto Board of Trade and the Association of Municipalities of Ontario. In light of the support we are getting from all sides on this issue, we hope the federal government will finally agree to sit down and discuss this issue and move toward a resolution. Only then can Ontario make the necessary investments in health care and education that will ensure Ontario can continue to power the economy. As the Premier of Ontario often says, a strong Ontario will ensure a strong Canada.

STATEMENTS BY THE MINISTRY AND RESPONSES

EARTH DAY

Hon. Leona Dombrowsky (Minister of the Environment): Tomorrow is the 35th anniversary of Earth Day. This week thousands of people across Ontario—children at school, volunteers with community groups, councillors, MPPs, mothers and fathers—will join together in hundreds of Earth Day events.

While Earth Day began with 20 million Americans taking to the streets to voice their concerns about the environment, it is now a truly global event, marked by hundreds of millions of people around the world. Earth Day shows that all people want clean air to breathe and clean water to drink. They want well-protected lands for their families, friends and neighbours.

For the province of Ontario, Earth Day is an important opportunity to review our successes and take stock of the many challenges we face. My colleagues and I have been celebrating Earth Day and Earth Week across the province. Earlier this week, I met with students from Brown Public School in Toronto to speak with them about environmental issues. I was extremely impressed by their knowledge and their commitment to protecting the environment. I am so optimistic that they will continue to be a force for change as they mature.

My colleague John Gerretsen, as well, was at Hillside Outdoor Education School with students from Chief Dan George Public School earlier this week. They did a variety of outdoor activities and learned about the environment. The minister presented the students with the map of our province's greenbelt.

Thanks in large part to the environmental awareness prompted through Earth Day, we have seen tremendous progress in many areas. The Great Lakes are generally cleaner than they have been in decades. There have been dramatic reductions in levels of toxic pollutants like PCBs, mirex, dioxins and furans. Some wildlife species have returned to habitats in the Great Lakes basin. There are fewer consumption restrictions on sport fish caught in Ontario's lakes, rivers and streams. Our air quality has

benefited from reductions of key pollutants like carbon monoxide, total reduced sulphur compounds, sulphur dioxide and nitrogen oxide.

I am especially proud of the steps we've taken in the past few months to improve our air for future generations. We have tightened up our emission testing program for large diesel trucks and buses. We have proposed to cap smog-causing emissions from 30 of our largest industrial polluters. Our plan will cut industrial emissions of smog-causing nitrous oxide emissions by 21% in the year 2010, and acid-rain-causing sulphur dioxide by 75% by the year 2015. Our made-in-Ontario measures to address smog-causing pollution are comprehensive.

We have addressed urban sprawl with a greenbelt that will protect agricultural lands and important natural areas for future generations. The creation of the greenbelt is an important contribution to Ontario's future health and prosperity. We know that in future years, when Ontarians celebrate Earth Day, they will point to the greenbelt as one of our province's greatest treasures.

We are controlling large industrial sources with our smog caps. We are moving forward with plans to replace coal-fired generating plants with cleaner energy sources, and we are reducing pollution from vehicles by focusing our transportation spending toward transit.

1350

Let us quickly review our government's environmental protection accomplishments. We are moving ahead with our plan for 5% of Ontario's electricity to come from renewables by the year 2007 and 10% by the year 2010. We have created a one-million-acre greenbelt. We have introduced new measures to encourage development of brownfields. We have hired 33 new full-time water inspectors. We have implemented 28 additional recommendations of the Walkerton inquiry. We have tough new rules for water-taking permits. We are developing new source-water protection rules to protect our water from source to tap. We are encouraging conservation of water and electricity. We are committed to requiring that gasoline sold in Ontario contain an average of 5% ethanol by 2007.

These improvements are real. They show how much we can accomplish when everyone works together for a common cause. We can take actions that improve the environment and protect public health. The unparalleled quality of life we enjoy in Ontario is the result.

We must continue to improve our environmental record. Environmental protection is a process, not an end. Complacency is never an option when it comes to protecting the basis for our way of life. Let us take stock of the challenges that remain.

Since the first Earth Day, Ontario's population has grown by about four million people. As a society, we consume more, we create more waste, we need more land to live on and we put more stress on the sources of our drinking water. These challenges make it increasingly difficult to sustain our lifestyle. They make it more difficult to live in balance with nature. This is why we need to take action now. The longer we wait, the more difficult it will be.

The McGuinty government will continue to move forward with plans to protect our drinking water, preserve our green spaces and clean up the air we breathe. I call on the people of Ontario to continue to play their part at home, in the workplace and in the marketplace. Together, we have witnessed and participated in many great accomplishments on behalf of Ontario's environment. If we continue to work together, I know the best is yet to come.

SMALL BUSINESS

Hon. Joseph Cordiano (Minister of Economic Development and Trade): Today, small and medium-sized businesses have gained a real voice at Queen's Park. When our government took office, we recognized the tremendous contributions that small business makes to Ontario's economy. They comprise more than 99% of Ontario's businesses and account for more than half of Ontario's jobs. Our government promised to create a small business agency, and today we are fulfilling that commitment.

It's an exciting new direction. The Small Business Agency of Ontario is specifically devoted to meeting the needs of small businesses. It will give our small and medium-sized business owners a real connection to government so we can listen, understand and help. Our government wants to make it easier for small business to innovate, to grow, to succeed.

The agency will do many things. It will work with ministries to undertake and achieve regulatory reform. This agency will review key existing regulations, examine proposed new regulations, make sure government is aware of how each new regulation could affect small business costs and competitiveness, and make sure small business interests are part of our decision-making process. It will develop and promote regulatory best practices. It will help bring government ministries together and develop a better way for small business to get information and provide input on proposed government regulations that may affect them, so small business is always in the loop.

It will make the relationship between government and small and medium-sized enterprises simpler, less time-consuming and, yes, less frustrating. By streamlining and cutting down on excessive paperwork and administration, this agency will save small businesses time and money. It will make dealing with government a whole lot easier and encourage open lines of communication.

I am pleased to announce as well today that my parliamentary assistant, Mr. Tony Wong, who has consulted widely on developing the best, most effective agency, has agreed to chair Ontario's new Small Business Agency. Mr. Wong will be joined by six other parliamentary assistants whose ministries are closely tied to small business. Business representatives will be added to the agency in the coming weeks. Together with their soon-to-be-appointed and highly qualified team members, they will champion small business interests within government, and we will listen very carefully.

The new Small Business Agency of Ontario will help us to work together, in every sector, in every region of this province. This agency is central to our government's commitment to help small businesses grow, thrive, invest and create new jobs, and to help build strong communities, a prosperous economy and a high quality of life for all Ontarians.

ORGAN AND TISSUE DONATION

Hon. George Smitherman (Minister of Health and Long-Term Care): I rise today to remind my colleagues on both sides of this chamber that this is National Organ and Tissue Donation Awareness Week. I do so with mixed feelings. In a sense, this is a week to celebrate the thousands of heroes—and they are heroes—who have summoned the compassion to make a gift that is absolutely like no other. The tissues and organs that are donated by these people are of extraordinary importance. In many cases, they greatly improve the lives of people who receive them; in many other cases, they save those lives. So this is a week for celebrating the people who make this gift, for saluting them.

But when I spoke about my mixed feelings in reflecting upon this occasion, it is because this is also a week for wishing there were far more of these precious gift-givers, because we need them desperately. Every three days in this province, a person dies waiting for an organ transplant. Today there are more than 1,800 women, men and children waiting for such a transplant. Some of them are going to die, and they're going to die because there are other people in this province who either forgot or simply did not fill out an organ transplant card. In some cases, people have their reasons for not signing; in other cases, they either don't know, forget or they just never quite get to it. Whatever the reason, they don't sign, and for want of that signature, people die. That's just not right.

We've worked to make extraordinary progress in this world so that we are now able to take tissue and organs from the bodies of people who have recently died and put them into the bodies of those who are in danger of dying, thereby saving their lives, giving the gift of life. To think that we've made that kind of progress but people are still dying needlessly because organs that could be available are not, again, for want of a signature. We don't think that's right.

So I would ask every member of this Legislature to take this message out to the people of Ontario: Sign the donor card. Make your wishes known. Contribute to saving a life. It could be a child, a young man or woman with years of wonderful living ahead of them. By signing that card, you could be giving them that.

Our government is committed to maximizing organ and tissue donations, to increasing access to life-saving and life-enhancing transplants. We're also committed to reducing the wait times for patients needing those transplants. In 2004-05, our investment to support organ and tissue donation and organ transplantation exceeded

\$14 million. We provided \$934,000 to hospitals to support deceased organ donation; a further \$1.4 million was given to transplant hospitals for living kidney donation; through the 2004-05 hospital allocation, we provided an additional \$10 million for 152 additional organ transplants; and we provided the Trillium Gift of Life Network with an increase of \$2.3 million, or 29% more in their operating budget, in 2004-05.

But it's not just about money; it is also about awareness, about putting this issue front and centre in front of people. In all too many cases where people haven't signed an organ donation card, it's because they simply haven't thought of it. For very understandable reasons, they and their families haven't asked themselves the hard questions about what should be done after they die. But hard as it is, we must find a way to get those questions asked, because in the answers frequently lies the saving of a life. The card gets signed; families give consent; lives are saved.

1400

I'm pleased to announce today that I have filed a regulation under the Trillium Gift of Life Network Act that will, I believe, lead to an increased number of organ donations in this province. The regulation will pave the way for hospitals to notify the Trillium Gift of Life Network when a patient dies, and also, at the Trillium Gift of Life Network's direction to contact the patient's family to seek consent for organ and tissue donation. These notice and consent requirements are needed to ensure that eligible donors are identified and that the tough questions about organ donation get asked at the right time. This will lead to higher organ and tissue donation rates and the gift of life for many more Ontarians. The regulation will come into effect later this year, when the notice and consent provisions of the Trillium Gift of Life Network Act are expected to be proclaimed.

We're working to ensure that we have an effective, efficient and safe organ and tissue donation and transplantation system that works for all Ontarians: for donors, for their families and the patients whose lives will be improved or saved by this extraordinary gift. But the system, however good, depends upon the thoughtfulness, compassion and generosity of Ontarians. These are things that I know the people of this province have in very great supply.

We just have to make sure that we get the message out. If we do, I know that people will respond. Sign the card. Let people know. Give the most precious gift you have ever given. That's what we urge all Ontarians to do.

The Speaker (Hon. Alvin Curling): Responses?

EARTH DAY

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I'm glad to have a chance to yet again recognize the 35th annual Earth Day, taking place tomorrow, April 22. It's always important to understand some of the true challenges we are facing in protecting our environment. In 1970, I took part in the first Earth Day, actually, as an

environmental science teacher. On Saturday I'll be planting trees down in Norfolk county.

On the first Earth Day, the global population was 3.7 billion people. Today it's grown to 6.5 billion people. A recent UN report, the Millennium Assessment, outlines the price being paid as the human footprint on this earth grows ever larger. The majority of wildlife species is declining. On top of habitat loss, deforestation and diminishing wetlands are reducing our protection against pollution. That report is truly a stark warning.

As far as population growth, Ontario is no different. Right here in the GTA-Golden Horseshoe, we are expecting another four million people in the next 30 years. As the minister has just pointed out, we know that since the first Earth Day we've seen an increase of four million people. After 35 years, it seems that we as a society have some challenges and we still don't get it. We ship garbage to Michigan. We introduce a spills bill that immediately has to go back to the drawing board. I think people in Ontario expect better.

ORGAN AND TISSUE DONATION

Mrs. Elizabeth Witmer (Kitchener-Waterloo): I rise today on behalf of our party to recognize National Organ and Tissue Donation Awareness Week, a week not only to raise awareness but also to remind people to talk to their families and friends about giving the gift of life.

A survey conducted by the Trillium Gift of Life Network in 2004 indicated that although 77% of people were willing to donate their organs, only about 53% have signed the donor card, yet the need for donation increases each year. In fact, today about 1,893 men, women and children are waiting for an organ transplant, so it is important that people do consider donation and sign the card.

Our PC government made a commitment in 1999 and issued a millennium challenge to double the donation rate by 2005. We set up a Premier's Advisory Board on Organ and Tissue Donation. We committed money to increase organ and tissue donation and transplantation to over \$120 million by 2005. We passed new legislation, the Trillium Gift of Life Network Act, to help hospitals increase the number of organ and tissue donations. We created the Trillium Gift of Life Network to promote, plan, support and coordinate organ and tissue donation in Ontario, and yet, as we know today, the need continues. We will be pleased to work with this government to ensure that everybody in this province takes the time to sign the card and make sure they can make that gift of life possible for another human being.

SMALL BUSINESS

Mr. Jim Flaherty (Whitby-Ajax): In response to the Minister of Economic Development, the thing that's so important about small business is the jobs created in Ontario. The minister stands up and says, "I'm going to help small business." How is he going to help small busi-

ness? "I'm going to create another government agency." What a great idea. More public servants, more forms, more bureaucracy for small business in Ontario: just what they don't need.

Just today I met with the Ontario Printing and Imaging Association. These are the printers in Ontario, the fifth-largest employer in Ontario, employing 43,000 people in this province. Do you know what they tell me? Most of their firms employ fewer than 20 employees, and they have to have a full-time person to fill in all the government forms. Now they'll have more forms for the small business agency that the Minister of Economic Development is going to impose on them in Ontario. Do you know what they say? They say that as regulations increase in so many areas, manufacturing in Ontario becomes more challenging and will directly affect the viability and sustainability of the printing industry. Stop doing things to business. Start helping business. Minister, what they need is less bureaucracy, fewer forms and less red tape, not what you are imposing on them.

EARTH DAY

Ms. Marilyn Churley (Toronto-Danforth): What Ontarians needed from the government today was less hot air, but that's not what they got. Reducing smog is certainly a critical goal and one that needs to be pursued with increased vigour because of the well-documented health and environmental impacts associated with smog. But instead of increasing their capacity to remove more smog-producing vehicles from our roads, this minister and her government have decided that it's a good idea to cut the smog patrol program in half. The smog patrol's light-duty vehicle inspection program is being cut, resulting in a 50% cut in smog patrol activities. I ask the minister, what is the net reduction in smog that accompanies cutting 50% of the smog patrol? How many gas lawnmowers need to be scrapped in 2005 to equal the smog reductions lost to Ontarians when you mow the smog patrol in half?

In Earth Week, Ontarians deserve more than the reannouncement of a long-standing program that's been running for five years. Where are the new incentives to attract consumers to buy Energy Star appliances? Where is the rewrite of the building code to increase the energy-efficient standards by which new homes are constructed? Where are the announcements of the new studies into health impacts associated with exposure to such deadly carcinogens as dioxins and furans? Unfortunately for Ontarians, there is no meaningful environmental announcement today, but only a tired reannouncement from a government with no real plan to clean up our air.

SMALL BUSINESS

Ms. Andrea Horwath (Hamilton East): Small business is a significant part of the economy, and they are grappling with very serious issues. They have very few staff; they're small, owner-operated operations. This

minister and this government must admit that they are failing small business. Insurance costs are still going through the roof. Red-circling of property insurance is happening everywhere, and this government is not dealing with it. Auto insurance rates are also crippling small business. Massive hydro security deposits are being demanded. It ties up their capital, thousands and thousands of dollars, for years on end. Skyrocketing hydro prices are also a problem.

The minister is nowhere to be found, quite frankly, on major economic challenges in this province. Northern mills are closing all over; thousands of jobs are being lost. The Stelco crisis is still not solved. There's a total absence of this minister on the aerospace file. The steel modernization situation is not being dealt with. There are massive job losses in the southern and southwestern manufacturing economy every single day. This is what this minister needs to be doing. These are good-paying jobs that will very much buoy small business.

ORGAN AND TISSUE DONATION

Ms. Shelley Martel (Nickel Belt): This is National Organ and Tissue Donation Awareness Week, and I want to thank the Kidney Foundation of Canada for highlighting this week, particularly the urgent need for donors, and that's what I want to focus on. I went back to the 2001 annual statistics report produced by Organ Donation Ontario. I compared it to the most recent statistics from the Trillium Gift of Life Network. It is disheartening to see how little has changed with respect to donations. In 2001, there were 1,766 Ontarians waiting for organ transplants; in 2004, 1,785 Ontarians waiting for organ transplants. In 2001, there were 449 transplants from deceased donors; in 2004, only 485 transplants from deceased donors. In 2001, 193 living donor transplants; in 2004, 193 living donor transplants. In 2004, only 485 individuals received transplanted organs. That's it. The reality is, despite the best efforts of the Kidney Foundation and others, including the Trillium Gift of Life Network, too many Ontarians are not considering organ donations at all, and that is an issue that my colleague from Niagara Centre wants to address.

1410

Mr. Peter Kormos (Niagara Centre): I'm pleased to join with my colleague the member for Nickel Belt, health critic, in confirming the New Democrats' commitment to ensuring that organs are made available to those lengthy, lengthy waiting lists of people across this province, indeed across this country, in need of organ donations.

Inspired by George Marcello, a well-known advocate for organ donation, and provoked by young Kristopher Knowles, a young man in need of an organ donation, who recently walked across Canada to highlight the issue, we presented Bill 156 to this Legislature and it received first reading in December of last year. This bill dramatically changes the regime. It, in line with places like France, Spain and Italy, creates a presumed consent,

so that never again will the failure to sign an organ donation card be a bar to an organ of a deceased person being provided to a long-waiting beneficiary.

If you really want to address the issue of availability of organs, I urge the minister to ensure that this issue gets debated in this province promptly.

LEGISLATIVE PAGES

The Speaker (Hon. Alvin Curling): We have been properly served by some capable hands here in our Parliament and today is their last day. The pages are here, and I know we would have unanimous consent to have them here forever, but I want you to show your appreciation for them.

Applause.

VISITORS

The Speaker (Hon. Alvin Curling): We also have in our presence senior members of law enforcement in the Speaker's gallery, and we want to welcome them.

Mr. Bob Delaney (Mississauga West): On a point of order, Speaker: I'd like to introduce in the east gallery three representatives of the Ethnic Editors and Publishers Council of Canada. We have Dr. Mario Varano, the chairman; Nova Robson, the secretary and treasurer; and Mr. Gino Grisolia, a director. Please welcome them.

The Speaker: It's not a point of order, and I hope we don't start a chain of these things now.

Do we have a point of order from the member from Hamilton West?

Ms. Judy Marsales (Hamilton West): Yes, Mr. Speaker, and I beg your indulgence to acknowledge my mother, Noella Laurence, who has travelled from Winnipeg. You need to know, Mr. Speaker, that she is the survivor of a triple heart attack after she left this chamber last year visiting us, and we wish her Godspeed home in much better condition.

The Speaker: What can I say? It's a mother. It's good to have you.

Mr. Ernie Hardeman (Oxford): On a point of order, Mr. Speaker: You may, after I've presented it, rule it's not a point of order, but I'd like the assembly to recognize one of the greatest groups of students in the province of Ontario sitting up in the gallery, and they come from St. Mary's High School in the great city of Woodstock.

The Speaker: That is also not a point of order, but they are welcome.

ORAL QUESTIONS

MUNICIPAL FINANCES

Mr. John Tory (Leader of the Opposition): My question is for the Minister of Finance. Yesterday, I raised the question of the city of Brantford, which is on

the one hand receiving \$700,000 in gas tax money from your government for public transit, yet on the other, facing a \$7-million cut under your so-called fairer program for cities and towns. You said yesterday, "My friend just has it wrong" on his municipal funding program. Well, today's Brantford Expositor quotes Brantford mayor Mike Hancock as saying, "I don't like playing the Conservative-Liberal game, but Mr. Tory is absolutely right."

Brantford would have to raise taxes \$186 per household per year to make up for your cut. Will you now confirm that you and the member for Brant are cutting millions from Brantford and causing taxes to rise?

Hon. Greg Sorbara (Minister of Finance): I'm surprised that my friend the Leader of the Opposition is moving on this territory. He was not in this Legislature during the Harris-Eves period, one which was dominated by the worst municipal financing plans that this province has ever seen. Where was he? He was advising the former mayor of the city of Toronto, Mel Lastman, who was quoted repeatedly as saying that everything the Conservative government touched turned to—and I'm not going to finish the quote because my friend knows what it is.

I simply tell my friend that Mel Lastman and every other mayor that had to provide for public services for municipalities during that era has said to us that the system was broken and needs to be changed. We've done that with a much fairer fund, a much more equitable fund and a fund that will serve the real needs of municipalities for generations to come.

Mr. Tory: My friend opposite, the minister, as usual, is mired in the past and using old quotes from the past. I'll quote one from yesterday, which is from Mike Bradley, the mayor of Sarnia. He says: "I'm starting to feel like the Premier of Newfoundland.... The Premier," and he means our Premier, Mr. McGuinty, "talks about fairness but I feel like we might have to lower the provincial flag to get his attention."

Sarnia is set to lose every penny of funding they used to receive under these awful programs that you talked about, and under your so-called fair program. That's a \$228,000 cut that the residents will have to bear through increased taxes or cut services. Why are you and the member for Sarnia hurting the city that way and causing taxes to rise?

Hon. Mr. Sorbara: Someday my friend the Leader of the Opposition will get his facts right. He needs to know that the new Ontario municipal partnership program provides 6.1% more funding for municipalities than its predecessor. He needs to know that under the new fund, no municipality will receive less this year than was provided for last year. He needs to know that overall, communities in Lambton county—and Sarnia is in Lambton county—are getting \$10.291 million in 2005. That's a \$1.6-million or 14% increase over what they received last year. We are very happy with this program. We are delighted to continue to clean up the mess that Mike Harris and Ernie Eves, and apparently John Tory, helped create under the previous administration.

Mr. Tory: Of course, we're now two-for-two on not addressing the question at all in terms of Sarnia. We never heard Sarnia mentioned in terms of the specifics of Sarnia. I asked you about Sarnia, not Lambton county. And you said that no one's going to get a decrease, but I guess you'll have to have a chat with the MPP for Guelph-Wellington, who said that maybe the gas tax will help offset decreases in transfer payments. I don't know where she got that word "decrease" from.

Let's talk about Kingston. Today's Kingston Whig-Standard quotes from the city's finance department—and I'm sure they're not telling the truth either—as saying that the city will be short \$1.4 million by next year, and the shortfall will rise to \$3.1 million. I'm assuming that the minister is arguing that everybody's wrong and he's right. Well, why are you and the member for Kingston and the Islands supporting cuts to services and tax increases that are going to hurt the city of Kingston and the people who live there? Why are you supporting them?

1420

Hon. Mr. Sorbara: My friend the Leader of the Opposition really needs to go back a little bit in history to remember the mess that the previous administration made. We can go through a whole category of services: public health—downloaded; child care—downloaded; children and youth services—downloaded; roads—downloaded; Highway 88 now becomes Regional Road 88; Highway 43 becomes Regional Road 43.

What the previous administration did was make municipal financing impossible. What we've started to do is repair that damage. We have increased funding for municipalities this year by 6.1% in a program that is fairer, that is more equitable and that provides for the real needs of communities across Ontario.

The Speaker (Hon. Alvin Curling): New question.

Mr. Tory: I'm sure that non-answer will be cold comfort to the taxpayers of Kingston.

My question is to the same minister. Yesterday, your member for Perth-Middlesex seemed more interested in toeing the party line than in standing up for his constituents. Let's look at the communities in his riding. The city of Stratford will lose every penny in annual transfers under your program. That's a cut of \$2.8 million. Perth county will lose all of its \$2.7 million annually. The town of Southgate will lose \$600,000.

Minister, these areas will have to raise taxes by over \$200 per household per year. Why are you and the member for Perth-Middlesex hurting these communities and supporting these big property tax increases for their citizens?

Hon. Mr. Sorbara: I simply say to the Leader of the Opposition that, as a rookie member, if he wants to do some training, just follow the example of my good friend from Perth-Middlesex, our member. He needs to just check with the Minister of Health to determine how aggressive the member from Perth-Middlesex was in securing additional funding for the Listowel hospital in the county, for a new family health team in the county. Overall, that community, like communities across

Ontario, is now going to be able to take advantage of a municipal partnership fund that will provide equitable funding on the basis of need to provide social services, need for smaller communities to provide policing services, need for the northern and rural parts of our province to have the resources to deliver a broad range of public services.

I want to tell my friend that we are very proud of the way in which, with discipline, we have used the limited resources we have to expand the capacity of municipalities to deliver those services.

Mr. Tory: I will stand here in this House and say I'd go the member's riding and congratulate him for the hospital funding, but he also has to accept responsibility for the millions in cuts you've exacted on his riding.

Once again, Minister, unfortunately your rhetoric on all of this doesn't match the facts. In eastern Ontario, the city of Belleville will lose almost \$500,000 in transfers under your so-called fairer program. The city of Prince Edward County will lose just under \$400,000, and the town of Tyendinaga will lose \$124,000.

Why are you and the member for Prince Edward-Hastings hurting these communities and causing their citizens to have to pay big property tax increases?

Hon. Mr. Sorbara: May I just quote to you from Donald O'Connor, writing in the Stratford newspaper: "Stratford is to receive a windfall of almost \$1.2 million from the province through the Ontario municipal partnership fund."

I also want to tell my friend about his own community of Caledon. I want to tell him that under the Conservative program, Caledon was very, very disadvantaged. As a result of the new program, the community of Caledon will receive almost \$1.2 million in additional funding, because it's the fair thing to do. Under the old, inequitable program, some communities were receiving more than was appropriate and others, like Caledon, the community you represent, were not receiving enough.

I think that my friend the Leader of the Opposition should be congratulating us for having a fairer, more equitable program that provides the funds that communities need to deliver public services. That's what I would expect from him.

Mr. Tory: You may have a lot of things that you expect from me; I expect that you might have mentioned—just mentioned—Belleville or Prince Edward-Hastings in your answer, but never mind.

Let's talk about Kincardine. Kincardine will face a \$1.2-million cut in funds under your so-called fairer program. This municipality would have to raise property taxes an incredible \$232 per household per year to make up for the cut. Huron county is losing all of its \$3.8 million under your new program—your new, fairer, better program—meaning that taxes would have to rise by \$138 per household per year to make up for your cut. Why are you and the member for Huron-Bruce hurting Kincardine and Huron counties by forcing every property taxpayer to pay out hundreds of dollars more each year? Why are you doing that?

Hon. Mr. Sorbara: If the mathematicians that my friend the Leader of the Opposition is using were designing the finances of Ontario or contributing to them, we would lose all credibility as a province.

Let's be frank. Let's have the Leader of the Opposition admit that what he is doing is extrapolating a formula, tying it over a number of years—five, 10 or 15 years—and then coming up with a number and throwing it in front of this Parliament as if it had some basis in fact.

Let's deal with the facts. In the coming year, every municipality will receive absolutely the same amount or more than they did last year. In the succeeding year, that is, in 2006, no municipality will have a reduction of more than 10%.

We've designed a system that's fair. We've put in transition funding that's fair. We are scrapping the mess that your party made with downloading—

The Speaker: Thank you.

LONG-TERM CARE

Mr. Howard Hampton (Kenora-Rainy River): I have a question for the Minister of Health. A year and a half ago, when you were confronted with some of the terrible conditions in Ontario's nursing homes, you broke into tears and promised a revolution in long-term care. A year and a half later, the Casa Verde nursing home inquest says we are still not providing the quality of long-term care that our seniors need when they reside in nursing homes.

Now we have more evidence from individual nursing homes across the province: evidence that shows that nursing home personal care workers and nurses are being fired, not hired, evidence that shows that several long-term-care facilities are reducing hours of personal care, not increasing. Minister, that's the evidence that ordinary Ontario families are seeing. Where's the revolution you promised? Will we see it in this year's budget?

Hon. George Smitherman (Minister of Health and Long-Term Care): No amount of misinformation from the honourable member can reduce the progress and action that has been taken on the file with respect to long-term care.

It was well said, I think, by Greg Fougère, chair of the Ontario Association of Non-Profit Homes and Services for Seniors, who, after all, ought to know, seeing as he's the chosen, democratically elected voice of those non-profit homes. He said, "Indeed our members are hiring staff—it was a requirement of the funding that they hire staff."

In addition, we've brought in higher standards of care: 24/7 RN coverage and two baths a week as a minimum, signs of significant progress on a path that everyone in the long-term-care sector is walking together and working very hard on.

There will be circumstances from time to time where there will be adjustments because of adjustments in the case-mix index, that is, the acuity of the patients being

served in those environments. I'll be very happy to deal with that in the supplementary.

Mr. Hampton: Some of the staff who work at Community Nursing Home in Port Perry are here today. They want to know why the residents at that nursing home will see their hours of nursing care and personal care reduced by over 111 hours a week, as nurses and personal care workers are laid off.

We raised this with you over a month ago. You said you were going to look into it. You said this shouldn't be happening. Well, Minister, it is happening now, under your watch.

Residents at that nursing home will receive fewer hours of nursing care per day, fewer hours of personal care per day. Nurses are being fired, not hired. Personal care workers are being fired, not hired. Is this the McGuinty revolution?

Hon. Mr. Smitherman: Across the breadth of the Ontario long-term-care sector, as a result of our government's investment last year of \$191 million, 2,000 additional employees have been or are in the process of being hired. That includes, as a bare minimum, 600 registered nurses to fulfill the 24/7 RN commitment. On an individual basis, in each and every one of our approximately 600 long-term-care homes, a thing called the case-mix index is established annually. What is that? It rates the acuity level of the clients being served in that individual facility, in that individual home, and it apportions funding appropriate to the index: in other words, to the acuity of the patients. When these go down, a funding envelope also goes down. When these go up, a funding envelope goes up.

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It is possible to have adjustments on an annual basis; that is necessary to allow incentive to remain in the system to make sure that some long-term-care homes don't choose simply to take care of those patients who have an easier index. So it's a very important factor in the functioning of our long-term-care home sector.

Mr. Hampton: The minister seems to have changed his story a bit. When we asked you about this before, you talked about service agreements and how, if nursing homes were going to get more money, they were going to sign a service agreement which required that they actually add staff. This is what you said: "All members of this House can be assured that the dollars we have allocated ... will be spent on the provisions that were intended, which is in enhancing the quality of care for those most vulnerable residents."

Minister, in this case, in Port Perry they received more money in August 2002, more money in 2003 and more money in October 2004. How many additional personal care or nursing staff were hired to increase hands-on care to residents? Precisely none. The home has received more money, a lot more money. But despite your promises, nurses and personal care workers are going out the door. When will we see the revolution? When will you enforce the service agreement with this home that you boasted about so much only a year ago?

Hon. Mr. Smitherman: The obvious circumstances are found in the last answer that I gave, which the honourable member chooses to ignore. The reality is that on an annual basis, each of our 600 long-term-care homes is measured for the index of the patients they're dealing with, to measure their acuity. The result of that, combined with the additional funding that we put into this particular long-term-care home, means that those resources have mitigated against a more significant pattern of layoffs. But there are adjustments on an annual basis. These adjustments are very appropriate because we ask of each of these long-term-care homes that they deal with an appropriate mix of people. That is measured to ensure that those people in our long-term-care homes who require a greater degree of care by virtue of their acuity get that additional care through a funding model that allocates additional resources.

The Speaker (Hon. Alvin Curling): New question.

Mr. Hampton: To the Minister of Health: I happen to have this service agreement. The service agreement says that if a home like this receives more money from the Ministry of Health and Long-Term Care, they are obligated to increase staff, not lay off staff.

But I want to ask you about another example of your so-called revolution: Shepherd Village in Scarborough. Residents there are losing 177 hours of nursing care and personal care per week. Layoffs of nurses and personal care workers are happening this week. Staff there say that residents are not being toileted frequently enough and often go to dinner with soiled clothes on. It's the same story that we see in Port Perry: Hours of hands-on care are going down; patients are suffering; service providers aren't being held accountable for the public money they receive.

Minister, you promised accountability. You said this was going to end. You said more money would mean more nurses and more personal care workers. What's happening here?

Hon. Mr. Smitherman: If the honourable member or anyone employed in such a long-term-care home has cause for complaint, then they should phone that in to the 1-888 action line. The results of that—

Ms. Shelley Martel (Nickel Belt): It's a disgrace. They need more staff.

Hon. Mr. Smitherman: With all due respect, could we encourage the honourable leader of the third party to please give his critic an occasional question? I think that would be helpful to everybody.

I think what's very clear is that we've put in place, in the Ontario long-term-care home sector, the capacity for appropriate compliance and accountability. That is being built in a fashion it that hadn't been by previous governments. We put this information on-line for people to see the compliance record of each individual home. We have a much-enhanced capacity to investigate any complaint that comes in through the 1-888 number; we encourage that. We've introduced unannounced inspections. All of these are significant improvements are on the path to revolution.

I think that many people, independent of the honourable member in his manufactured negativity, are finding significant improvement in our long-term-care home sector. I want to applaud all of those people contributing to it.

Mr. Hampton: Minister, we raised the issue of what's going on at the nursing home in Port Perry over a month ago. But in addition to that, some of the nursing and personal care workers here actually paid money to go to a Liberal fundraiser at the beginning of the year so they could talk to you personally. They actually spoke to you personally and followed up with some of your staff. So you've known about this Port Perry incident and what's going on at the nursing home there since the beginning of the year. Don't tell us that there's some mumbo-jumbo. There is a service agreement in place. The service agreement says that if you give them more money, there has to be nursing staff and personal care staff hired. You've given them more money. Why aren't you enforcing the service agreement? Why do we continue to see nurses and personal care workers laid off and residents getting less quality care?

Hon. Mr. Smitherman: The answer to the honourable member's question can be found in the very exaggeration that came from his health critic when this issue was raised in the House on March 7. In the rhetorical run-up to the question, she made some claim about a significant number of people being laid off, which has not proven accurate in the circumstance. This is the kind of exaggeration that is involved in all the questions coming forward on this subject from the honourable member. The reality is that the additional resources that were allocated to that home, as part of our \$191-million allocation last year to improve care in long-term-care homes, has in fact been used to enhance that funding in this facility and has had the effect of mitigating against the kind of layoffs the honourable member exaggerated, or should I say predicted, in this House on March 7.

Mr. Hampton: Let me tell you what part of the problem is. Before the election you said that nursing homes and homes for the aged needed over \$400 million a year to provide the quality of care. Then you announced \$191 million, but \$191 million wasn't even delivered; only \$116 million was delivered. So what we see in many nursing homes is staff continuing to be laid off.

I want to refer back to Casa Verde, because when two residents at Casa Verde nursing home died at the hands of another resident, here's what the local MPP had to say: "I think this is a wake-up call for our own government here in Ontario.... It is the responsibility of the Premier and this government to provide the necessary care so that our seniors can live in good, clean conditions in those nursing homes." Who said that? Someone named Mario Sergio, MPP for York West.

What we see happening is that nurses continue to be laid off, personal care workers continue to be laid off, and residents continue to see a deterioration of care, not an improvement of care. Where is the revolution, Minister?

Hon. Mr. Smitherman: The gross exaggeration of the honourable members notwithstanding, one need only look on the workopolis.com Web site to see that long-term-care home after long-term-care home, across the breadth of this magnificent province in those 600 homes, are hiring: 2,000 new workers in total; \$191 million annualized for the period of the entire year. There are circumstances, of course, where the case-mix index in an individual long-term-care home changes. As is appropriate, the funding is adjusted. This is the way we make sure that long-term-care homes are encouraged to provide for people's care, not just those that are somewhat easier to care for but some of those people who need a higher level of care. The funding follows those people in a very deliberate fashion to ensure that for people with higher needs, the homes where they are residing are given higher capacity to be able to address those needs. That's a very appropriate function of our sector.

AUTISM TREATMENT

Mr. Cameron Jackson (Burlington): My question is to the Acting Premier. Yesterday your Premier was asked whether he will reinstate funding for sex-change surgery, which is not covered under the Canada Health Act, if the Ontario Human Rights Tribunal rules you should. But the Human Rights Commissioner in our province, Keith Norton, has already ruled that your government's failure to fund autism services is discriminatory. Not only that, on April 4, Madam Justice Frances Kiteley agreed with our Human Rights Commission and ruled that your government alone is responsible for the provision of autism services.

On April 5, your Premier stated that every time the courts mandate a certain kind of expenditure, they also don't provide us with the money to follow up on that. How is it then, Minister, that the McGuinty Liberal government can find the money for sex-change operations before the Human Rights Tribunal has made its ruling, yet it refuses to find money to support autistic children after the courts and the Human Rights Commission have ruled that you should?

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Hon. Leona Dombrowsky (Minister of the Environment): To the Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I didn't have the privilege of being in the House yesterday, but I do think the honourable member is somewhat unclear on the way he offers his question in terms of what the Premier's response was. The question was one that was put directly. The answer was clear for all to see. It was a one-word answer, and if the honourable member needs any more help than that deciphering it, I'm sure someone will be pleased to read it to him.

Mr. Jackson: I don't think anybody has any confusion about what the Premier said yesterday. This is about your confused health care priorities that were announced yesterday. It seems strikingly strange to me

that your Premier will honour that promise to those individuals seeking sex-change operations, and you then willingly dispatch your lawyers to go into our courts to fight the very families that he promised funding to for their autistic children.

What the Premier said yesterday was a slap in the face to all those families who are struggling to make ends meet with their children who have autism; services that our courts today say your government should be providing. This is the same Premier who broke his promise not to delist chiropractic, physio and optometry services, the same Premier who promised not to cut nurses in this province, and now you're going to bring in drug pricing for seniors. How is it that you don't have funding for autistic children, for the seniors' drug program, but you do have funding for sex-change operations?

Hon. Mr. Smitherman: The Minister of Children and Youth Services.

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): First of all, we not only have funding for children with autism, but we doubled the funding that your government was spending for children with autism. We enhanced the IBI program for children under the age of six by \$10 million, and as of April 1, we had reduced the waiting list for assessment by 72%, hired 110 new therapists and increased the number of children receiving IBI under the age of six by 25%.

I find it very difficult to be lectured by a member who sat around the cabinet table and cut services to children, cut services to seniors and cut services to health care. I find it very strange that that particular member is asking this question.

WATER QUALITY

Ms. Marilyn Churley (Toronto—Danforth): I have a question for the Minister of the Environment. Minister, a year has passed since you posted your proposed drinking water source protection act on the Environmental Bill of Rights. At the time, you stated that, following public comment, the planning and implementation components would be combined into one bill, and you said you wanted to introduce the bill later that year. That year was June 2004. You have now had the implementation committee report for over six months, but still no source water protection legislation has been introduced.

Our drinking waters are being contaminated and permanently impacted daily. To mark Earth Day tomorrow, will you introduce your long-promised water source protection act today?

Hon. Leona Dombrowsky (Minister of the Environment): I'm happy to have this opportunity to talk about this government's initiative and the priority we have for protecting water in Ontario. The honourable member would know that, shortly after being named minister, I established the two committees that Justice O'Connor recommended would provide recommendations to government on how to move forward on this issue: the

technical experts committee and the implementation committee.

Ms. Churley: I know all that.

Hon. Mrs. Dombrowsky: I have received those recommendations, and just so the general public understands, they are available and have been available on the Environmental Bill of Rights registry.

The honourable member said she knows that, so she would know that we are considering over 250 recommendations that have come from those two committees. We want to ensure that when this legislation is introduced, it is sound, so we are taking our time to get it right the first time.

Ms. Churley: Oh, the tangled webs they weave. Minister, for what it's worth, the 2003 Liberal election platform states—and I underscore “for what it's worth”—“Source water protection is critical. We will pass a law to enhance protection of the lands that surround our vital water sources.” But I repeat: A year after the fact, approaching two years in government and half-way through the spring session, there is no source water protection legislation in sight.

Minister, you told Ontarians there would be source water protection legislation in the House this spring session. Again, with Earth Day upon us, will you deliver on your promise to protect source waters in Ontario and introduce source water protection legislation today?

Hon. Mrs. Dombrowsky: There is no question that this government is committed to our source water protection legislation. We have already begun to flow money to conservation authorities so they can begin the planning processes that are necessary for this groundbreaking legislation. We're not using a template from any other jurisdiction in North America. We are breaking new ground here. Other jurisdictions are watching what we're doing, so we're going to make sure that we do it right.

In terms of being timely in our response, I just want to remind the honourable member that the NDP government committed to introduce and pass a safe water act in the province.

Interjection: Did they do it?

Hon. Mrs. Dombrowsky: No, they did not. In the five years they had to do that, they didn't do it. I don't need any lectures about acting in a timely way from that honourable member.

ANTI-SMOKING LEGISLATION

Mr. Phil McNeely (Ottawa—Orléans): My question is for the Minister of Health. As you know, the public committee hearings on Bill 164 have begun today. Even before these hearings began, Ontarians expressed overwhelming support for strong legislation that limits their exposure to second-hand smoke. In Ottawa, that was the achievement I received the most thanks for.

Ontarians want a level playing field and strong legislation that curtails the ability of young people to purchase and smoke cigarettes. Minister, why is this bill so important to achieve our goals of making Ontarians healthier?

Hon. George Smitherman (Minister of Health and Long-Term Care): I know that the member and other members take a keen interest in the discussion around Bill 164, currently before committee. At the heart of it, this bill is important because every year 16,000 Ontarians are robbed of their families and their communities unnecessarily due to the effects of tobacco use. This is one of the most pressing public health concerns that we have in our province. I'm proud of the piece of legislation that we brought forward.

The fiscal toll is also very significant, in addition to lost productivity. I'm very proud of a bill which, if passed, would present the most comprehensive approach to this issue to be found anywhere in North America.

I think it was put well yesterday in these two lines from the Toronto Youth Cabinet: "Cigarettes are the only product that will kill you if used properly. We don't need this generation to get hooked too."

I think that puts the whole issue rather well.

Mr. McNeely: I look forward to the rest of the hearings and hope that they give all the interested parties an opportunity to express their opinions on this legislation.

The overwhelming majority of Ontarians support the notion that second-hand smoke has very detrimental health effects. Why is it important to protect people from second-hand smoke?

Hon. Mr. Smitherman: It seems, as these issues come up, that there are always those among us who choose just to argue with the clearly established science. The best answer to the harmful effect of second-hand smoke is to be found in this committee at 4 o'clock today: a very unlikely TV personality, a woman who has come to be known in the households of Ontarians, who is paying a very big price for having done nothing more and nothing less than get up every day and go to work, who is now struggling with very significant challenges related to second-hand smoke.

The honourable member opposite continues to say on this issue, as he did in committee today, "Where is the science?" I find it interesting that, in a party now led by John Tory, he would have voices calling into question the science on matters as obviously well established as the harmful effect of second-hand smoke. For those non-believers who remain, and there is at least one in that caucus, I recommend 4 o'clock at the committee today, as a very strong presentation on this matter is made.

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EARTH DAY

Mr. Jim Flaherty (Whitby–Ajax): My question is for the Acting Premier, who is also the Minister of the Environment. I listened with interest today to your statement about Earth Day. You talked a lot about children and students and the importance of Earth Day, and we all agree on that.

Now, we have a problem. We need some action from your government to go with those very fine words that you stated today in this place, and that is with the school

board and your friends at the elementary teachers' unions. They are the people that the Minister of Education made a \$1-billion deal with just a week or two ago, but now, because of some work-to-rule thing, the head of the union, Martin Long says, "When our co-workers on the same site are on a job action and they ask us not to do work which is theirs, then we respond to their request." For that reason they are saying to all of these children not to go outside tomorrow on this tremendous program and clean up the communities for 20 minutes. When are you going to intervene, put some action with the words and get this straightened out?

Hon. Leona Dombrowsky (Minister of the Environment): It is truly unfortunate that the honourable member chooses to focus on this very important opportunity.

Interjection.

Hon. Mrs. Dombrowsky: Yes. The honourable member the Minister of Tourism reminds me that they are the party that thinks that coal-fired generation is OK.

I think that you really need to do some better research over there. We support workers, not just teachers; we support workers in the province of Ontario. My colleague the Minister of Labour, I believe, is leading some very important initiatives in that regard.

I think it is regrettable, though, that they are playing politics with this issue. This is an important week to focus on environmental issues. I have been in schools and talked with the students. I have been very impressed with their commitment to the environment, and I know that notwithstanding whatever circumstances in their school setting, they will continue to do us proud.

Mr. Flaherty: What's regrettable is that you have a minister come into the Legislature and make a big statement, lots of words about students and Earth Day and cleaning up the environment around the schools, and when she's actually asked to do something, you get nothing. You're going to let the unions run the schools.

The education on Earth Day is supposed to be about young people and students. Yes, as some people say, grown-ups can be unreasonable at times, and I'm sure that students all across Ontario today are looking at you and saying that you're just another grown-up being unreasonable. For goodness' sake, get on the phone, get the Minister of Finance, get the Premier, do the right thing and get this sorted out today, so that the students can get out for 20 minutes tomorrow and participate in Earth Day.

Hon. Mrs. Dombrowsky: Well, it is so typical that members of the opposition would look for every opportunity to attack teachers and attack the folks in our schools. But I would challenge the honourable member to go to a school himself and talk to the students. Talk to the students like the ones in our gallery, tell the students what you'd do, what your commitment to the environment is, and I would encourage you to listen to the students. Because I can assure you that the students in our schools today are very well informed, and I have been very encouraged and most impressed with their responses, their understanding, on how to protect our

environment. I can say that I am very encouraged that our future is in good hands.

The Speaker (Hon. Alvin Curling): I would ask some ministers to take the example of some of the back-benchers and just tone it down a bit, please.

ROYAL BOTANICAL GARDENS

Ms. Andrea Horwath (Hamilton East): My question is to the Minister of Culture. You promised Hamilton citizens that you would help the Royal Botanical Gardens. Premier Dalton McGuinty pledged resources to sustain this treasured public asset with no strings attached. But that was before the Hamilton East by-election. As usual, you campaigned on false promises, because now we know there are big strings attached to any RBG funding. You have signalled that unless the RBG lays off half its employees and agrees to contracting out and privatization, the gardens won't get a single dollar of provincial funding. Why don't you take the strings off the funding so that negotiations with the RBG and CUPE workers can proceed naturally and without interference?

Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs): I want to thank the member from Hamilton for her question. Yes, there is a negotiation going on with the RBG and their workers, and we respect the right of the employees at the RBG to negotiate. We also understand that the board of directors have some difficult decisions to make, and we hope that the board and the negotiators from the RBG and CUPE will get back to the table and continue negotiations.

Ms. Horwath: Minister, your underhanded posturing has interfered with fair collective bargaining. Yesterday, RBG workers voted 85% in favour of strike action on April 30. Why? Because of your behind-the-scenes manipulation and your refusal to give the RBG a stable funding commitment.

Minister, please explain why your funding is tied to having RBG horticultural experts fired and replaced with inexperienced novices. Can't you see that your actions will drive these prize research facilities into the ground? Instead of the strong financial support you promised for the RBG in my Hamilton East by-election, you're breaking yet another promise, this time on the backs of the loyal and dedicated workers of CUPE Local 5167. I ask you once again, will you cut your funding strings and allow these valued workers to preserve the future of the RBG and keep their jobs?

Hon. Mrs. Meilleur: Again, we respect the right of the board and the RBG to make staffing decisions that they feel are in the best interests of the gardens. When we provide money to the RBG, the board makes their own decision as to where the money is going.

I am very surprised to have a question from this member, because when she was on municipal council in Hamilton, they reduced the budget of the RBG by 50%.

MUNICIPAL FINANCES

The Speaker (Hon. Alvin Curling): New question, the member from Huron-Bruce.

Interjections.

The Speaker: Order. To the members who are heckling, the member for Huron-Bruce would like to ask a question to the government, and you're just making noise. The member for Huron-Bruce.

Mrs. Carol Mitchell (Huron-Bruce): My question is for the Minister of Finance. In recent days, the Tory party has been suggesting that under the new Ontario municipal partnership plan, municipalities across Ontario will be getting less money in 2005 than they did in 2004. This is despite the fact that we have repeatedly pointed out to them the reality: Not one single municipality will get less money in 2005 than they did in 2004. I understand that counting on Tories to get their math right is a bad idea under any circumstance, but we're not asking them to do any math. What we're asking them to do is go to the Web site and just look at the numbers.

More than this, two weeks ago, John Tory wrote in the Star that we need to put truth ahead of theatre in the House. Minister, do you know what the problem is here? Do the Tories need remedial reading as well as remedial math, or is it worse than that and they need remedial honesty?

Hon. Greg Sorbara (Minister of Finance): I'd actually like to refer this question to the Leader of the Opposition, but I'm not going to do that. I am a baseball guy; I would take two out of three. I guess I'd take remedial math.

The opposition party, and the Leader of the Opposition in particular, need to know that we have cleaned up a very broken system of municipal finance. This year we have put 6.1% more in that fund to ensure that no municipality would suffer any loss of revenue under the transformation.

As far as reading is concerned, we have provided the Web site so that the Leader of the Opposition, his members and the people of Ontario can go to that Web site and see exactly how their own community has fared in this much fairer and more equitable fund.

Mr. Robert W. Runciman (Leeds-Grenville): On a point of order, Mr. Speaker: I don't know if you were listening to the question, but I think there was something totally inappropriate and out of order in terms of the question and I would ask you to instruct the member to withdraw.

Interjections.

The Speaker: Order. If the member who put forward the question said something unparliamentary, I would ask her to withdraw it.

Mrs. Mitchell: I withdraw.

The Speaker: Supplementary.

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Mrs. Mitchell: What's even worse about the Tory numbers is the story behind the numbers, which of course they don't tell you. Minister, why are municipalities in

such a bind for every last dollar? Could it be because the Tories downloaded costs on the municipalities? Could it be because they recklessly threw new responsibilities at municipalities while refusing to provide the necessary resources to deal with them? Could it be because they did all this without any consultation? Could it be because their record on dealing with municipalities is so dismal that they'll do anything to avoid talking about it? Minister, what do you think?

Hon. Mr. Sorbara: I think I agree with my colleague. To be serious about it for just a moment, everyone in Ontario knows the damage that was done by downloading. If you have a discussion about public transit in the greater Toronto area, that discussion begins with the downloading, when Mike Harris said, I think in this Legislature, "Public transit should be a responsibility of municipalities. We're getting out of the business." People all across the province know that when the Conservatives downloaded responsibilities for roads—Highway 88 up in the Lake Simcoe area became Regional Road 88—what did that mean? The province stopped paying for it, and the local municipality had to pay for it. When I did my pre-budget consultation, particularly in the smaller municipalities, the inequitable system of provincial funding was the number one concern. I am delighted that with these new measures, we've begun to—

The Speaker: Thank you. New question.

HOSPITAL FUNDING

Mr. Ted Arnott (Waterloo—Wellington): My question is for the Minister of Health. Does the minister think it's appropriate that an Ontario resident who needs an operation to alleviate her excruciating pain and save her one remaining kidney should have to pay \$10,000 to have that operation?

Hon. George Smitherman (Minister of Health and Long-Term Care): I'm particularly not in a position to discuss individual cases, especially when the honourable member brings forward no information.

Mr. Arnott: More than seven weeks ago, I raised this issue with the Minister of Health in this House: the problem faced by my constituent Janice Fraser. My office and Janice's doctor, Dr. Stanley Flax, have been working for months to help Janice get the bladder operation she needs: the installation of a neuro-stimulator, which we're now told will cost Janice up to \$10,000. Yesterday Janice's story was told on page one of our legislative clippings, from a story in the Toronto Sun. Seven weeks ago in this House, the Minister of Health assured me he would do what he could to help Janice. To the best of my knowledge, he's done nothing. Now Janice's parents are having to go to service clubs in our area to try to raise the \$10,000 they don't have for Janice's operation.

What kind of health care system is this government operating that contemplates paying for sex-change operations but won't pay for a neuro-stimulator that Janice Fraser needs?

Hon. Mr. Smitherman: For as long as I'm in this Legislature, I will never slink to the depths that member does, to trade one Ontarian off against the other. That is disgusting. It's just disgusting. And the other part that's disgusting is that the honourable member thinks the Minister of Health, responsible for health care services for 12.4 million Ontarians, sits in the office over there and directs the health care system to prioritize its files on the basis of how much political heat a member can bring.

In the instance of this very particular case that the honourable member brings forward, if he wished to be factual, which he clearly doesn't, he would know that the hospital where this surgery is to be performed has worked tirelessly to ensure that the honourable member's constituent is being treated appropriately in the circumstance. Is this a health care system where I prefer to be in a situation where I acknowledge that not every service we wish to be provided could be, the next day? No, it isn't—

The Speaker (Hon. Alvin Curling): Thank you. New question.

LABOUR RELATIONS

Mr. Peter Kormos (Niagara Centre): To the Acting Premier: Earlier this month, the United Food and Commercial Workers revealed overwhelming evidence of an ongoing campaign by Wal-Mart to violate and subvert Ontario's labour laws. Evidence now before the Ontario Labour Relations Board details how an undercover operative supplied money, equipment and strategic union-busting directions to some Windsor Wal-Mart workers in the wake of the union certification of the store's employees in 1997. This evidence comes in the wake of explosive allegations that Tom Coughlin, the former long-time vice-chairman of Wal-Mart, condoned a slush fund to finance anti-union activities.

Acting Premier, the people of Ontario need to know whether Wal-Mart blatantly subverted the constitutional right of workers to form a union. Will you call for an immediate public inquiry?

Hon. Leona Dombrowsky (Minister of the Environment): The honourable member brings to my attention a matter that is before the Ontario Labour Relations Board. As such, the honourable member would know that it would be totally inappropriate for me or any other member of this Legislature to make a comment on it.

Mr. Kormos: Acting Premier, you will know that going as far back as the Patti Starr inquiry, it's entirely within the capacity of a government to conduct a public inquiry while other litigation is taking place. Only a public inquiry with its investigative capacity is going to get the complete story.

The allegations are very serious, including that two of the employees who led the drive to decertify the union received an all-expenses-paid invitation directly from then-Premier Mike Harris's office to be with him when he announced changes to the Ontario Labour Relations Act, and that those two employees later received an

additional \$500 each from the Premier's office for attending the press conference.

The people of Ontario need to know the facts about what led to the decertification of the union at the Windsor Wal-Mart in the 1990s and the connection between the company, the then-Premier's office and the changes in the labour act that followed. The integrity of labour relations in this province is at stake. Only a public inquiry can conduct the appropriate investigation and compel the appropriate attendants to uncover what's going on here. Will you call it?

Hon. Mrs. Dombrowsky: Again, I think it is unfortunate that the honourable member does not appreciate that because this matter is before the Ontario Labour Relations Board, it would be totally inappropriate for me to offer any kind of commitment here today. I would suggest that for a government such as ours, which is committed to balance, fairness and openness, it's totally consistent with our desire to operate in a fair and balanced way to want to have all of the information before us before any considerations of the nature you've asked for today would be made.

SMALL BUSINESS

Mr. Brad Duguid (Scarborough Centre): My question is to the Minister of Economic Development and Trade. The minister is a recognized champion of small business who recognizes the importance of small business to our economy. The minister knows that small and medium-sized enterprises make up 99% of Ontario's businesses and account for over 50% of Ontario jobs.

Following extensive consultations, small businesses have made it clear that they're drowning under a pile of overregulation, red tape and paperwork. These small business owners want to get out from under that pile so they can continue to sell their goods, make their products and do the business that they're so good at doing and boosting our economy. What will this new Small Business Agency do to assist small businesses in overcoming these challenges and achieving growth and prosperity?

Hon. Joseph Cordiano (Minister of Economic Development and Trade): It is indeed important to recognize that the announcement today will not only help small business owners, but it's also going to help the hundreds of thousands of people who are employed by small businesses across this great province.

The Small Business Agency of Ontario will indeed save business owners time and money. For the first time, this agency will give an opportunity to the small businesses across this province through representation on the board of the agency—a real voice at Queen's Park, an equal say. In fact, we're going to have private sector representatives, along with parliamentary assistants, equally represented in the agency to advocate on behalf of small business. This will mean that we'll have an ability to cut down on red tape and the paper burden that is plaguing small businesses today. In fact, this agency will lead a regulatory review and work with other agencies

and ministries across the government to look at the ways in which small business—

The Speaker (Hon. Alvin Curling): Supplementary? 1510

Mr. Duguid: Like all communities across Ontario, the local economy in Scarborough Centre is driven by hard-working small- and medium-sized business entrepreneurs like Tony Kiriakou, who owns the famous Wexford Restaurant on Lawrence Avenue—you've probably eaten there yourself—or Keysar Nasr, who owns NASR Foods just down the road. The CFIB business barometer, the Manpower employment survey and the Bank of Canada business outlook survey are optimistic about growth prospects for small business in this coming year. Small-and medium-sized business owners like Mr. Kiriakou and Mr. Nasr want to know what your ministry is doing to keep Ontario's small businesses and Ontario's economy strong.

Hon. Mr. Cordiano: I am very confident about the direction in which small business is headed in this province. In fact, there are some good indications that growth will be unprecedented and lead the country, in terms of small business creations in the province of Ontario, and our government has helped. In addition to creating the Small Business Agency of Ontario, we launched Service Ontario, a one-window portal to access information on programs and services that we offer as a government. The ministry, along with the Small Business Agency, also created the small and medium enterprise division dedicated to small business. We also launched the Doing Business with the Ontario Government Task Force to study how the government can improve ways it does business with small and medium-sized enterprises. We've raised the small business income threshold eligible for tax exemption to \$400,000. This is truly beneficial to small business owners. We've also simplified the audit process for small businesses through streamlined retail sales tax audits. There are programs such as rural economic development data and intelligence, and tourism. We also launched a northern prosperity plan. I could go on, Mr. Speaker.

LABOUR LEGISLATION

Mr. Robert W. Runciman (Leeds-Grenville): I have a question for the Acting Premier. Earlier this week, your Premier and a number of your cabinet colleagues attended a fundraiser in Vaughan, where you received a big, fat \$200,000 cheque from construction unions as a thank you for legislation now going to a committee of this House for consideration which removes the requirement for a secret ballot in union organizing drives. Can you appreciate the implications, the optics of such a meeting, where you're receiving a \$200,000 cheque for favours granted, and the impression it leaves that there has been inappropriate influence on the development of legislation by your government? Why would you do that? Will you move toward removing the offending, as I call

them—and I'm sure many Ontarians agree—elements of the legislation when they appear before committee?

Hon. Leona Dombrowsky (Minister of the Environment): I have to say that that kind of question doesn't even deserve an answer. This party, along with every other political party in the province, in the country, has fundraising activities. Members of your party participate in fundraisers. We've had a document here very recently where there was an event for \$1,000 per person to meet your leader personally. There were developers there and a range of representatives from other professions. So I would suggest to the honourable member that it's really desperate that he would come to this House and make these kinds of allegations and suggest that our activities are anything different from their activities.

Mr. Runciman: I would suggest to the minister that she and her colleagues have stained the legitimacy of the provisions of this legislation which benefit the same unions who were thanking you the other evening with a very fat \$200,000 cheque. If the minister can't understand this, that's not strange, given some of the tactics of their colleagues, with \$10,000-a-head fundraisers when they're developing the boundaries of the greenbelt. Madam Minister, why would you and your colleagues agree to attend such an event just while this legislation is before a committee of the House? Why would you do such a thing?

Hon. Mrs. Dombrowsky: I just want the honourable member to answer the same question on behalf of your party. Where there is a fundraiser for your leader, John Tory, there are members of the development community who are actually on that committee. It's chaired by a municipal councillor, Joyce Frustaglio. We have committee members Carlo DeGasperis, Tina Molinari, Franco Palladini, Jane Pepino and Frank Romeo. If you're going to suggest that there were some deals made at a fundraiser for our party, I think a legitimate question for you is, what deal have you made with these developers? What greenbelt lands have you said you'll take out if you're elected to government? Those are the—

The Speaker (Hon. Alvin Curling): Thank you.

May I just caution both sides: Lately, accusations have been passing from one side to the other about money being passed to members for favours. I would caution those who are asking questions to be more careful of what they present, and those who are answering to be careful of how they present that. This is not a place where we should be doing this. I ask honourable members to behave in an honourable way.

PETITIONS

SPORT PARACHUTING

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislative Assembly of Ontario, which reads as follows:

"Whereas the lives of student and novice sport parachutists have been and continue to be lost to a systemic lack of regulation or accountability on the part of any currently governing bodies;

"Whereas inconsistent monitoring, a serious disregard for, or inability to responsibly and competently police adherence to rules, regulations and manufacturer specifications on the part of the skydiving schools and the Canadian Sport Parachuting Association creates unnecessary risk to human life;

"Whereas evidence presented at the coroner's inquest of Gareth Rodgers suggests that the current regulatory body—the CSPA—"has no desire for accountability or means of enforcing rules and regulations in the sport of parachuting;

"Whereas a system of teaching standards and regulations to safeguard novice and student sport parachutists is grossly deficient;

"Whereas Joe Tascona, MPP Barrie-Simcoe-Bradford, has introduced a private member's bill, the Gareth Rodgers Act for Sport Parachuting, to regulate sport parachuting activities for the safety of student and novice skydivers;

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

"(1) That the Dalton McGuinty Liberal government immediately pass and implement Joe Tascona's bill;

"(2) That the Dalton McGuinty Liberal government petition the federal Liberal government to act in a swift and responsible manner in order to ensure that the lives and safety of sport parachutists, especially student and novice jumpers, are protected by law and that the skydiving industry operates in a responsible, competent and transparent manner;

"(3) That the federal Liberal government consider immediate and responsible interim measures to suspend these activities until a viable solution to this matter may be attained;

"(4) That the federal Liberal government seriously consider the 12 sound recommendations submitted by the jury in the coroner's inquest of the skydiving fatality of Gareth Rodgers;

"(5) That the federal Liberal government make the industry both responsible and accountable for its actions and omissions, within strict standards of safety that must be governed by a competent body whose paramount mandate must be to maintain current equipment, thorough and competent record-keeping, and to ensure that manufacturer specifications are strictly adhered to and that appropriate safety standards are being observed at all times for student/novice skydivers and the equipment that they use."

I support the petition and sign it.

PIT BULLS

Mr. Norm Miller (Parry Sound-Muskoka): I have a petition to do with aggressive dogs. It says:

"To the Legislative Assembly of Ontario:

"Whereas aggressive dogs are found among any breed or crossbreed; and

"Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

"The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds."

I support this petition, and affix my signature to it.

1520

SENIOR CITIZENS

Ms. Andrea Horwath (Hamilton East): This is a petition to the Legislative Assembly of Ontario.

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

"To immediately commit to action and funding to ensure the rights and protection of our senior citizens living in nursing homes and retirement homes throughout Ontario."

I'm sending it down by way of Ryan. I agree with it, and my signature is on it.

CREDIT VALLEY HOSPITAL

Mr. Bob Delaney (Mississauga West): I'm pleased to present a petition to the Ontario Legislative Assembly from the Vaccaro family on Credit Pointe Drive in Mississauga and some of their friends. It reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton/Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

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

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital

are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department and to better serve patients in the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

This is my home hospital in the middle of Mississauga West. I'm pleased to support it. I affix my signature and ask Ryan to carry it down for me.

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."

I'm pleased to sign my name to that.

ANAPHYLACTIC SHOCK

Mr. Bob Delaney (Mississauga West): I'm very pleased to present a petition today from Peter and Iris Orphanos on Drenkelly Court in Mississauga, which is signed by a number of their friends and neighbours in Mississauga. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas there are no established Ontario-wide standards to deal with anaphylaxis in Ontario schools; and

"Whereas there is no specific comment regarding anaphylaxis in the Ontario 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 Ontario schools;

“Be it therefore resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario support the swift passage of Bill 3, An Act to protect anaphylactic students, that requires that every school principal in Ontario establish a school anaphylactic plan.”

I agree with this petition. I’m pleased to sign it and to ask Peter to carry it for me.

PIT BULLS

Mr. Joseph N. Tascona (Barrie-Simcoe-Brampton): I’m pleased to present a petition to the Legislative Assembly of Ontario, which reads as follows:

“Whereas aggressive dogs are found among any breed or crossbreed; and

“Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

“The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

“We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed-specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds.”

I support the petition and sign it.

ANAPHYLACTIC SHOCK

Mr. Bob Delaney (Mississauga West): I’d like to read another petition to protect anaphylactic students. This one originated from Mario Varano, Nova Robson and Gino Grisolia, and it read as follows:

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

“Whereas there is no specific comment regarding anaphylaxis in the Ontario 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 Ontario schools;

“Be it therefore resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario support the swift passage of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan.”

Everyone who signed this is from Toronto, save one family from Mississauga. I’m pleased to join them by affixing my signature and asking Michael to carry it down for me.

WILDLIFE PROTECTION

Mr. Ernie Hardeman (Oxford): I have a petition signed by a great number of my constituents.

“To the Legislative Assembly of Ontario:

“The unreasonable and inhumane restriction that the Ontario Ministry of Natural Resources (OMNR) is placing on wildlife rehabilitators with respect to the release of orphaned animals will eliminate their ability to help wildlife.

“Whereas wildlife rehabilitators provide an essential public service for many thousands of people seeking help on behalf of orphaned and injured wildlife in Ontario;

“Whereas the unreasonable release restrictions imposed on wildlife rehabilitators for animals in their care by the OMNR will prevent responsible wildlife rehabilitation, not only compromising wildlife and frustrating the public but forcing it underground and thereby jeopardizing safety;

“Whereas this will incur significant new cost for local governments with respect to bylaw and public health and safety interventions while creating an emotional and volatile climate because the majority of people in Ontario are simply unwilling to see healthy young animals euthanized;

“We, the undersigned, are deeply concerned that the care and release restrictions imposed by the Ontario Ministry of Natural Resources which are in violation of the international standards will eliminate the provision of responsible wildlife services in our community.

“We petition the Legislative Assembly of Ontario to work with wildlife rehabilitators to ensure progressive, humane and responsible regulations that reflect the international care and release standard that states: ‘Orphaned wildlife should be raised with others of their own species, to learn proper conspecific behaviours, and the group should then be released together in appropriate natural areas, with the transitional care for those species that require it, generally within the city or county of origin.’”

I thank you very much for allowing me to present such a lengthy petition.

ANAPHYLACTIC SHOCK

Mr. Bob Delaney (Mississauga West): It’s my pleasure to read a petition circulated by my seatmate, Kim Craitor, the member for Niagara Falls, from the Niagara Anaphylaxis Support and Knowledge group. This particular petition was originated by Mary Ann Harrison, and Martha Bartel, and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas there are no established province-wide standards 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, 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 continue to remain in support of this petition and ask Alex to carry it down for me.

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;

"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 pleased to sign my name to this.

1530

The Speaker (Hon. Alvin Curling): Petitions? The member for Simcoe North.

Mr. Dunlop: "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."

Mr. Speaker, I'm pleased to sign this and present it to Peter to take down to you.

ORDERS OF THE DAY

FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT LA LOI SUR LES OBLIGATIONS FAMILIALES ET L'EXÉCUTION DES ARRIÉRÉS D'ALIMENTS

Resuming the debate adjourned on April 18, 2005, on the motion for second reading of Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997 / Projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.

The Speaker (Hon. Alvin Curling): Further debate?

Mrs. Pupatello has moved second reading of Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997.

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

Shall the bill be ordered for third reading?

Mr. Peter Kormos (Niagara Centre): No.

Hon. David Caplan (Minister of Public Infrastructure Renewal): Mr. Speaker, I would ask that the bill be referred to the standing committee on general government.

BUSINESS OF THE HOUSE

Hon. David Caplan (Minister of Public Infrastructure Renewal): On a point of order, Mr. Speaker: Pursuant to standing order 55, I rise to give the Legislature the business of the House for next week.

On Monday, April 25, 2005, in the afternoon, Bill 169; in the evening, Bill 186.

On Tuesday, April 26, 2005, in the afternoon, Bill 183; in the evening, Bill 186.

On Wednesday, April 27, in the afternoon, opposition day; in the evening, Bill 110.

On Thursday, April 28, in the afternoon, Bill 186.

**PRIVATE SECURITY AND
INVESTIGATIVE SERVICES ACT, 2005**
**LOI DE 2005 SUR LES SERVICES PRIVÉS
DE SÉCURITÉ ET D'ENQUÊTE**

Resuming the debate adjourned on April 19, 2005, on the motion for second reading of Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999 / Projet de loi 159, Loi révisant la Loi sur les enquêteurs privés et les gardiens et apportant une modification corrélative à la Loi de 1999 sur le Tribunal d'appel en matière de permis.

The Speaker (Hon. Alvin Curling): My understanding is that the member from Niagara Centre had the floor.

Mr. Peter Kormos (Niagara Centre): Thank you kindly, Speaker. I'm completing the leadoff on behalf of New Democrats.

We indicated when we last spoke to this that we were cautiously supportive of the bill. We agree with the proposition, with the principle, that security guards and private investigators should be regulated and that the existing regulations are inadequate and have to be brought forward into, I suppose it could be said, the 21st century. However, I want to repeat briefly what I had occasion to say when I last spoke to Bill 159, and that is that it gives every impression of having been incredibly hurriedly drafted, because of the obvious—even on first reading there are things that jump out at you as being matters of real concern.

For instance, it would require that the operators of a mini-storage, let's say, who wanted to hire somebody simply to keep watch on the grounds during the midnight shift or for the period of 9 p.m. to 7 a.m. the next morning, the period of time when the mini-storage operation wasn't going to be accessible to tenants using the units—if that operator wanted to hire a retiree or a high school, college or university student to perform this role of merely keeping watch, and nothing more would be expected of that person should there be something untoward than to merely call the police in their own right, in other words, that person wasn't to effect an arrest, wasn't to physically interact with anybody who might be trying to break and enter into a place or who was prowling around a place, that operator of that mini-storage operation would not be allowed, by virtue of Bill 159, to hire that university student or that retiree to perform the traditional role of a—we used to call them

watchmen. We'll call it a watchperson, for the sake of being fair and politically correct.

This is incredibly peculiar. We understand, especially after understanding the impact of the Shand inquiry, how important it is that security guards who are going to interact with the public, who are going to perform that role of private policing, including the power to make arrests—because really, the security guard has no powers other than those of you, me or any other plain citizen, in contrast to police officers, but when you reflect on it, police officers really have but a few powers that are additional to those of the regular citizen; a very few.

The security guard, for instance, who effects an arrest of someone he or she observes stealing an item from a supermarket shelf, or perhaps from a high-priced clothing store handling men's and women's Armani suits, up in the carriage trade district of Bloor Street—we were talking about those just last week, when Mr. Berardinetti and his wife were talking about how they were being robbed by the purveyors of high-priced Armani clothing, who discriminated when it came to women's suits as compared to men's suits. Let's say one of them wanted to exact some street justice and say, "Well, if this retailer who's selling Armani suits is going to steal from me, I'm going to steal from him or her. We'll shoplift, we'll boost, we'll five-finger discount this women's Armani suit." The security guard, or any other person in that store who witnessed them committing a theft, would have the power to effect an arrest: to seize them, lay hands on them and, in effect, take them into custody.

That's all a security guard does in a department store, in a supermarket or in a high-priced clothing store that charges discriminatory prices for Armani women's suits as compared to Armani men's suits. That's all they're doing: performing a so-called, colloquial, citizen's arrest. We understand that security guards performing that function should be regulated to a relatively high standard precisely because of the problems we encountered in Shand. A person died during the course of, effectively, an arrest, and there were concerns about the level of training that it appears the well-meaning, but inappropriately behaving, security guard in those circumstances displayed.

I'm not sure if that's the government's intention. Is it the government's intention, Ms. Mossop, to basically outlaw the night watchman who merely keeps an eye on a mini-storage operation or a construction site, where you don't expect the person performing that role to be interacting with the public? You don't expect that person to be conducting any arrests or to get physically involved in any way. Their sole purpose is to be there, and if anything untoward happens, to pick up the cellphone and call the police.

1540

I'm not sure if that's the government's intention. I'd appreciate somebody from the government saying so, because that's precisely what the bill does. The bill makes it impossible for that mini-storage operator, for that construction site developer, to hire a university student, a college student, a high school student, a retiree,

anybody performing that low-level job, in terms of the demands on you, of simply being the watchperson. I don't think that's what we want when we contemplate effective regulation of security guards. I don't think that's what we want at all.

Take a look at what it does to local agricultural fairs. I don't know about where you come from in Scarborough, but where I come from in Welland we have an agricultural fair every year. Believe it or not, one of the highlights of the fair, second to the livestock exhibition, is the beer tent. The beer tent is, more often than not, run by a charitable organization because the proceeds from the sale of beer are applied to that charity. We're not talking about some raucous crowd on Yonge Street; we're talking about Welland, where you don't have to be fair. Maybe it's just because we're a small town, but the fact is that the people running the beer tent at the Niagara Regional Exhibition get away with hiring a couple of volunteers, let's say from the Kinsmen Club or the Rotary Club or the Lions Club—whatever organization—and giving them 20 bucks apiece and a couple of beers at the end of the night to act as peacekeepers; in effect, bouncers. But they're not ever going to be involved in any physical interaction, because if something happens that's beyond merely telling somebody, "You're under age and you can't come in," they're going to call the police.

This bill—understand this, Ms. Mossop—makes it impossible for the local Kiwanis Club, Lions Club or Rotary Club to run a beer tent at the local agricultural exhibition come fall time and pay some of its members a stipend of 20 bucks apiece to operate as quasi-bouncers. I understand, when you've got some place like the El Mocambo—

Mr. Michael Prue (Beaches–East York): It's closed.

Mr. Kormos: The El Mocambo is closed. When you've got some nightclub kind of place where you've got all different kinds of people and where there's a risk of violence, I understand that the bouncer—because this bill contemplates the regulation of bouncers; a bouncer is a security guard, for the purposes of the legislation—is going to do that real intense interaction with patrons, ejecting patrons. When there's a risk or a fear of weapons being brought into this nightclub, whatever, that bouncer should be trained to a standard that ensures his or her safety and the safety of the patrons.

But I submit to you that standing at the door or gate of the beer tent run by a Kiwanis Club at the Niagara Regional Exhibition for three or four days in a row doesn't require the same level of training or expertise, nor should it demand the cost that is going to be incurred. If you want more highly trained security guards, God bless, but you're going to have to pay for them; understand that. So understand as well that this bill in its present form makes it impossible for the Kinsmen, Kiwanis or Lions Clubs to get half a dozen fellows, or three or four, and pay them 20 bucks apiece and a few beers at the end of the night. You see, they won't be licensed security guards, and the bill makes it a specific

offence to employ somebody who is not a licensed security guard.

We talked about construction sites; we talked about mini-storage sites; we talked about charitable events like the beer tent. We can go one further: When the local church hall has a non-alcoholic junior teen dance and may want to hire a couple of older teenagers simply to monitor the event and act as chaperones, maybe a couple of college students, once again, those college students in that role will be security guards, as defined by the legislation, and that church hall operating the youth teen dance and wanting to have a couple of older teenagers or young adults there to supervise—they're not going to be seizing weapons from anybody. They're not going to be ejecting drunken patrons or people who have become so rowdy and violent on, who knows, marijuana, maybe, although Mr. Prue seems to suggest that his experience with people who have consumed marijuana is that they're unlikely to be violent or rowdy.

Mr. Prue: They're more likely to be asleep.

Mr. Kormos: Mr. Prue says, and Hansard will have caught his interjection, that they're more likely to be asleep.

To be fair, I've never seen a bloody brawl between a couple of stoners. I've seen them down on their hands and knees looking for the rolling papers, but I've never seen a bloody knock-'em-down brawl between a couple of stoners. I don't know whether Ms. Mossop has a different experience than I do. She's shaking her head in the negative.

Ms. Jennifer F. Mossop (Stoney Creek): Pizza.

Mr. Kormos: There you go. She talks about the serious impact of the cravings for pizza and other junk foods.

Ms. Mossop: You never know.

Mr. Kormos: As she says, one never knows, but where would the Vachon cake company be without those people, the stoners? Think about it.

We have a situation where a church running a non-alcoholic youth dance—those are desirable things, I presume; I think they are—won't be able to hire a couple of college students for 20 or 30 bucks apiece to supervise these kids at the youth dance, because these people won't be licensed security guards.

I don't think that's what the government intended. If it does, it should say so, and if it doesn't, then by all means let the government stand up and agree that this bill should get out to committee hearings that are pretty broad-based and pretty extensive. I put to you that there's a world of difference between Toronto and small- and smaller-town Ontario.

Ms. Mossop knows, because where she comes from is the farthest thing in the world from the intersection of Yonge and Bloor, and a Subway is where you go to buy the sandwich, as compared to how you get from your place of residence to work. I think if Ms. Mossop were to speak to this bill she'd express some of the same concerns I have, that it will in its present form have an

impact on small- and smaller-town Ontario that I don't think any of us want to see imposed.

This is an observation I had occasion to make. It's just an illustration. The bill has to go to committee. I think there are phenomena around security in Sudbury, in North Bay, in Kenora, in Rainy River, in small rural Ontario, Fenwick, Pelham, Fonthill or Thorold, circumstances wherein what's perceived as security is not the type of security that's to be regulated, or intended to be regulated, or that even should be regulated by this legislation.

We agree that the operations that parade as police or militia with the black uniforms and the jackboots and the shoulder flashes and the batons and the dogs and the police car type vehicles—that's exactly one of the points and that's exactly why the bill, not inappropriately, contains restrictions or the capacity to make regulation around the type of uniform security guards wear.

I want to bring your attention to one section that illustrates how speedily this bill appears to have been drafted, without any real contemplation of the real world.

Catch this, section 35, Mr. Prue, please.

"(1) Every person who is acting as a security guard ... shall,

"(a) carry his or her licence;"

This is the important part:

"(b) on request, identify himself or herself as a security guard; and

"(c) on request, produce his or her licence."

1550

It goes on to say, "Every person who is acting as a security guard ... shall wear a uniform,"—and here's the exemption—unless that person is "performing services to prevent the loss of property through theft" in, among other things, a retail environment. We're talking about the floorwalker, the plainclothes person.

So a security guard licensed under the act—and to work as one, you have to be licensed—has to wear a uniform as prescribed by the act, but not a floorwalker in the Wal-Mart, Zellers, the LCBO—the LCBO uses floorwalkers in some of their locations—the Canadian Tire store. I'm a fan of Canadian Tire. I bought a pressure washer there last Sunday, 40% off.

Interjection.

Mr. Kormos: For the patio, the sidewalk, the neighbours' cats; 15 pounds per square inch. That pressure washer was a deal.

The floorwalker at Canadian Tire doesn't have to wear the uniform. However, if they're asked, they have to identify themselves as a security guard and, furthermore, have to produce their licence.

So catch this. I'm not saying that any particular person or group of people shoplift more than others, but a gaggle of teenagers in the record department of a Zellers—and teenagers so often are targeted by the floorwalker, right? But teenagers—I don't know—sometimes their wants are greater than their capacity to buy, just sometimes, without stigmatizing teenagers here. So the teenager who, maybe because of a youthful lack of discretion, is hell-

bent on boosting a CD but sees the floorwalker sort of observing them, has the right under this legislation to go to that floorwalker, ask if they are a security guard, and if that person is the floorwalker for the record department of the Zellers store, that person has to say, "Yes, I am a security guard. Oh, and by the way, don't go, I've got my licence to prove it."

It seems to me that that frustrates the purpose of having a floorwalker in your department store, doesn't it, Ms. Mossop?

Ms. Mossop: They just prevented the crime.

Mr. Kormos: No. What they did was send that person from Zellers over to Sam the Record Man, and Sam the Record Man isn't pleased at all. If Ms. Mossop thinks that people should steal from Sam the Record Man as compared to the Zellers record department, that's her prerogative, but I find it surely not the intent of the drafters. If they don't require floorwalkers, for instance, to wear uniforms, they surely don't require floorwalkers to identify themselves on request as a security guard. Surely that's not the intent.

This bill has got to go to committee. It's got to be a broad-based committee. I'm suggesting that this bill go to committee during the summer break, and I will be more than pleased to utilize that time for a thorough and exhaustive canvass.

There are all sorts of sectors. The trade union movement has an interest. OPSEU, the Steelworkers, among others, who have organized security guards, have an interest. The security guard industry—Bomar, Trojan etc.—has an interest. The retail sector has an interest. The industrial sector has an interest. The housing sector has an interest, because they are increasingly reliant upon privatized policing. Police officers have an interest. Communities have an interest, because they increasingly use privatized security; once again, any number of communities use security guards to keep an eye on parking lots, swimming pools and other public assets.

Charitable organizations have an interest in this. People in the beverage and food service industry have an interest in this, because it specifically applies to bouncers. People in the entertainment industry, people who conduct concerts and promote concerts, local arenas that contain these concerts, that act as a venue for these, have an interest in this. And probably 20 more constituencies—warehouse operators, mini-storage operators, the construction industry, because of its need to maintain security on the site—have an interest in this. So it would be ill-advised for this government not to utilize the summer months for thorough, broad-based, small town as well as big city, hearings across the province.

The Acting Speaker (Mr. Joseph N. Tascona): Questions and comments?

Mr. Lorenzo Berardinetti (Scarborough Southwest): I want to start off by thanking the member from Niagara Centre for his remarks, and in particular for promoting my private member's bill, which was debated a week ago today, actually. So I thank you, Mr. Kormos, for your promotion of my bill.

We shouldn't only talk about Armani suits and trying to protect them through security guards. There are places that you mentioned in your speech last week: Blake's menswear on Niagara Street, David Chev-Olds in Welland, the Blue Star restaurant on King Street. Maybe they need security guards. Maybe they need them; I don't know. Maybe in your rebuttal you can tell me.

But I can tell you a story about Kennedy Road. If you want to come out to Kennedy Road in Scarborough—I'd love to have you come out to Kennedy Road someday. We have about 300 businesses in that area that formed a BIA, a business improvement area. They went out and hired a private security company and, after a few months, they had to get rid of that security company and replace it because that security company wasn't doing its job—the security guards. So we ended up getting another security company that came out and they began doing their job. They came to our BIA meetings and seemed to operate in whatever way they wanted to.

I think the bill in front of us today at least puts some structure into place and has some mandatory requirements; for example, how to issue a licence, how a licence is revoked and how they're basically applied for. I think these things are important to deal with.

So instead of promoting expensive suits, Mr. Kormos, I think it's important to realize that the bill in front of us today provides a structure, and we need it. I know that out in Scarborough, which is a fine part of Ontario and which you should come out and visit someday—because I've certainly visited Niagara. We have an effective BIA with an effective, good-working security company, which could be well regulated by this act.

Mr. Garfield Dunlop (Simcoe North): I'd like to compliment the member from Niagara Centre on his comments. I took in the first 40 minutes, I guess it was on Tuesday afternoon, and now we're following through today with the remaining time in his leadoff.

He makes some interesting points, but I think the most interesting point is the fact that it's quite clear that on this particular piece of legislation, there seem to be a few unanswered questions; in fact, maybe a lot. Both myself and Mr. Kormos, as critics in this particular area, will be looking forward to a number of opportunities in committee to bring forth a number of stakeholders. I understand there were about 600 stakeholders involved in the original consultation period, yet we haven't seen a lot of those names mentioned in any of the comments from the minister or the parliamentary assistant, so it will be interesting when we reach out to those stakeholders again and ask them for input on the recommendations.

I think what's important also is that so much of this bill is left up to regulations right now that perhaps there's a possibility that if we don't have some of what may have been in the regulations actually incorporated into the bill, we'll have to have a consultation process on the regulations as well.

At first, the bill doesn't seem to be that complex. But when you get digging into a lot of the issues that Mr. Kormos in particular has brought up in his comments, in

different areas with students, with service clubs, those organizations requiring the use of security guards—

Mr. Kormos: In modest levels.

Mr. Dunlop: —yes, in very modest levels—then it's clear that we need to make sure that the regulations and/or the legislation, in fact, deals with those organizations, and doesn't become a burden to organizations like that in our province.

Mr. Prue: I have had the privilege of listening to my colleague from Niagara Centre for the last 20 minutes or so. I am amused and, at the same time, I learn things—

Interjection.

Mr. Prue: Yes, absolutely, totally amazing.

In reading this bill, I have to acknowledge that I had never given one minute's thought to the problem of someone who is working undercover in a store being forced to identify themselves as a security guard. It caught me a little bit by surprise because I remember in the days before I became a politician, I worked in the immigration department, and I often worked very closely with the police department of the city of Toronto. We would go down and talk to the police, and they had a whole division of undercover officers called the "old clothes division." We used to refer to them as like bums. They would be dressed in old, raggedy clothes. They would be on the street. They would be looking like a homeless person. They would be looking like somebody who was a street person. They would just sort of be around. They were the eyes and ears of Toronto. They would be there and they would look at things, and people would pay them no never mind. They were able to collect information that a police officer in uniform would never, ever, in his or her life be able to collect.

I had to stop to think and extrapolate for a minute, because it's the same kind of job. You're collecting information. You're looking at people who are transgressing. What would those guys have to do if somebody walked up to them and said, "Are you a police officer? Show me your badge." Are they supposed to say yes and compromise what they are doing? I don't think so, nor would I think that somebody in a store should be required to do exactly the same thing. Certainly there are people who look in the stores and try to figure out who they are, and to make it this easy is beyond belief.

1600

Mrs. Liz Sandals (Guelph-Wellington): I'm pleased to respond to the comments from the member for Niagara Centre on Bill 159. It's an interesting problem he's raising here, that perhaps the bill is going to require everyone who wants to have, for example, a school dance to go out and hire security guards. I think we're getting into a little bit of a stretch on semantics, because clearly, if you are having a school dance and you have a chaperone or a supervisor, nobody's saying you have to have a security guard's licence if you're going to be a chaperone or a supervisor. I've read the bill too. The concept of a chaperone or supervisor at a dance would not be included in this.

However, despite the member for Niagara Centre's attempt to say that perhaps all of us who live in smaller communities have no need for these higher levels of security, it would be my observation that at a lot of school dances, in fact, people hire off-duty police officers precisely for the business of providing security. I would suggest to you that if there were properly trained security people available in the community, a lot of those organizations might be quite happy to be able to hire properly trained security guards to appear at those sorts of events, rather than having to always rely on off-duty police officers.

So I think there is actually another side to this argument. One of the things we have consistently heard is that there are too many people who are untrained who are performing security jobs and causing a large number of problems.

The Acting Speaker: Thank you. In response, the Chair recognizes the member from Niagara Centre.

Mr. Kormos: Holy moly, I'm saying we cautiously support the bill. People get defensive here. They get their knickers in a knot, saying, "Oh, I've got to blindly defend this bill." Please, I'm saying the bill is in substance the right direction to go. Whoa, let's not get neurotic about this. What I'm furthermore saying is that there are some problems with the bill that can be addressed during the course of committee.

Interjection.

Mr. Kormos: Yes, there are some problems with volunteer events, like the Kiwanis Club holding events where they need extremely low levels of monitoring.

Let me put this to you. Here's yet another scenario: Under this bill, the person whose job it is to monitor a security system, in other words, who is sitting at a console monitoring alarms etc., may well be required to be, because of the nature of the job, a licensed security guard under the regulation and under the statute. I think that's of concern. I think the government would want to have these concerns raised before the fact, rather than after the fact when the grief has already flowed.

I've got concerns about the scab operations, the security firms that specialize in busting up sisters and brothers on legal picket lines. I've got real concerns about those. I'm the first to want to shut those people down and make them comply with tough, strict regulations and standards. But I'm telling you right now that the retail sector should have some concerns about the bill as drafted. The warehouse, mini-storage and construction sectors should have some concerns about the bill as drafted. The municipal sector should have some serious concerns about the bill as drafted. Let's deal with those in committee.

The Acting Speaker: Further debate?

Mr. Mario Sergio (York West): I'm delighted to add to debate on this particular piece of legislation. It is a good piece of legislation that was introduced by the minister at some time late last year.

In response, quickly, to previous speakers, this is one more reason we should be debating it on second reading

and sending it to committee to hash out these problems. I believe that the members from Simcoe North and Niagara Centre have said, if there are any problems, then let's send them to committee, let's hear from the private sector, let's hear from those interested parties who can add to the bill and then bring it back and approve it. It is important.

I don't profess to give justice to every point the bill addresses in just a few minutes, but let me say a few things on why it's important that we get on with this piece of legislation.

First, it aims to bring some sense of fairness, security and peace of mind to an area of industry that deals with personal property and persons. I think we should all be concerned with respect to that. What does this piece of legislation do? It aims to revise the Private Investigators and Security Guards Act and at the same time intends to amend the Licence Appeal Tribunal Act, as it was last revised back in 1999. Once we take that into consideration, we will see that the bill travels out of this place, into the business community, and then we bring it back.

Private investigators and security guards have to have some comprehensive order of representing themselves as a clean body, a regulated body, so the public would be familiar with them and aware of the type of service that is expected from them. That is why I believe it's so important today that we indeed go out and bring this bill back, hopefully with some amendments that will make it better than it is today.

Who can be a security guard? Who can be an investigator? What are those requirements? We don't have any today. The bill, with all due respect to the members on the other side, provides all of that, and the public should know that, and those providing the service should know that as well. Once we think of providing a service to the general public, to the people of Ontario, where personal property and personal protection are involved, then we should make it our business as well. I know that the members of the House understand that, and if they have some concern, as the member said before, some unanswered questions, that's where those questions would be answered, when the bill travels and we hear from the various communities.

What are those things that we would demand from someone who wants to be a security guard or private investigator? First of all, the intent of the bill is to license those particular persons. The bill, as it is already, tells the public what's necessary to be a security guard or a private investigator. The way we have it at the moment—and I don't have to tell you, Mr. Speaker—you can go anywhere, anyplace. God knows, especially in today's environment, how important it is to have this peace of mind, that trust in someone who is guarding our homes, our banks, our properties, our places of employment, our government agencies, our other institutions and yes, if you will, our schools. Even when the kids have one of their own get-togethers, shouldn't we make sure that we provide someone who is fully trained, someone who has

a licence, someone who is responsible, morally and otherwise? Shouldn't we? I believe so.

1610

What are some of those conditions for obtaining that particular licence? First of all, you have to have a clean criminal record. You cannot have a criminal record and apply. You have to be 18 years of age or older. You have to be entitled to work in Canada, absolutely. Of course, you will have to have completed the training courses required, and the testing as well. I believe that we would provide a very useful service to our communities, to our business communities, to our industries, to our schools and to our places of employment by saying that at least we have someone who's got some training. There's some trust.

I don't have to tell you that when you drive today—you don't have to be driving; you can be standing still in some places—you will see cars marked as security guards in different colours, pretending—by using some of the colours of our police force, for example. They're very close to that. They wear a uniform that's very close to that. I think it's important that the public can clearly identify who is a police person and who is a security guard or an investigator. I think we have to make that doubly clear. I'm pleased that the minister, even when he introduced the bill the first time, made that particular point: that there is a very important distinction we have to make, and we have to provide the tools to our communities to make sure that it's very clear.

I'm saying to the members of the House today that, to provide peace of mind to our business community today, we have to debate it in this House, send it forward and approve it. You can go from the airport, even though it is under federal jurisdiction, to any other place in our business community and you will find security guards. You'll find them in green uniforms, you'll find them in grey uniforms, you'll find them in mixed colours. They drive different-coloured cars. I believe it's our responsibility to say to the industry itself, "You have to have some uniformity. You have to clean yourself up and provide a quality service to the public that is recognizable and effective."

We are not the only ones asking for that. There are agencies out there providing this type of service now that have come to the government and said, "Look, we are genuinely providing a service to the business community, but there are others who are untrained, and we feel that this is an area where you should be responsible for making sure that the people in Ontario and our business community have qualified protection."

If that's already coming from members of the industry now, why shouldn't we answer that call and say yes, indeed, we believe we should have security guards and investigators who are fully qualified and fully trained to serve our businesses and our individual properties? When it comes to our personal property—not only our own personal property; I mean the property of all people in Ontario—and our own family responsibility to provide that security, I believe that's important.

I believe it's important that we get on with this bill. We approved it for second reading. We'll send it travelling wherever it may go to hear the public. I hope we will have an opportunity for the opposition, when it comes back, to make it even better than the way it has been introduced by the minister.

By the way, Mr. Speaker, I should say that, with your indulgence, I'm splitting my time with the member from Scarborough Centre.

The Acting Speaker: The Chair recognizes the member from Scarborough Centre.

Mr. Brad Duguid (Scarborough Centre): In 1966, just over 40 years ago, that was the last time that this legislation was reviewed. When I think back to 1966, I was four years old; I think the member for Scarborough Southwest, right in front of you, was five, and the Minister for Public Infrastructure Renewal, who's walking in here, was two. The member in front of me, from Kitchener Centre, was three, and the member for Oakville was about 13. He was probably running around with hair down his back, and who knows what else he was into back in those days? Knowing him now, he probably was a bit of a beatnik. The Beatles were dominating the music charts back then. Tiny Tim—everybody knew who Tiny Tim was. He was singing "Tiptoe Through the Tulips." Actually, I think the Maple Leafs were winning Stanley Cups back then, which is something completely different from today. Hopefully it won't be too much longer before we experience that again.

Our crime rates in Ontario were just a fraction of what they are today. It was a different place. It was a different time. As a child growing up in the suburbs in Scarborough—and Scarborough was seen back then as the boondocks of Toronto—I remember just being put out on the street. Parents would just open the door in the morning and out you'd go, at all ages. You'd have the run of the neighbourhood. They never had to worry about you. You'd come home for lunch, you'd come home for dinner and go back out into the neighbourhood again. You wouldn't have to worry about locking your car doors or your house doors. Boy, times have really changed.

Along with those times, the security industry has really changed as well. If you look to 1966, there were 4,600 licensed security guards in Ontario. Today, in 2005, there are over 30,000 security guards, not all of whom are licensed, but there are 30,000 people practising in the security profession right now. Their profession has changed as well. The demand and need for their services is completely different.

If you think of the image back in the old days of security guards, you think of an old man sitting on a stool, probably sleeping. That's not the case any more. Security guards have to be watching pretty carefully what's going on. Times have certainly changed. Crime rates have gone up. The things that security guards face these days are a heck of a lot more serious and dangerous than they were back in the old days.

So along with the change in the demands for security guards has been the need for them to be better trained.

They need to be more universally trained, so that everybody practising that profession is better able to protect the people who have hired them and their properties, better able to protect themselves, which is very important, better able to protect the public at large and better able, frankly, to protect those who they're hired to thwart, for lack of a better word. This bill will ensure that that level of protection is enhanced and uniform.

When you look at it as well, 20,000 people out there are practising as security guards without being properly licensed or trained. That's a good proportion of the people out there who don't have this level of training. They're exempt for a variety of reasons. They're exempt because they are in-house security. They're exempt because they're a security guard for some form of public institution—a city, municipal or some other form of public body. They're exempt for a variety of other reasons. That's not acceptable. These individuals deserve to have the same level of training as others, and the public deserves the same level of protection from these individuals.

1620

If you look at people like bouncers, they are involved in a lot of different challenging issues that they have to address from time to time, and they need to be properly trained and regulated.

I look back as well. I think of the important need for the portability of licences. This is going to help security guards, because once they get their licence, they'll be able to then go to other jobs if they need to. It's a job where quite often there's a lot of change. Security guards will go from company to company, and companies sometimes change too. A security guard may be on a particular site and may be there for a number of years, and then whoever has hired that security company may change companies. That security guard may want to stay where they are. They shouldn't have to go out and get a new licence. So it makes sense for them.

It makes sense for the provincial government as well. We're issuing 50,000 licences a year for only 30,000 people who are practising in the profession. That's a waste of time. That's a waste of money. That's going to be helped by this bill.

I also think it's important that criminal checks are in place for security guards. You think back to the 1960s and you think of the biggest security incident back in those days, where the Rolling Stones, I think, hired Hells Angels to be their security guards. You can rest assured that under this legislation something like that would never be able to happen, because criminal security checks would ensure that it never can happen again.

The need for standards for uniforms is important as well. People often will mistake security guards because of their vehicles or uniforms for police officers. That can be dangerous both for the security guard himself and for the public at large. They should be able to distinguish between who is a security guard and who is a police officer. That's very important in terms of public safety.

It's important that these fly-by-night companies are weeded out as well. The member for Scarborough Southwest mentioned the Kennedy Road Business Association and their 300 merchants, and they've done a great job there in ensuring we have a wonderful place to go for a great shopping experience. If you want to buy furniture or things like electronic equipment or any of that stuff, there's no better place to go than the Kennedy Road Business Association to do that. They've hired some very professional security firms that have made sure that area remains safe, not only for those using it but ensures that their businesses are protected from robbery and that our cars in their parking lots are protected.

Scarborough Town Centre has done the same, one of the safest malls to shop in in all of Canada. Part of the reason is that they have hired and have an in-house program of very qualified, very professional security guards who really know what they're doing. It's one of the safest places to shop now in all of North America.

So this is legislation well worth supporting. After 40 years, it's well past the time we moved forward on this. I appreciate the time and the opportunity to speak to it, and I fully support it.

The Acting Speaker: Questions and comments?

Mr. Dunlop: I'm pleased to respond to the previous two speakers from the government. They both brought up some interesting points on the reasons we need this legislation. I don't think there's anybody in this House who would argue that, in close to 40 years—I believe it was 1966, and there have been no amendments to this act. I think that's a concern everybody in this House agrees with.

I think it's safe to say we'll likely all, in some way, be supporting this bill, but the bottom line is that we have to come up with a bill that we think is as complete as possible. Not only will there be comments here in the debate you're hearing today, but you'll hear in committee, if and when we get to committee, a wide variety of comments.

I want to point out, when I'm talking about potential committee hearings, that I'm hoping this bill can be travelled. In fact, we talked yesterday about the possibility, if the House leaders can agree on this, of having this bill travel somewhat in the summer months. Because Ontario is so diverse and because the act may apply in different ways to different regions of the province, it might be important that we have a few of the other communities—maybe Thunder Bay, Ottawa, Kingston, those types of communities—know as well as the people here in Toronto. Originally I would have thought it was a Metro kind of bill, because I see so many security guard vehicles etc. around the GTA. But the more I understand it, it's clear that we need to travel this bill a little bit more. I look forward to the opportunity of seeing this at committee.

Mr. Prue: I listened to the speakers from York West and Scarborough Centre and I was reminded, mostly by the member for Scarborough Centre—we were colleagues, of course, at the megacity of Toronto. He was talking very briefly about municipalities and he talked

around that kind of stuff. I had to think back to what municipalities do around security and security guards and police officers. He was right to raise the points he did. I am finding it increasingly obvious that municipalities in general across Ontario are having a hard time affording the cost of off-duty police officers. More and more they're turning to security companies to provide the kind of security the city mandates for many of its functions, be they cultural events or rock concerts or freebies the city throws or even little things down on the beach—so the cost of that versus the security that they provide.

I am not sure what this bill is going to do. I liken it to the time when people really didn't know who the security companies were and didn't know who was providing security and who was who. I remember that fateful day when the then mayor of Toronto, Mel Lastman, went up and shook hands with the Hells Angels and said that they were really nice guys. I'm very worried and very troubled that if a mayor in a city like Toronto, as the mayor then was, would think that the Hells Angels were really nice guys, they would then go out and contract people to provide the enforcement, because Hells Angels are enforcers. They are people who do enforcement for various groups. I want to make it very, very clear that this bill will circumscribe and detail exactly who can be a security guard to make sure that Hells Angels don't make their way into it.

Mrs. Sandals: I'm pleased to respond to the comments from my colleagues from York West and Scarborough Centre.

One of the things this bill fixes is the interesting problem that when a security guard gets a licence, they only have a licence as long as they work for one particular company, which has the effect that every time somebody wants to go to a new employer, to change companies, they have to reapply for a licence. While there are approximately 30,000 security guards in Ontario today, we actually receive 50,000 applications each and every year for licences because everybody has to keep reapplying over and over again. This bill will do two things. First of all it will put in place strong standards for security guards to get licences, but it will give individuals a licence that will travel with them from licensed employer to licensed employer, which means that we can put our energy into making sure that the people who have licences are properly qualified, rather than putting our energy into processing the same person over and over again. So this has the effect of both increasing safety, because we'll now concentrate on "Are people qualified?" and decreasing the amount of paperwork for the guards, the government and employers. So I would suggest that for those who are good employers this is a win, and it's certainly a win for the government and for the individual guards.

1630

Mr. Ted Arnott (Waterloo–Wellington): I'm pleased to have an opportunity to respond very briefly to the members for York West and Scarborough Centre for the thoughtful remarks they made this afternoon pertaining to

Bill 159. I'm very pleased that the Minister of Community Safety and Correctional Services is here for this important debate. I know of his interest in this bill; obviously, the bill has his name on it, and he's very much behind it. I'm also well aware that the member for Simcoe North, as our party's critic, has a real interest in this bill, given the private member's legislation he brought forward in this House some time ago.

I'm going to have an opportunity in a little while to give the House some more detailed comments in terms of my own views on this legislation, but I think what I've heard so far during the course of this debate—part of that time sitting in the chair and part of that time sitting here as the member for Waterloo–Wellington—has been the need for further discussion on this issue. I would suggest to the minister, and I would hope that he's contemplating ensuring that this bill does in fact go to committee, so that there can be public hearings for the interested groups that have a view they want to bring forward. Apparently, there's so much in this legislation that is left open-ended and is subject to future regulations that I think it's absolutely vital that we ensure that the groups affected by this legislation will have the opportunity to make presentations at a standing committee of this Legislature.

I would leave the House with that thought, in an initial sense. I look forward to hearing further remarks from members on this issue, and I want to compliment and thank the members for York West and Scarborough Centre for their remarks this afternoon.

The Acting Speaker: In response, the member from Scarborough Centre.

Mr. Duguid: I as well want to acknowledge the presence here today during this debate of the Minister of Community Safety and Correctional Services and thank him for his leadership and the leadership of our Premier and our government when it comes to making public safety a priority. I think this is really one of a long list of things that this government is doing to make our communities safer.

I think of the grow-ops legislation which we've been debating the last number of weeks here, important legislation to ensure that our communities and our police officers have all the tools at their disposal to try to make our communities safer with regard to the proliferation of grow-ops in some of our communities. I look at our fire training grants that have come forward to municipalities to ensure that our fire services are receiving the training they deserve and need—the first time in many years. I look at our safe schools initiatives that have come forward, making our schools safer across the province. I look at our investment in the community use of schools, which ensures that our young people have recreational programs and space in which to utilize their time, which I think impacts and assists in our efforts to prevent crime and make our communities safer. I look at the car seat issue that the Minister of Transportation brought forward some time ago, and the regulations for school buses. These are all things that will ensure that our community is safer for us all.

In this bill, ensuring that our security guards are well-trained, licensed, qualified, properly equipped and uniformed will also create a level of increased public safety for all in our communities, for those who hire the security guards in the first place for their services, for the security guards themselves, which is very important, and for the public at large. Even those who may be perpetrating the crimes the security guards were hired to prevent in the first place are better protected.

The Acting Speaker: Further debate?

Mrs. Elizabeth Witmer (Kitchener-Waterloo): I'm pleased to speak to Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999. I just want to begin by saying that this is the second time in two weeks that I have had the privilege of speaking to a bill that has been brought forward by the same minister, Minister Kwinter, and both times Minister Kwinter has been present in the House. I just want to compliment him for the interest he has taken in personally listening to some of the presentations that are being made. To me, this is very important. Thank you very much.

At the end of the day, our critic, Garfield Dunlop, has worked very hard in this regard, and I think it's a bill we probably will support, but obviously the point has been made that it is important that the bill go out for further consultation. There is a tremendous amount of work that has been done already, but obviously this piece of legislation needs to be the best it possibly can be, so I certainly support it going to further committee hearings.

The reforms that are present in this bill are absolutely necessary if we're going to enhance community safety, and it's going to be extremely important that we take action around some of the recommendations that were received from the Shand inquest around the use of force and mandatory training. Although they are in here, they're left up to regulations for implementation at a later date. I think it's important that some of what the government has left to be included in regulation should become part of the body of the act, so everyone would recognize up front what is going to be there. I think the public needs to have an opportunity for input, and some of these regulations cannot be left up to just getting cabinet approval.

Other key issues, such as recertification, licence renewal and training, have not been dealt with in this legislation either, and again, I think we need to take a look at including them within this bill. So hopefully when the bill goes out for consultation, based on the input of people who have a personal and real interest in this legislation, we'll see some recommendations come forward, and I hope the minister and the government will listen and try to be responsive.

So why this bill today? I guess everybody is aware of the fact that the forerunner of this bill was Bill 88, which was brought forward by my colleague the member for Simcoe North, Garfield Dunlop. As we know, Patrick Shand died of injuries that he received during an alteration with store employees and security guards outside a

Scarborough grocery store on September 14, 1999. As a result, there was a coroner's inquest held into his death, and on April 23, 2004, the coroner's inquest came up with 22 recommendations dealing with a very broad range of issues on the issue of community safety that is in front of us at the present time.

Basically, my colleague Mr. Dunlop introduced Bill 88 in response to the coroner's inquest; he introduced a bill called the Private Investigators and Security Guards Amendment Act, 2004. I'm very pleased to say that as a result of his very hard work, the bill passed second reading in the Ontario Legislature in a vote of 48 to 0, and I know that the current minister, Minister Kwinter, certainly did support the bill as well. Subsequently, we have the bill in front of us today.

Some of the issues that Bill 88 would have addressed include the following, and they're significant because they do make changes to the private security industry. For example, it would have made mandatory multi-level training and standards for the use of force, firearms and making arrests. How important that is for community safety. It would also have made some changes regarding different classes and the portability of licences; also, a one-year term on all licences. It would have had restrictions on the equipment that licensees are authorized to use or prohibited from using. There would have been prohibitions for licensees on uniforms and markings and colours of security vehicles that resemble those of police officers.

1640

This is a pretty big problem. Regrettably, on many occasions, I think we do see people who resemble police officers in a huge way, certainly their vehicle markings and everything else. Obviously, if we're going to address the issue of community safety, we need to make sure that there is a clear distinction between police officers and those people who act as private investigators and security guards. In this respect, Bill 88 also imposed a prohibition on the use of badges or other insignia that resemble those of police officers. Again, this is all for the protection of the public. People need to be able to quickly distinguish the difference between police officers and those people who are doing the work of a private investigator or a security guard.

Bill 88 would also have brought forward a code of conduct with which licensees are required to comply when acting as a private investigator or security guard, and also created a private investigators and security guards complaints commission to investigate public complaints. That's important, because the public has a right, if they have a complaint, to be able to approach a commission and have that complaint dealt with in a legitimate manner. It also would have increased fines for corporations that are convicted of an offence under the act.

These are some of the recommendations that were in Mr. Dunlop's bill. As I say, this was all a result of Patrick Shand dying of injuries, an inquest being held and recommendations coming forward. The purpose of this bill, then, is important. I understand that it hasn't been

updated since 1966. The act we have before us now would require all security practitioners to be licensed. It would update the act to establish standardized training and examinations for applicants and current licence holders. I understand it would encompass not just security guards but those people who are security guards whom we refer to as bouncers and those in the business of selling the services of private investigators. It would ensure that licensing requirements are imposed and procedures are put in place for revoking and suspending licences, subject to the appeal provisions. So again, there is the opportunity for due process if someone did not agree with the assessment that is being made to revoke or suspend a licence.

Offences and regulatory requirements are provided for, as is a process for dealing with complaints from the public. It says here as well—and this is where we probably differ—“The minister may make regulations setting out a code of conduct for private investigators and security guards.”

It’s some of those regulations that we believe should be part of the bill as opposed to subject only to the whim or the will of cabinet, so that the public will know exactly what’s going to be contained in the bill and have the opportunity to provide input.

What’s this going to mean at the end of the day for the security industry? It’s going to require that every single security practitioner in this province is licensed. It would establish a licence classification, and that’s important. The act would allow an individual to change jobs within the industry without having to reapply for a licence every year. The act also establishes some standardized training and examinations for applicants and current licence holders.

A made-in-Ontario basic training standard would be developed. It would include that the individual would be knowledgeable of relevant legislation. This job of private investigator or security guard is a very important position. There’s a tremendous amount of responsibility, and it’s important that the individual assuming the responsibility have some knowledge of the current and relevant legislation.

It would also include the power of arrest and the use of force. Regrettably, there are many situations where force must be used.

This made-in-Ontario basic training standard would also include an opportunity for the development of communications and public relations skills, because the jobs of many of these people are as much about communications and PR as they are about the power of arrest or the use of force.

It would also include, and this is very important, a basic training standard in first aid and cardiopulmonary resuscitation.

It would also include a basic training standard in on-the-job skills, such as the ability to write a report and to take notes, and diversity sensitivity. I think if we take a look at the multicultural nature of our province today, it is important that these people, who would be in positions

of responsibility, would have some training in diversity sensitivity.

Obviously, these people would also receive some basic training in the use of such equipment as batons, handcuffs or whatever.

Again, at the end of this, you’re going to have an individual who is certainly much better qualified, who has a much better appreciation of his or her role—

The Acting Speaker (Mr. Mario Sergio): Will the member take her seat for a moment, please.

I would like to call on the members on both sides to keep the noise down, especially the member from Niagara Centre, who is not even in his own chair. Thank you very much.

The member may continue.

Mrs. Witmer: Mr. Speaker, thank you for the intervention.

Again, as I said, it is a very significant step in the right direction.

I do want to compliment my colleague Garfield Dunlop for bringing this bill forward in the first place as a result of the recommendations coming out of the coroner’s inquest. I want to compliment the minister now for bringing it forward here. Once it has had further public consultation and we have further input from those people who are going to be the most intimately impacted, I hope we will have a piece of legislation that will update this act—which has not been updated, I understand, since 1966—and that will reflect current needs.

One of the areas I spoke about was the need for diversity training, to be sensitive to the fact that Ontario looks very different today than it looked in 1966.

This is an opportunity for us to really take into consideration what some of the concerns have been on behalf of the public, and there have been concerns expressed. I think it’s going to offer much better protection for the public, but I think it’s also going to provide better protection for those people who do this job: the private investigators and the security guards.

1650

Our party, over the years we were in office, from 1995 to 2003, introduced many initiatives that were designed to protect the safety of the community, of the public. This bill simply builds on some of that. If I take a look here, since 1997 we actually invested over \$150 million on different initiatives that were designed to create a safer, more secure Ontario for all of us. Some of the things we did that I continue to be very proud of:

One was putting on the streets 1,000 more police officers.

We also introduced squads that were going to combat, and are combating, organized crime. I heard from my colleague Mr. Kormos about organized crime. The unfortunate reality is that it’s alive and well in Ontario. We designed special squads that were going to go out and combat organized crime.

We also put out there 165 more probation and parole officers.

We also established special domestic violence courts. I'm very pleased at some of these initiatives we were able to bring forward. In fact, I want to take a look at the Domestic Violence Protection Act that our government passed in 2000. One of the things we did was we defined domestic violence and we included a broader range of the relationships that were covered. We provided for better enforcement in order to ensure that there were clear provisions and that emergency intervention orders could prevail over other family law orders.

We introduced a wider range of court-ordered provisions that were specific and directive and, therefore, it was easier for our police to interpret and enforce. Also, there was prosecution of a breach under the Criminal Code rather than the Provincial Offences Act, and that provided for stronger provisions for detention and release of the alleged abuser and increased the ability to detain an alleged abuser where there was concern for a victim's safety. On an ongoing basis, we hear from people who are very concerned about the impact of releasing an abuser on the safety of the victim.

So our government took a lot of steps to support victims. We set up, as you know, the Victims' Bill of Rights in 1996. We announced the victims' justice action plan in 2000. We created the Office for Victims of Crime, and we were the very first jurisdiction in Canada to establish this type of agency.

We have in front of us today a bill that I'm pleased to see builds on some of the initiatives we introduced. I look forward to seeing the public consultations we're going to have with people in Ontario, and I look forward to seeing, at the conclusion of the hearings, the amendments the minister is going to bring forward. I have no doubt that, given his interest in the bill, he will be prepared to strengthen the bill and make it better for all Ontarians.

The Acting Speaker: Comments?

Mr. Prue: It is indeed an honour and a privilege to talk about the previous debater and to say that I am in full agreement with what she had to say, especially the way she concluded her remarks. She talked about the need for continuing public consultation. We most definitely support that this might go to committee. We most definitely support that there are some amendments that are being suggested.

I want to say that I had not thought of some of the suggestions that are being made, and I think many members would not have ordinarily thought of, on first reading of the bill. She has suggested some, and might I say that there does not appear to have been, to this stage anyway, adequate consultation with groups such as the unions that represent some of 26,000 people in Ontario who are members of the United Steelworkers of America, who represent people who work as security agents in Ontario. They have not, to the best of our knowledge, been consulted at all to this stage. We think they need to be consulted about what the needs and requirements of their members are.

We also think the workers themselves need to be consulted—I'm just looking here and I still have two

minutes, so I'm really impressed—and they have not been consulted to this point, because the ordinary workers, and there are some 84,000 of them in Ontario, have not been adequately consulted about their own terms and working conditions. If anyone needs to know who the best person is to talk to about a job, the best person who knows about the job they do is the person who actually does it.

I remember when I was the mayor and we were having big discussions about collecting the garbage and how to collect the garbage better. The person we consulted around the council was the engineer who was responsible for the works department, but in fact he wasn't the best person to consult, although he was knowledgeable. The best persons to consult were the guys who went out there every day and lifted those bales of garbage, who threw them in the back, who knew about the routes on the street, who knew about the flies and the potholes, who knew about all the problems it took to get that garbage to the landfill site.

They were the ones who actually knew the best. I would think the people who know best are not the people who run the schools, although they are the initial trainers, but the people who know best are the ones who every day have to go out at midnight, sit in a lonely factory by themselves, or have to go to a sporting event or to a place where people are consuming alcohol or the thousand places where they work. They know the pitfalls of that work. We think they are in the best opportunity to tell this minister and this Parliament the best amendments to be made to strengthen the bill.

We look forward to public consultation, and I am assured that if public consultation is adequate, this bill will do exactly what it intends to do. If it does, I would guarantee that we would support it.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I hope, in the interest of fairness and equity, you're going to give me four minutes as well to respond.

I want to comment on the remarks by the member from Kitchener-Waterloo. As she always does, she brought a reasoned and thoughtful approach to the issue, and I appreciate her comments. I just want to address a couple of the issues that were made.

As far as the consultation is concerned, there's absolutely no question that this is going to go to a committee. There's no question about that. You should also know that we sent out information on this bill to 600 potential stakeholders and asked for their comments. Just over 10% responded, which is over 60, and you should know, because I've said this a couple of times, that the union actually responded in writing. They commented on the proposal, so we've heard from them.

The other thing I want to comment on is that we have looked at the report of the Shand inquest and we've addressed most of it—not all of it, but most of it.

The reason we have a lot of things set aside in regulation is we are setting up an advisory committee made up of stakeholders that will advise on how this

should be done. When you consider that the last time this bill was ever addressed was in 1966, there are many issues that come forward when we talk about colour of uniforms and what is going to happen that can't really be covered in the bill. It isn't practical. What we're going to do is make that in the form of regulations, and we're going to have an advisory committee that's going to recommend, after consultation, what that should be.

So I just wanted to say to the member from Kitchener-Waterloo and all others that this is an important bill. It's something that everybody, I assume from what I've heard, agrees in principle about what it has to do. We hope to come forward with a bill that, after consultation, after it's gone out and the public has had some input, will be the best bill it can be. I give you that assurance, that that is our goal.

Mr. Cameron Jackson (Burlington): I too want to commend my colleague from Kitchener-Waterloo on her thoughtful and insightful comments and contribution to Bill 159. I support what she has said, and I appreciated as well my colleague Mr. Prue's reference to consultation and the minister's reference to the kinds of input he received prior to drafting the bill. Perhaps it would be helpful if the minister could release some of the letters of those who are interested in the bill and who wrote to the ministry and share those with the opposition parties. That would be helpful, because it's always insightful not only to find what's in a bill but what was suggested that didn't find its way into the bill.

1700

Since it was referenced earlier by some Liberal members about the issues around grow-ops and other legislation, I wanted to share with the minister briefly in this window that I have that all through the grow-op discussion much was said about the security issues, but recently this has all come to the forefront. I've got a situation right now with a young family that has rented a home that had previously been a grow-op, and there is no limit to the problems this family is engaged in. They've hospitalized their infant child, the landlord in effect misled them by not telling them that it was a grow-op until the family was captive in the rental accommodation, and now there are some litigation issues and they won't give them their money unless they sign a release that there will be no comeback. I'm having difficulty getting the district health commission involved in this issue. The spores are now spreading throughout the entire house and to the condominiums next to it. In this one subdivision there were four grow-ops in operation. There are things that, even after we passed that most recent legislation, we're discovering are still problems. So I encourage you to have a fulsome consultation before this is completed because there is still more to do on grow-ops dealing with public health.

Mr. Kormos: I'm glad that the minister is here. I think he stepped out for a minute when I last spoke to this bill, telling this chamber the regard I have for the minister, the affection that I have for him, and that this is the first bill he's presented, in my view, that has sub-

stance around which we can have debate that rises above mere—look, you know from time to time when we were discussing the grow-op bill how, for instance, the last time I spoke, I had occasion to mention that Bayer, the Germany-based pharmaceutical company, is now actively distributing marijuana. They just got Health Canada regulatory approval for a marijuana-based analgesic; not synthetic but derived from the marijuana plant, tetrahydrocannabinol. It's being distributed in Canada—"Only in Canada, you say?" like the old tea commercial—and so you're going to have people ingest it with a puffer. I suppose that resolves the problems about smoking.

So here it is: We've got the minister trying to shut down marijuana grow-ops and Bayer, one of the great, huge, wealthy multinationals, obviously growing their stuff somewhere. Think about it. They aren't growing it in Barrie any more—Barrie, the home of Canada's biggest grow-op. The member for Barrie-Simcoe-Brampton wasn't able to confirm that that's part of the "Welcome to Barrie" sign any more, but the factory is there, a monument to free enterprise.

Minister, we support the bill. I told you that. I hear you say that it's got to go to committee; I want to hear your House leader say that. Perhaps one of the minions employed by your House leader sitting behind the Speaker could nod twice if in fact this is going to go out to committee and travel to small town and big city alike so we can adequately analyze it.

The Acting Speaker (Mr. Joseph N. Tascona): Thank you, member from Niagara Centre. In response, the Chair recognizes the member from Kitchener-Waterloo.

Mrs. Witmer: I want to thank those who participated: the member for Niagara Centre, the member for Burlington, the member for Beaches-East York and of course the minister himself, who I have said is here this afternoon.

I was pleased to hear the comments of the speakers. There seems to be unanimous agreement that there is a need for further consultation. I was quite reassured to hear the minister say that he was open to consultation. More importantly, not only was he prepared to listen, but he was also prepared to be responsive as far as making whatever recommendations might be appropriate to strengthen this bill on behalf of the people in Ontario.

Those are my comments. I hope the bill will go through and become the best it possibly can be.

The Acting Speaker: Further debate?

Mr. Prue: It is indeed a privilege and an honour to speak to this bill. From listening to the debate here this afternoon leading up to my speech, there are a whole bunch of issues I had not heretofore thought of, so this is an excellent forum for people to throw out ideas, throw out questions, and get one's intellectual capacity going. When I first read the bill I thought, "Here is a bill that is long overdue. Here is a bill that's going to do what the Shand inquest called for, and let's just get on with it." I am still of the view that we should just get on with it.

I was very heartened to hear the minister, in his last two-minute comment, say that this bill is going to committee, but I have to listen to what the House leader of our party had to say: There was no commitment when the House leaders met that this bill would go out to committee. Had that commitment been made, I think we probably wouldn't have needed the discussion, although I welcome it very much and it's taught me a great deal, that we are having here this afternoon, because the concerns that were raised around the bill certainly are not ones of such monumental importance as to actually kill the bill. They are of such an importance that they can tweak it, that they can change it, that they can make it better, and we can discuss with ordinary people and people who will be affected by it—municipalities, companies, workers and unions—and that's what I'm hoping is going to happen. If I can throw any light upon that, I intend to do so.

Mr. Kormos: Will the school hall monitor have to be a licensed security guard?

Mr. Prue: I'm being asked, "Will the school hall monitor have to be a licensed security guard?" I would hope that is not in the bill. If it is, I hope the minister will stand up in his two-minute comment and say if that is his intent. If that is his intent, I will quickly change my vote from one of agreeing to it to one of not agreeing to it.

The problem we see, number one, is that this bill will come into effect in 2007, some two years from now. The Shand inquest called for "urgent"; they said this was an urgent matter that required immediate government action. The year 2007 is 24 to 30 months from now, a long time, and I'm not sure in my mind that we can wait for that period of time for when this bill will come into effect. That is also around the time we will be going into the next election cycle, because for the first time in the history of this province, we know the next election date. We know it's going to be on or about October 4, 2007, which is about the time that it is proposed this bill come into effect. I don't think that is a wise thing to do, because I have seen—perhaps it's because I'm getting old—governments of various stripes get elected and undo the work of previous governments. I would like to make sure that this bill, if it's going to come into effect, does not come in close proximity to that election date, so that it is not the subject of the whims and caprice of any party that might win, or the undoing of legislation that this Parliament would agree is good.

There is a provision here to review the training systems. It is absolutely obvious to me, as I go about this city and this province, and see people who are acting in the capacity of security officers, that woefully, most of them if not all of them, at least at the beginning, are undertrained for the job they must do. They act in many cases as if they are police officers, but they do not have the training, the wherewithal, the education or anything else to do the job they must do. If they are challenged—I have to tell you, from time to time, when they make what I think are preposterous demands on my liberties and what I think are unreasonable demands upon me, like

"Move along," I always ask them, "Under what authority?" Perhaps it's only because I know that they have to be able to cite that authority that I ask it. I cannot remember a single time when these people who are exercising some kind of responsibility have been singularly able to answer it.

1710

I remember once, and it is going back some time now, prior to the time that I was an elected politician, when I was challenged during a legal picket demonstration, the picketing of a place when union members were on strike. We were on the sidewalk, and a security guard who was hired by the building in which the picketers were picketing came out and said, "You can't picket here." I remember looking incredulously at this person and saying, "Under what authority can we not picket on the sidewalk in front of this building?" His answer was, "I'm in charge here and I've told you that you can't picket in front of this building, on this sidewalk." I have to tell you that this is the kind of attitude you often get from people who are improperly trained. I don't know whether he was trying to exercise authority he didn't have or whether he seriously believed that a normal and legal picket in front of a building was somehow made illegal because he said so. There have been other experiences that I, and I'm sure some of you, have had in the past with people who try to exercise authority who have no real knowledge of what gives them the authority or whether the demands they are making are legal or proper.

One of the things that has to be done, if we are going to regulate security personnel, security guards in Ontario, is to ensure that they have a modicum of training, that they know under what laws and what authority they may do what they are required to do; that if they are store personnel and are required to make a citizen's arrest or to call the police if someone is shoplifting, under what authority they can do so; if they are working at an airport, and I know that is federally regulated, under what authority they may search someone; if they are working in a factory and guarding the gate, under what authority they may deny someone entrance, or check someone on the way out to see whether that person has chosen to maybe lift something they should not have. These are the authorities that a security guard must have and would today. I would challenge almost any of them. If you question them, "Under what authority are you making this request?" they cannot and will not answer it, and I think they have to, because this legislation requires that they identify themselves, that they hand their badge out, that they say who they are, and that has to be done.

I heard the minister a few minutes ago say that the unions had been consulting. If that is the case, then I am very thankful, because my information up to this point was that the United Steelworkers of America had not been consulted. They had been consulted in the initial phase, "The minister is planning a bill. Is there anything you want to say to us?" and they wrote a letter. But they have not been consulted since this bill was introduced to the House. They have not been consulted as to the actual

provisions. It's one thing to say to them, "You know, we're planning a bill. Have you got any thoughts?" and it's another one to say, "Here's the bill. Is there anything right or wrong with this bill—any comments you have once you've seen the actual wording?" I want to tell you, that's as different as night and day. They need to be consulted, as do the workers.

The bill itself says that a person, to be a security guard, must be 18 years of age, must have a clean record and must have prescribed training. We would agree with all of those provisions. I think to make someone under 18 years of age potentially would be kind of dangerous, although I do know very mature adults below that age who work in a whole range of occupations that require a great deal of maturity, everything from lifeguards in a pool to people who work in summer camps, looking after children. They have to have a great deal of maturity to do it right. That's one of the questions I would ask: Is 18 an arbitrary age? Is it an age of majority? Is it an age that is required by law? Is it just rational that one would think that when someone has age on his or her side, that would allow them to do this kind of work?

There's the whole question about the security systems. Those who run the various companies must be licensed, but then you've also got the lacuna: or must be in the employ "of a licensee." So a person who has a licence must not have a criminal record, must be able to operate, in a way, but that person can go out and employ people who would not of their own right be allowed to run such an institution or company or school of training. You could quite conceivably have someone who was licensed, someone who meets all the requirements, hiring those who do not to run the company. I would ask the minister to look very carefully at whether this in fact is what we want to do, because we are training people who will work, for all intents and purposes, in law enforcement, even though it may not be under the Criminal Code of Canada but certainly under the laws of the province of Ontario and the civil laws that flow from those.

There are some provisions about uniforms. This is a very thorny issue. On this I agree with the minister. I don't know how you can put this into regulation. I have seen uniforms not only on security guards but on police officers that are often puzzling; often I cannot tell them apart. I saw some police officers the other day wearing baseball caps, and they looked for all the world to me like security guards until I got up close. Then I discovered they were police officers of this city, but from far away I thought they were security guards. I'm not sure whether it was their intent to look like security guards or whether, on the converse, it's the intent of the security guards to look like police—it's probably the latter—but it was surprising to me to see police officers look more like security guards than the security guards themselves.

There's the whole range of what constitutes a security guard. As I said in my comments, there are some 84,000 of them in Ontario. I note that around this building we have a very special police force; we have special con-

stables. They are not police officers as one would think of in the city of Toronto or in the towns and cities. They don't carry firearms. I'm sure they are somehow police officers or very close to police officers. They are some stage—to my mind, anyway, as a layperson—between a police officer of the city of Toronto and security personnel that this bill might cover. I don't know whether they're covered or not. I think they're not, because I think they are a police constabulary in their own right. But it would seem to me that if we are establishing a bill like this and if we have such people who, to my mind, run this building and these precincts and these grounds with some considerable brilliance—really, they do—I would hope there are provisions in the act and opportunities where such other special constables might find their way into law.

Simply having a security guard looking out at nighttime in a factory is one thing, but having trained personnel, the way we do around this building, able to handle municipal or provincial interests—such things as parades, municipal programs or rock concerts; I'm thinking of all the things that have happened in and around this city and other cities. Where the city requires that security personnel be hired, it seems to me that this is the type of security personnel that people really want and respect and know: not simply someone who has completed a six-week course and is hired by a company that may not even exist a year later, but an actual special constabulary like we have around this building, who could and should be doing the work that people expect of them.

We have the whole problem—not the problem; we have the reality; that's the word I'm looking for—the reality of the number of security guards. This has been a huge growth industry. Ten or 15 years ago there may have been several thousand security guards in Ontario; to the best of my research, there are some 84,000 security personnel in Ontario today. I contrast that to the number of police, including the special constabulary, if my numbers are correct, at 62,800. That is, there are 21,200 more security guards than there are police. This is a growth industry, and it is no wonder that it is a growth industry, because security guards, on average, earn \$28,000 and our police constables in Ontario earn, on average, at the lower end, \$60,000-plus, or more than twice as much as a security guard would make.

1720

This bill in and of itself, as I have said, is a good bill. It is supported by a number of people, including John Carter, who identifies himself as the vice-president and acting president of the Association of Professional Security Agencies. He's sort of gung-ho. I always have to step back, and I ask the minister to step back as well, and ask the question: If he is supportive of this, why? When I look at these agencies or these associations, they always appear to be the same. They are attempting to get authority through self-regulation. Sometimes self-regulation works; sometimes self-regulation does not work.

As I have said in this House before—I talked about it this morning during private members' business—I

worked for more than 20 years in the immigration department prior to becoming a politician. I saw in that period the explosion of people who called themselves immigration consultants going out, hanging up a shingle, pretending that they knew something about immigration law or policy and trying to make some money. I have to tell you that a great many immigrants, would-be immigrants or would-be refugees to this country gave a lot of money to those people. Quite frankly, the money was very often—more often than not—wasted.

That group has organized itself; that group hangs out their shingle; that group has their own legislation or authority to discipline themselves, and yet, I am not sure that it actually serves the public interest. I am not sure how this bill is going to, in the end, serve the public interest. It is quite clear that it is going to serve the interest of those companies that hire and partially train people and put them out to work, oftentimes under difficult circumstances and less-than-adequate wages. I'm sure it's going to adequately resolve their problem, but I am not sure in the longer term how it is going to resolve the public interest if what is going to happen is that this becomes a self-regulatory group.

We have to look at what the problems are of security guards, of those 84,000 individuals in Ontario. The number one problem that I think most of them have today is job security. When a company loses its contract to look after a factory or a housing subdivision or whatever it is, usually the job goes with it. So the security guard then must go to the new company, try to find a job with them and continue on, usually at the same or less pay than they were making before, and certainly with no job security and no seniority.

There is always the problem, too, of wages. Security guards earn, on average, \$28,000 a year, which is slightly less than \$14 per hour. This is not a lot of money, for a great deal of responsibility. You will see that security guards tend to be young, they tend to be less than university educated and they tend, in many cases, to be new immigrants. We think that the reason the longevity of the job is not as great as one might think is that it has a whole number of problems, wages and job security being the chief two, but also the hours of work. Security people must work inordinate hours. They work very strange hours. They work midnight shifts, they work in the evenings, they work after dark, they work in less-than-ideal circumstances. The burnout rate, too, is very high.

We think this is a good bill. We welcome that it is going out to committee. We welcome that people are going to be heard. We think the security guard personnel need strengthening in their jobs.

We like what is happening in Quebec, where the sectoral arrangements make sure that all security guards, whether they are in a union or not, are guaranteed the rights of all employees, be they hours of work, be they wages, so that even if the workers choose not to have a union, they can be assured they will receive the same wages as those who do have a union. We would ask the

minister to look at the Quebec experience. We think it is a good one.

The Acting Speaker: Questions and comments?

Mr. Tim Peterson (Mississauga South): It's a pleasure to stand and talk about this bill, as we try to put more uniformity and regulation into an otherwise unsupervised area. As a father of teenage children, it's very important to me when you see these problems at some of the all-night clubs that form themselves around music yet are also known for being habitats of drug use and are unregulated, and some of the violence that has occurred at those. One wonders whether we could have saved lives and whether we could have better served our youth and ourselves by protecting them with guards who are trained and have proper certificates in this area.

While any government is concerned about overregulation, when you see this type of violence and undisciplined behaviour and the spreading of that, it becomes a more rampant area. I can tell you as a concerned parent that when I was growing up we thought alcohol was the big problem, but recently my children, who attend one of the best high schools in Mississauga, were telling me that probably 50% of their friends are exposed to drug use. All the problems associated with drug use are much more amplified, I think, than what we know in terms of alcohol use and misuse. Hence I'm very pleased to speak to this, and suggest that better regulation will better serve our community, and better protect the children we all dearly love so much.

Mr. Dunlop: I appreciated the comments from the member for Beaches–East York. He usually delivers some excellent comments when he speaks on any bill in this House. Certainly, as a person in the city of Toronto, he would see a different view on the private security guard issue than someone might see in central Ontario or in your area, Mr. Speaker, or even in the far north.

I think that's why Mr. Peterson just said we need to look at the regulations, why we need to look at all the different aspects of this bill. I was happy today to get from the minister the commitment that there will be committee hearings. He made that very clear, and we look forward to that. What I've heard in just two days of debate—I don't know how many additional days we will have on second reading, but there's no question that what we have heard is that there is an overwhelming need for committee hearings on this bill. We all agree with the concept of the bill. This bill hasn't been changed since 1966. So it's a good time to get it right and get it really right.

I'll do everything I can from the position of our caucus to support improving the bill, to the point where it'll be good for the next—hopefully, we won't need to amend it every 40 years; maybe every few years we can work on it. It will be something we can be proud of as a bill in this House. We can have all three parties supporting it, and we can get good committee hearings province-wide, possibly to make it a better bill. So I appreciate the comments from the member from Beaches–East York and

look forward to any further debate in this House on the bill.

Mr. Kormos: I was pleased to be able to hear the contribution by my colleague Michael Prue, the member from Beaches-East York, to this debate around Bill 159. Just this morning, during private members' public business, his private member's bill which will guarantee enhanced safety for people living in places with fire escapes: It's such a simple proposition that fire escapes not be made of flammable materials, but it took Mr. Prue to bring that bill to the Legislature, as well as making sure that fire and smoke detectors are interconnected, that they're not only hard-wired but connected to each other.

1730

Mr. Prue has a great deal to contribute to the debate in these committee hearings, and I'm so pleased that the minister has committed the government to committee hearings. He hasn't committed the government to qualified committee hearings but to meaningful committee hearings.

Surely some of the interested parties are going to be the community colleges and other educational institutions. Niagara College, down in Niagara, has an exemplary law and security program which a whole lot of people use in anticipation of careers in customs and immigration and policing, and no doubt—I would want to confirm this—a diploma from that program would constitute sufficient qualification.

But surely there are going to be other educational institutions interested in providing more abbreviated programs. With the prospect of somebody pursuing a two-year college diploma to be a security guard, and again, knowing full well that what we're doing here is professionalizing that role, there may be a need for shorter or more abbreviated programs than the community college program.

I want to hear from educators, and it could well be private sector educators, who want to enter that field because they're already there. This is the reason we need committee hearings, to hear from these people and flesh this out. Thanks to Mr. Prue, of course, for his outstanding contribution to this debate.

Hon. Mr. Kwinter: I'd like to comment on the remarks made by the member from Beaches-East York and just address some of his concerns.

Number one, the reason the established professional security guard companies are supporting this is that they want to professionalize the industry. They want to make sure they are not tarred with the same brush as the fly-by-nighters; plus, it really lessens their liability. If they've got trained professional people who are working in the industry, then of course the risk is not as great as having people out there who are not doing that.

I'd like to talk about uniforms. At one time, and even when you watch television, they refer to policeman as the "men in blue." In fact, if you take a look at the Toronto Police Service and many of the police services, they really wear black uniforms. But I've been at police functions—sadly, when I was in Edmonton for the

memorial service for the four RCMP officers, I saw a contingent marching in, and they were in the Ontario contingent. I said, "Who are those guys?" They were wearing powder blue jackets and beige pants, and that was the police service. I'm sorry to say I don't remember exactly where they came from, and I'm not being critical. I'm just saying that they were not wearing the kind of uniform that we would normally say, "That's a policeman." We have to make sure, when we bring in a regulation that differentiates between the police, that we take into consideration all these different things.

The other thing is, if you would like it to come in sooner—and the member from Welland-Thorold has just said it's going to take a couple of years, a year and a half, to train these people—we can't do that until we get them trained, until they get their certification. We also can't do it until the industry has had a chance to adapt.

Having said that, I would like to ask for unanimous consent—I think everybody has talked about this—that we collapse the debate and send it out to committee.

The Acting Speaker: In response, the Chair recognizes the member from Beaches-East York.

Mr. Prue: I was going to say that I'll let his motion go later.

I thank the members from Mississauga South, Simcoe North, Niagara Centre, and the Minister of Community Safety and Correctional Services. You've all made some very wise comments to what I had to say. I want to thank the Minister of Community Safety and Correctional Services both for—

Interjection.

Mr. Prue: No; for being here, because very often ministers do not attend the debates. He has listened quite wisely and carefully to what was being said here on the opposition side because we too have some good ideas.

I welcome very much the fact that he wants to send this out to committee. I don't know how the House is going to vote in a minute to his seeking unanimous consent, but certainly I have to tell you that this is an industry that must be regulated. The regulations must come into force as soon as possible, they must be good regulations and they must not only protect the people who work in this industry but also those they serve; that is, the people of Ontario. If that can all be accommodated after committee hearings, then I would think we have done a great service to the people of Ontario.

As for his comment about police officers wearing powder blue uniforms, I was not there to see that sight, but I think there is, very often—and I have said that in my own remarks and I thank you for yours—in the public mind, a difficulty discerning who is a police officer, to carry out the laws of the province of Ontario, of Canada and of the municipalities, and who is a private employee of a company that does not have the same rights and obligations. I hope this bill was able to qualify that. The minister can do whatever he can, in his own right, to make sure the police officers look like police officers to the public mind.

The Acting Speaker: I'll now deal with the minister's motion.

The minister has moved and seeks unanimous consent to collapse the debate and put the question. Is there unanimous consent?

Seeing that there is none, further debate?

Mr. Shafiq Qaadri (Etobicoke North): I too rise in support of Bill 159, the Private Security and Investigative Services Act. I join with the MPP for Kitchener-Waterloo from the Tory party in recognizing not only the presence of the minister in the House for this debate but also his presence of mind and professionalism in bringing forth this type of legislation.

This bill's important for a number of reasons. Firstly, it is long overdue. As you'll recall, the private security industry legislation was last updated, if it can be believed, in 1966. I'll remind you and this House that that was one year before Montreal's Expo 67. It's almost unbelievable that legislation that is so important to the fabric of daily life in Ontario should have been untouched, untinkered with, unimproved, unmodernized for so long. So it's long, long overdue that this type of legislation be brought forward.

At that time, in 1966, there were approximately 4,500 licensed security personnel in the province. The numbers seem to vary, but there are something like 30,000, 40,000 or 50,000 individuals who are now engaged in providing security services. This, of course, is another testament to the way that life in Ontario has changed and perhaps, really, the deep need for these kinds of security services.

Ultimately, what this bill establishes is a professionalism, a regulation, a standardization, a testing, a certification of this particular industry. I can tell you, as a physician hailing from a rather regulated profession, that I very much support this initiative. Ultimately, if we're allowing individuals to secure our persons and property and crowds and any situation that might get out of hand, be it even an emergency of some nature or a physical disaster—whatever—we certainly want individuals who have had a requisite amount of training and a certain professionalism, and they should be exposed to best practices and to acceptable levels of security and manoeuvres.

I have to stress that these security professionals have now taken a much more prominent place in our lives. You really can't attend any kind of function in a public place, whether it's a symphony or bar or rock concert or whatever, without encountering these individuals. That's, of course, a very good thing. There are apartment buildings in my own riding, particularly in the Dixon Road area, that have had some difficulty with the level of security services that they offered, and I think that this particular bill, Bill 159, will go, at least in some measure, toward professionalizing, strengthening and standardizing the levels of services that they offer.

1740

Another reason this legislation is important is that it will be good for Ontario on a number of fronts—building safer and stronger communities. For example, it will not only be good for those who will be secured but also those

who will do the securing. It will provide a solid baseline of training. As was mentioned by a number of colleagues earlier today, it will also offer a portable licence so that if individuals move from situation to situation, venue to venue, they will not have to reapply for each circumstance but will have a portable licence which they can take with them. That's, of course, a very empowering thing.

Similarly for employers, if there are individuals who have established themselves and have the particular classification or grade of security clearance, then they, too, will perhaps be that much more marketable in different situations.

The reason why this particular piece of legislation is especially important and why I salute the minister for bringing it forward is that we have 50,000, 60,000, 70,000, 80,000 individuals who are engaged in providing these types of security services. So this is a win-win situation, and I think you can see that quite evidently from the unanimous sentiment, if not unanimous consent, so far on this particular bill.

Whether it's a matter of updating, bringing forward licensing, training, talking about uniforms, be they powder blue or otherwise, or empowering all individuals with the requisite amount of equipment that they're going to require, ultimately it's about regulation, standardization and bringing professionalism to Ontario's security services.

With that, I'm pleased to share my time with my esteemed colleague from Etobicoke-Lakeshore, Laurel Broten.

Ms. Laurel C. Broten (Etobicoke-Lakeshore): I'm pleased to join in the debate this afternoon about Bill 159. A lot of individuals have talked about the fact that this legislation needs to be updated, as it has not been updated since 1966, some 40 years ago. If we want to think about how long ago that was—and a lot has changed since 1966. Earlier in the House, there was some request about what year I was born, and I will share with you that I was not born yet by 1966. So it is a long time ago, certainly.

Times have changed since 1966, a time when we had only 4,000 licensed security practitioners. Now it's 30,000 and rising across the province. I think the role and importance of the security industry has also very much changed over the last number of years.

What this act talks about is licensing, making licensing mandatory for most security personnel. Most importantly to me, this legislation responds substantively to recommendations of the coroner's inquest on the death of a young Toronto man who died after an altercation with employees of a grocery store and security practitioners. That young man's name was Shand.

The Shand coroner's inquest took place in this province, and we all watched what was happening very carefully. We listened to the recommendations and saw the grief, I think, in his mother when his mother was attending here early on when this legislation was brought forward.

This legislation also builds on a 2002 discussion paper from the Law Commission of Canada, which recommended the professionalization of the security industry, and a 2003 conference organized by the commission that talked about the blurring of the police and private security industries. I think we've all seen that in our communities, and certainly others who have joined the debate this afternoon have talked about that blurring of lines: Who are these individuals and what is their specific role in our community?

Again, to go back to the Shand inquest, the coroner's inquest, that inquest resulted in 22 recommendations for the security industry, including those on mandatory licensing, training, licence classification, portable licensing and an effective enforcement system. It is, again, significant to those of us who have followed coroners' inquests—and I've had the privilege of acting as counsel at those coroners' inquests—to know the in-depth examination that is undertaken in a very specific area in the context of a coroner's inquest.

So it is significant to me, and I give credit to the minister, that this legislation has responded to those 22 recommendations and really met the demands of the public who would have served as the coroner's jury on that inquest.

I think that is why this is a good piece of legislation. We have had a lot of credit given to the process. The process not only built on historical recommendations that came forward, but at the same time asked stakeholders to come to the table to provide that information.

I want to point out that the stakeholder consultation that was undertaken to get the legislation that's before us today is going to continue because a committee is going to be established, the private security and investigative services advisory committee. That committee's mandate will be to provide key feedback and advice from all sectors involved in the private security industry, feedback on issues like training standards, standards for uniforms, vehicles and equipment, and that committee will assist in defining the regulations. That committee will be made permanent so that the minister can continue to gain information and insight from that committee, and provide advice and guidance to the ministry with respect to this new and ever-emerging industry.

Not only does this legislation bring us up to date after 40 years; it also ensures that we will keep up to date and stay up to date, because this committee of experts in the field, those who are out there each and every day doing this work, will continue to have the ear of the minister and the ministry to say, "This is how we need to continue to evolve." So we will not be back in the Legislature like this some 40 years from now saying, "We haven't done anything in 40 years and we need to update it." That process will continue.

Just before I close, I wanted to provide an individual who has given support to this legislation. Very importantly, the Council of Private Investigators of Ontario has reacted to the bill in a very positive way. The president, Bill Joynt, has said, "Changes to the Private Investigators

and Security Guards Act are long overdue. We support all changes designed to ensure a high level of professional service for the community at large and we welcome the opportunity to participate in ensuring those changes are workable and accepted by the industry."

With that, I certainly give my support to this legislation. I'm pleased to have heard all of my colleagues' comments around the House. There are many individuals who believe it's time for a change in this sector, and we look forward to seeing that change happen.

The Acting Speaker: It's time for questions and comments.

Mr. Ernie Hardeman (Oxford): I want to thank the members for their informative presentation on the bill. I have specific concerns about some of the things in the bill. As was mentioned earlier, I'm happy to see that it will be going to committee for further amendments.

As I'm listening to the debate on the bill, I find that we're talking in very general terms, that all we have to do is license the people who are presently doing these occupations and then the world will be a better place. As I look at the people who are involved in the security business in our community, these folks aren't all trained and ready to meet the requirements of this legislation. So I have some real concerns about how we're going to deal with the transition of the industry.

As was mentioned by the member on the government side, we have a great number of security personnel in our province today. I know it sounds kind of strange, but one of the first requirements I'm looking at here is that, of course, you must not have a criminal record. I'm not sure that all the 30,000 people we have working in the security industry who have years of experience and have been doing fine would have a clean criminal record.

Mr. Kormos: Or if you're in the Senate or in Paul Martin's cabinet.

Mr. Hardeman: I suppose it might be true to say that there could be a real problem here. A lot of our government ministers, it would appear, wouldn't be eligible to be security guards in our community. I'm not sure they would want to. From what I hear, they have a much better occupation.

I think there are a lot of things in this legislation that require some clarification, as to how we're going to deal with the present industry before we can get them all into the position where they are going to be able to be licensed and provide services that our people want. I do support—

The Acting Speaker: Thank you. Further questions and comments?

1750

Mr. Kormos: The point has just been made that, look, there are a whole lot of people now working hard for very low wages as security guards. This is simple, yet at the same time it's not so simple. The minister and others have made reference to this nouveau style of private police with batons, military-style boots, military-style uniforms and dark glasses—the whole nine yards—that are out there doing active private policing, a far cry from

the fellow working in the bank whose job is to help steer people to the right line, and in the event that anything untoward happens, call the police. Both of them are security guards; both will be covered under the legislation. I share the minister's concern about misconduct, inappropriate conduct or conduct that flows from the lack of training that gave rise to Shand. But you've got hundreds, thousands, of folks out there who thought they were doing the right thing, who thought they were doing their best: small-town security guards. Are they going to lose their jobs as a result of this legislation? We're not talking about people who want to be active private police. We're not talking about people who will ever utilize the citizen's power of arrest. We're not talking about people who are ever going to intervene in an altercation between two other people. We're talking, again, about the night watchman at a warehouse. We're talking about the watchman on a construction site. My concern is, what happens to these folks in the context of this bill? Look, they did nothing wrong. We can't just brush them aside as if they were irrelevant. They are very relevant, and we've got to deal with that as part of the process of the development of this bill.

Hon. Mr. Kwinter: I wanted to thank my colleagues on this side for their comments.

I just want to address a couple of points that were raised. Nobody is going to be grandfathered in this situation. To give you an example, the Canadian Corps of Commissionaires, a highly regarded group of people who are endorsing this legislation, are saying, "We have no difficulty and no fear that we cannot meet the standards." Under the provisions in this bill, what will happen is that if an individual who has been providing security services—for example, someone who belongs to the Canadian Corps of Commissionaires—feels that they can pass the examination that's going to be required of all security people, they can just go ahead and do it. They will also have to meet the other standards of having a security check and all the other things, but they can do that immediately.

The reason for the course and the certification is for those people who feel that this is a profession they would like to get into, and in order to do that, they have to meet the qualifications that will allow them to pass that examination. Community colleges are very enthusiastic about providing that kind of training; they will do that. They will then have to satisfy themselves that they have got the training, that they can do it, that they pass whatever security requirements are set up, and be able to present themselves, on acceptance and on completing the requirements, that they are professionals. The whole idea behind this legislation is to make sure that those people who are presenting themselves as security guards or private investigators have been certified and meet the requirements that are set out in the act. This is important because what it will do is make sure that the people of Ontario have—

The Acting Speaker: Thank you. Further questions and comments?

Mr. Kormos: Don't forget, at 7:05 p.m. Paul Martin grovels.

Mr. Arnott: The member for Niagara Centre is reminding me of something that's going to be happening tonight, and I'd like to give him an opportunity. Unfortunately, he doesn't have the opportunity to do another two-minute hit. I think he wants me to inform the House that tonight the Prime Minister of Canada is going to be speaking to the people of the nation on television. What time is it at, Peter?

Mr. Kormos: It's at 7:05.

Mr. Arnott: I think it's something that most of us will be looking forward to seeing and hearing, because there are exciting things happening these days in Ottawa. I don't think any member of the House would dispute that.

To have a chance to respond very briefly to the comments that were put forward by the members for Etobicoke North and Etobicoke—Lakeshore: I think they offered their thoughts to the House in a very constructive and helpful way. I didn't hear all of their comments because of some of the other distractions that were going on around me, but at the same time I'm not sure that they gave suitable and due credit to the member for Simcoe North. Again, I think it's important to remind the House that the member for Simcoe North, my seatmate Garfield Dunlop, brought forward a bill on this issue that was endorsed by the House, received second reading support, and I think to some degree informed the discussion that took place in the minister's office to bring forward a government bill.

I have been someone who has tried to take advantage of the opportunities that private members' hour on Thursday morning affords all of us, as members of the Legislature, who has tried to bring forward initiatives that are constructive, bring forward initiatives that otherwise perhaps aren't being discussed, aren't before the Legislature. I feel those Thursday morning opportunities are very important for all of us here, and I try to do that. The member for Simcoe North has done exactly that, and I think the minister, when he introduced his bill, gave the member for Simcoe North some measure of credit and acknowledgment for the role he played, and the minister showed a lot of class in doing that.

Ms. Brotin: It's my pleasure to respond to the members for Oxford, Niagara Centre, Waterloo—Wellington and the minister. Obviously, in a short period of time, it is difficult to go into the specifics of legislation. We tend to talk more about the common purpose and the generalities of it, but I want in these couple of minutes to talk specifically about a couple of issues.

First, who will this act apply to? It will apply to those whose primary role is to provide security and investigative services. The member for Niagara Centre talked about the good people in this province who need to have jobs. I want to point out a provision in the legislation with respect to licence portability that will allow those individuals who are employed in this sector to move from

one company to another freely, with their licence portability. They could have positions at more than one employer, for example. They could work part-time for a number of organizations and the licence will be theirs so they can earn a decent living. The concern the member from Niagara Centre had I believe is responded to in this legislation.

Another important specific provision in the legislation is the public complaints process, which will allow the establishment of a mechanism to address public complaints. That was a key recommendation of the Shand inquiry, because it is critical that we have an opportunity for individuals to raise those complaints with objective oversight and thirdparty intervention into the complaint system. That's what this legislation is putting forward.

With respect to the setting of standards via regulations, we've talked about the committee that will continue to provide advice to the minister and the ministry. Training standards will be one of the issues that committee will look at. Key areas of the future training curricula for security practitioners will include knowledge of the relevant legislation, communications and public interaction skills, first aid and CPR, on-the-job skills such as report writing and note-taking, and frankly, those are important things to be able to do their job.

The Acting Speaker: It being approximately 6 of the clock, this House stands adjourned until 1:30 p.m. Monday.

The House adjourned at 1757.

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